

# Public Document Pack



**Arthur Charvonia**

**Chief Executive**

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TO: THE CHAIRMAN AND MEMBERS OF  
BABERGH DISTRICT COUNCIL

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## PLEASE NOTE START TIME OF MEETING

Dear Sir/Madam

The Annual Meeting of Babergh District Council will be held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on **Tuesday, 22 May 2018 at 9.30 am**

For those wishing to attend, prayers will be said at 9:25 a.m. prior to the commencement of the Council meeting.

Yours faithfully



Arthur Charvonia  
Chief Executive

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk.



# AGENDA

## PART 1

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ITEM	BUSINESS	Page(s)
1	<u>ELECTION OF CHAIRMAN</u>	
2	<u>ELECTION OF THE VICE-CHAIRMAN</u>	
3	<u>DECLARATION OF INTERESTS BY COUNCILLORS</u>	
4	<u>APOLOGIES FOR ABSENCE</u>	
5	<u>BC/18/1 - TO CONFIRM THE MINUTES OF THE MEETING HELD ON 24 APRIL 2018 AS A CORRECT RECORD</u>	1 - 24
6	<u>BC/18/2 - ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER</u>	25 - 26
7	<u>APPOINTMENTS</u>	
a	<u>Designation of Committees and Joint Committees</u>	
	To appoint the following Committees and Joint Committees:	
	<ul style="list-style-type: none"><li>• Babergh Overview and Scrutiny Committee</li><li>• Planning Committee</li><li>• Babergh Licensing and Regulatory Committee</li><li>• Joint Audit and Standards Committee</li><li>• Joint Appointments Committee</li></ul>	
b	<u>BC/18/3 - Political Balance and Composition of Committees and Constitutional Amendments</u>	27 - 34
	Report by the Monitoring Officer attached.	

ITEM	BUSINESS	<u>Page(s)</u>
c	<u>Election of Chairs and Vice-Chairs of Committees</u>  In accordance with the Council's Constitution (Article 6 (6.2.1)) the Leader shall take up Chairmanship of the Cabinet.  To elect a Chair and Vice-Chair for the following Committees and Joint Committees: <ul style="list-style-type: none"> <li>• Babergh Overview and Scrutiny Committee</li> <li>• Planning Committee</li> <li>• Babergh Licensing and Regulatory Committee</li> <li>• Joint Audit and Standards Committee</li> <li>• Joint Appointments Committee</li> </ul>	
d	<u>BC/18/4 - Appointments to Outside Bodies for 2018/19</u>  John Ward – Leader of the Council	35 - 42
e	<u>Appointment of Councillors to the Shared Revenues Partnership Committee</u>  The Assistant Director – Law and Governance to report that, in accordance with the joint arrangements established with Mid Suffolk District Council and Ipswich Borough Council, Council is asked to appoint two Councillors and two substitutes to serve on the Committee for the Current municipal year.  The political balance rules do not apply to Babergh's appointees. The Group Leaders have been asked to put forward names to be considered for these positions.  Babergh's appointees for 2017/18 were Jan Osborne and Peter Patrick. The appointed substitutes were Sue Ayres and Margaret Maybury.	

ITEM	BUSINESS	<u>Page(s)</u>
f	<p data-bbox="280 271 1002 300"><u>Appointments to the Suffolk Joint Standards Board</u></p> <p data-bbox="280 342 1278 521">The Assistant Director – Law and Governance to report that, in accordance with the joint arrangements established with Mid Suffolk District Council and Suffolk County Council, Council is asked to appoint three Councillors to serve on the Board for the current municipal year.</p> <p data-bbox="280 564 1278 629">The political balance rules do not apply to Babergh’s appointees who cannot be:</p> <ul data-bbox="331 672 788 779" style="list-style-type: none"> <li data-bbox="331 672 788 701">• The Chairman of the Council</li> <li data-bbox="331 743 722 772">• Members of the Cabinet</li> </ul> <p data-bbox="280 815 1278 1032">The Group Leaders have been asked to put forward names to be considered for these positions. Appointments will be made for the ensuing year, unless one of the circumstances in Section 5 of the Board’s Terms of Reference relating to resignations, removal/replacement of members, changes to the constitutional arrangements takes effect.</p> <p data-bbox="280 1070 1278 1137">Babergh’s appointees for 2017/18 were Bryn Hurren, Adrian Osborne and David Rose.</p>	
g	<p data-bbox="280 1182 1166 1211"><u>Appointments to the Joint Gypsy and Traveller Steering Group</u></p> <p data-bbox="280 1254 1278 1319">Council is asked to appoint four Councillors to the Joint Gypsy and Traveller Steering Group.</p> <p data-bbox="280 1361 1278 1426">Babergh’s appointees for 2017/18 were Sue Ayres, Tony Bavington, Peter Burgoyne and Lee Parker.</p>	
8	<p data-bbox="280 1473 1278 1538"><u>BC/18/5 - ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2017/18</u></p> <p data-bbox="280 1581 1070 1610">Chair of the Babergh Overview and Scrutiny Committee</p>	43 - 70

9 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

To consider whether, 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 this item, it is likely that there would be the disclosure to them of exempt information as indicated against the item.

The author of the report proposed to be considered in Part 2 of the Agenda is satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10 TO CONFIRM THE EXEMPT MINUTE OF 24 APRIL MEETING

Note: The date of the next meeting is Tuesday 19 June 2018 at 5.30 p.m.

## **Introduction to Public Meetings**

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Governance Officer on: 01473 296472 or Email: [committees@babermidsuffolk.gov.uk](mailto:committees@babermidsuffolk.gov.uk)

### **Domestic Arrangements:**

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

### **Evacuating the building in an emergency: Information for Visitors:**

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

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# Agenda Item 5

## BABERGH DISTRICT COUNCIL

### MINUTES OF THE MEETING OF THE BABERGH COUNCIL HELD IN KING EDMUND CHAMBER - ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH ON TUESDAY, 24 APRIL 2018

PRESENT: Peter Burgoyne - Chairman

Clive Arthey	Sue Ayres
Melanie Barrett	Simon Barrett
Tony Bavington	Peter Beer
Sue Burgoyne	Tom Burrows
David Busby	Tina Campbell
Sue Carpendale	Michael Creffield
Luke Cresswell	Derek Davis
Siân Dawson	Alan Ferguson
Kathryn Grandon	John Hinton
Michael Holt	Bryn Hurren
Jennie Jenkins	Richard Kemp
Margaret Maybury	Alastair McCraw
Mark Newman	John Nunn
Adrian Osborne	Jan Osborne
Lee Parker	Peter Patrick
Stephen Plumb	Nick Ridley
David Rose	William Shropshire
Ray Smith	Fenella Swan
John Ward	

#### 39 APOLOGIES FOR ABSENCE

39.1 Apologies for absence were received from Councillor Gasper, Councillor Lawrenson, Councillor Long, Councillor Steer and Councillor Williams.

#### 40 DECLARATION OF INTERESTS BY COUNCILLORS

40.1 There were no declarations of interest.

#### 41 BC/17/31 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2018

**It was Resolved:-**

**That subject to pages 14 and 16 being amended to read Councillor A Bavington the Minutes were approved as a true record.**

#### 42 BC/17/32 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER

42.1 The Leader reported that the Chief Executive, the Assistant Director for Planning and himself had attended a meeting arranged by James Cartledge MP with Sajid Javid to discuss housing delivery.

A two-page briefing had been prepared to explain the current situation and contained information about the applications the Council had approved, houses built and major stalled sites, along with an explanation of why the Council didn't have a 5-year land supply and what the Council was currently doing about it with a list of things the Council would like or need.

42.2 Sajid Javid had agreed to help with three of these, which could prove to be very useful for the Council. These were:

1. To assist the Council should it wish to implement a CPO against a stalled site.
2. To assist the Council with expediting the new Joint Local Plan.
3. To support the Council if it were able to put together a local housing deal with partners (e.g the wider Ipswich HMA) to increase the HRA borrowing headroom.

42.3 The Leader added that he felt that this was a good meeting and he would be keeping in communication with the Minister about progressing these items.

42.4 The Leader reminded the Council about the presentation of the iESE 2018 Public Sector Transformation Awards that was taking place at 10.30am on Tuesday 1<sup>st</sup> May.

42.5 The Leader also took the opportunity to welcome Cllrs Davis and Lawrenson to the Cabinet and thanked Cllr Parker for his contribution to Cabinet.

43 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

43.1 There were no petitions reported to Council.

44 QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

44.1 There were no questions submitted from the public.

45 QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

45.1 Questions were asked in accordance with Council Procedure Rule No.12.

45.2 The Chairman informed Council that in the absence of Councillor Williams a written response would be circulated.

**Question 1**

**Councillor Williams to Councillor Ridley (Cabinet Member for Assets and Investments)**

1. Please supply a full copy of the Asset register of Babergh District Council before the office move to Needham Market and Endeavour

House, itemising description and book values for each.

2. Please supply a full copy of the Asset register of Babergh District Council after the office move to Needham Market and Endeavour House to the current date itemising description and book values for each.
3. Please supply a full listing of the Assets appearing in 1 above but not 2, along with:
  - 3.1 Their current location and to whom sold and/or donated by full name and address;
  - 3.2 If sold, the amount agreed as consideration and the amount paid; and a full explanation as to why assets were given away or sold at less than book value.
4. Whether any assets in 3 above could be recovered and at what cost.
5. Whether there are any assets now held in Hadleigh, Needham Market and Endeavour House and if so please supply a full description with their acquisition cost and current book values.
6. Can you please supply also:
  - 6.1 The cost of the move to Endeavour House in actual terms with a breakdown; (A)
  - 6.2 The current annual running costs of operating from Endeavour House; (B)
  - 6.3 The annual running costs of operating from Corks Lane in its final full financial year (C); and
  - 6.4 The projected annual saving or loss (D) where:
$$(A + B) - (C) = D$$
  - 6.5 The projected saving or loss over the next 5 years.
  - 6.6 The projected costs of a return to Corks Lane.
  - 6.7 The projected annual loss to the economy of the move from Corks Lane to Endeavour House for:
    - 6.7.1 Hadleigh
    - 6.7.2 Babergh District
  - 6.8 The extent to which the Council analysed the data available to it whether in actual or projected terms) in 6 (but not 6.6) above before deciding to move to Endeavour House.

6.9 Details of any reports commissioned as to the effect on the community and its views of the move to Endeavour House and all conclusions drawn therein on the representational benefits /disbenefits of operating the HQ of Babergh District Council outside and from one end of the constituency (Ipswich).

6.10 When I attended the Joint Audit and Standards Committee on 12<sup>th</sup> March I was made aware that Babergh Residents in large numbers were turning up at Endeavour House expecting to have their issues dealt with. They were being told to go to Stowmarket and Sudbury. I discovered this by listening to the complaints in the queue of people before me and by questioning the receptionist. I find this entirely unsatisfactory. When will the initiative be taken to reposition our HQ back into our District and in a Central location?"

**Response Councillor Ridley (Cabinet Member for Assets and Investments)**

**Question 1 – 5 - Please refer to the attached written response from Councillor Ridley on 20<sup>th</sup> February 2018, which was the same response provided by the Officer at the Joint Audit and Standards meeting on the 12<sup>th</sup> March 2018.**

**Question 6.1 – 6.5 - Please refer to report BOS/17/37 All Together Programme, presented to Babergh Overview and Scrutiny Committee on 19<sup>th</sup> March 2018.**

**Question 6.6 – 8 - Please refer to the attached written response from Councillor Ridley on 20<sup>th</sup> February 2018.**

**Response Question 6.9 Councillor Davis (Cabinet Member for Organisational Delivery)**

**I welcome Cllr Williams' question and share his concerns and to a lesser degree his experience with Babergh residents not being able to access officers.**

**Indeed having to make a two hour bus journey to get to Stowmarket or Sudbury from the outer reaches of the district, such as Shotley or Brantham, and it is not much quicker from East Bergholt is not the service we should be providing.**

**Following a question from Cllr Creswell at cabinet recently it was resolved that we shall look at the viability of a cut down service in Hadleigh and perhaps then rolling a similar service out to other areas within the district.**

**Hopefully we can find a way of providing an even better service than before the move to Endeavour House.**

**We are currently reviewing our Customer Access Strategy and will be reporting back to Cabinet in July. We are committed to providing excellent customer services and so are exploring, through this review, how to take advantage of other opportunities to provide further self-service facilities across the district.**

**We have asked the Facilities Management company Vertas, who are responsible for managing Endeavour House reception, to record details of the number of Babergh & Mid Suffolk customers presenting at Endeavour House and the nature of their enquiries. This will allow us to monitor the situation accurately and respond accordingly. Although we have not designed Endeavour House to be a customer service centre, we will of course support customers coming here, without them needing to re-present at Stowmarket or Sudbury.**

**As for relocating back into the district, as much as many people may prefer that. It is highly unlikely in the foreseeable future. More detailed plans for the re-use of the Corks Lane site have also been consulted on recently and will be coming to Councillors for decisions in the next few months. In all the circumstances, therefore, and having signed a 10-year lease with Suffolk County Council, it would not be prudent to move our HQ again, within six months of moving to Endeavour House.**

## **Question 2**

**Councillor Bavington to Councillor Osborne (Deputy Leader and Cabinet Member for Housing)**

1. What is the total number of empty homes in the Babergh District?

**Response:- 319 empty six months plus, correct at end Feb 18. These are 'normal' empties and do not include those going through probate, people in hospital/care etc.**

2. How many have been vacant for two years or more?

**Response:- 84**

3. How many have been vacant for five years or more?

**Response:- 0**

4. How many have been vacant for ten years or more?

**Response:- 0**

5. How many of the total have been brought back into use?

**Response:-** In respect to the total number of properties brought back in to use, between April 2017 and February 2018, the number of short term empty properties, has increased. The difference between those empty six months to two years between March 2017 and February 2018 rose by 55 as an accumulative.

**For those properties empty more than 2 years, 29 were returned to use between April 2017 to Feb 2018.**

**For further information, of those empty more than 2 years, in the year 2015/16, 47 properties were returned to use and in 2016/17, 64 properties were returned to use.**

6. How many EMDOs have been made in the last year? How many cases were prepared and what stage of preparation did they reach and why were they not proceeded with?

**Response:-**

0. For info, cases were prepared for Compulsory Purchase Orders, but these did not proceed.

**An Empty Dwelling Management Order is a piece of legislation which allows Local Authorities to take over the management of an empty property where the following criteria can be proven:**

- The property has been wholly unoccupied for at least 6months
- There is no reasonable prospect of the property being returned to use by the owner
- The property is a habitable standard or can be made habitable at a 'reasonable cost'
- The LA can demonstrate that the property will be occupied following the EDMO.

**The LA must apply to a Residential Property Tribunal to secure an EDMO and are seen as a last resort when returning properties back to use. They can be in place no more than 7 years.**

**The legislation is complex and difficult to use which is why nationally they are seldom used.**

**BDC use advice and guidance together with financial assistance to encourage owners of empty properties to return them to use.**

7. What is the present total number of families on our waiting list and how many of those families might be housed if EMDOs were made on all homes that fall under this power? Can you confirm how many households might be housed?

**Response:- 927 households on Babergh's housing register**

**It would be impossible to answer this question without knowing exact property details of each empty together with family size of those on the waiting list, not to mention whether the empty properties were in the location requested by those on the waiting list.**

**Supplementary Question:-**

Can the Portfolio holder confirm that EDMO's have actually been considered and have been rejected and does she continue to monitor the situation to see whether it would be appropriate in any particular circumstances to use one.

**Response from Councillor Osborne Cabinet Member for Housing:**

**They have been considered but because of the complex legislation and the failure sometimes to get them through and also to take into consideration that those properties can only be occupied under that order for a period of seven years, Babergh haven't taken them up. There is no reason why we cannot look at that again and in fact under the development of the new housing strategy that is something we can look at and take into consideration on how we actively and innovatively work to bring empty properties into occupation. A lot of work has been done by the homeless team as well as with private landlords to assist in the new Homelessness Act and to make sure the Council is compliant. I would be happy to meet with you at a later date to discuss in detail the work that is being done.**

**Question 3**

**Councillor Shropshire to Councillor Ward (Cabinet Member for Economy)**

- a) How much does it cost to run the Lavenham Tourist Information Centre (TIC)?
- b) How much money, (sensible estimation will suffice), that Tourism in Lavenham brings into the local economy?
- c) How many jobs in Lavenham are supported by Tourism?

**Response**

- a) **Lavenham TIC consistently runs at an overall deficit of around £60k net annual cost to Babergh DC (net cost projection of £57,320 for 18/19). This amount does not include Finance Team calculated recharges estimated at £43,250 for 18/19. That would make a total overall annual cost of £100,570 for 18/19.**
- b) **We commission annual district wide 'Volume and Value' data on Economic Impact of Tourism. We last sought a specific destination and market town drill down of this study in 2015 (which included Lavenham), as it is quite costly.**

**This concluded that Lavenham generated a total direct and direct tourism value of £6.51m to the local economy, with Babergh overall generating £183.86m.**

- c) That same study indicated 113 FTE jobs directly related to tourism for Lavenham (out of 2990 FTE all of Babergh), and 155 as all tourism related FTE for Lavenham (out of 4174 all Babergh).**

**Supplementary Question from Councillor Shropshire**

When somewhere like Lavenham which relies so heavily on tourism, would it not be a sensible suggestion for those facts to be given to both the district councillor and perhaps the parish council before decisions are made so that the ease of the decision can be fed into the community rather than being told one day that the information centre is being shut?

**Response**

**Thank you the paper that went to Cabinet was a restrictive paper because of the HR implications, once the decision was taken the information was then provided.**

**Question 4**

**Councillor Hinton to Councillor Ward (Leader of the Council)**

As the “Merger” has been put on hold for the foreseeable future, and there was a motion passed by Babergh Council in December 2017 forbidding the expenditure of any monies or officer time on merger work in the financial year 2018 – 2019, how has the “Draft business case” on Merger recently circulated been financed and how much has actually been spent in financial and officer time (we are after all a joint officer structure with apportioned cost, but separate constitutional and financial bodies,) on the 82 page document?

**Response from the Leader of the Council:**

**The draft business case, which has been circulated to all Councillors for information, was developed in accordance with the decision of Cabinet on 7 December 2017.**

**No direct costs have been incurred in drafting the business case. Staff time has of course been used to draft the business case but as officers do not record their time it is not possible to quantify this with any accuracy however apart from the recent publication on the website the costs of preparation of the business case was incurred in the financial year 2017 to 18.**



## **Supplementary**

Bearing in mind in the answer to the previous question which stated that £43K was recharges for the Lavenham TIC for officers time. How is it that they can work out officers time spent on something like the TIC but something like an 82 page document for a business case they are unable to. Added to which it does state on the first line of the business case that Babergh and Mid Suffolk have prepared this business case to test the opinion of generating a new single Council, they were already testing that opinion with a telephone survey.

### **Response:**

**To answer the second part of that the business case was and the telephone survey were quite clearly stated as being two separate parts of the work we were doing to evaluate the viability and case for merger so they were separate and they were always intended to be two different and separate activities, starting with the telephone survey and continuing on with the business case, one informing the other. In terms of the officer time, with the Lavenham TIC that and a number of other service areas have been broken down in terms of their recharges but that hasn't been possible with the business case simply because the way the work was carried out and the case was prepared but as I did state earlier that time was principally almost exclusively incurred in the financial year 2017/18 where the motion doesn't apply.**

## 46 **TO RECEIVE REPORTS FROM CABINET MEMBERS**

- 46.1 Councillor Ward introduced the reports and informed Council that the presentation of the quarterly Cabinet member reports was an initiative that both Council Cabinets had agreed to provide in order to improve information about what each Portfolio was doing. The reports were for information only but Councillor Ward invited questions from Councillors and said that these would either be answered now or in writing or Councillors could approach the portfolio holders for a 1:1 discussion if required.

### **Questions**

#### **Question 1: Councillor Bavington to Councillor Ward**

In the Timetable of meetings 2017/18 a Babergh District Council Cabinet Briefing is shown and is taking place about two weeks before each Cabinet meeting please tell the Council in as much detail as possible what form these briefings take, for example but not exclusively do they consist of a cosy fireside chat between the Cabinet and the Chief Executive without papers or other officers present or do they replicate the full Executive arrangements for a committee or a cabinet with a full range of officers present, a written agenda and written papers, or something in between. If written papers and agendas are involved are these subject or have they been subject of freedom of information requests?

### **Response from Councillor Ward, Leader of the Council:**

**In many respects Cabinet briefings are exactly what they say on the tin. They are an informal opportunity for Cabinet Members to collectively discuss emerging ideas or work that they may have been developing in principle with their respective Assistant Directors so there is collective accountability by the Cabinet. The meetings themselves are usually attended by the Chief Executive, the Strategic Directors and then relevant Assistant Directors depending on the topics under discussion. The meeting usually takes 3 forms, firstly to review draft Cabinet reports just prior to publication, secondly to ensure work scheduled in the forthcoming decisions list is on track, and thirdly to provide opportunity to consider other items that the Cabinet would like to see on the forthcoming decisions list in future. The papers involved in the meetings are not subject to the FOI process under the exemption of necessity to hold a full and frank discussion on their contents.**

### **Question 2: Councillor Bavington to Councillor Ward**

In the Timetable of meetings 2018/19 the current year a BDC briefing is not shown as taking place about two weeks before each cabinet meeting, does this mean 1. cabinet briefings will no longer take place from May 2018 perhaps that should be April. 2. If not how will Cabinet Members manage without briefings from officers. 3. If so what is there form again in full detail as above and 4. if so why are the meeting dates not shown on the timetable of meetings. Are they to become so secret that we the elected members of the council may not even know they are taking place?

### **Response from Councillor Ward, Leader of the Council:**

**Cllr Bavington there is no conspiracy of secrecy I can assure you. As I have explained the purpose of the Cabinet briefings it is clear that they are an essential part of the process and will remain an the essential part of the process but the Cabinet briefings are both on the 2017/18 and 2018/19 Timetables on Connect for information for Councillors and officers, however they are not on the public version on the website as they are not public meetings.**

### **Supplementary Question**

Well they are not on the calendar of meetings paper that I was given and I am old enough to have a fireside and to rely upon the papers that I am sent. I happen to have a copy of the cabinet briefing papers for a meeting some time ago and of course I cannot reveal my sources to how I came by that but it appears to me to be a complete pre-cabinet piece. It has an agenda it has apologies it has papers it has minutes it has everything else and it seems to me particularly having attended many cabinet meetings and heard cabinet members saying I have nothing to say in this meeting I am happy with the briefing that I have had, it seems to me that this is full cabinet in secret, I don't think we should be doing that, I don't think the law should allow us to do that, and I think we should have cabinet meetings that actually take place in public and are real meetings taking in public, don't you think so?

**Response from Councillor Ward, Leader of the Council:**

**Yes I do and we do have real Cabinet meetings with Cabinet decisions that take place in public but I will draw your attention to the first purpose of the briefing and that is to review the draft cabinet reports just prior to their publication so obviously we are going to have a full set of Cabinet papers but they are only draft Cabinet papers and quite frequently there are changes to those before the actual Cabinet meeting itself.**

**Question 3: Councillor S Barrett to Councillor Ward, Leader of the Council**

I was surprised at the announcement regarding Lavenham TIC where did this decision come from it wasn't on the work programme - does the Cabinet know what it is doing?

**Response from Councillor Ward, Leader of the Council:**

**The issue regarding the Lavenham TIC was on the Forward Plan for Cabinet, it was a pink paper because there were sensitive issues that we had to discuss with the staff but having done that we have informed Members including the ward Member and in terms of the overall tourist strategy yes we are working on an overall tourism strategy but the future of one TIC is only a small part of that, there is a wider tourism strategy and as you have heard from me earlier there are considerable savings to be made from the Lavenham TIC there is no justification for continuing it in its present form and I am sure if you were still Cabinet Member for the Economy you would be supporting that decision. We are looking at alternative tourist information provision just as I stated earlier other Councils elsewhere are doing and we will have something in place for Lavenham.**

**Question 4: Councillor Ferguson to Councillor Campbell, Cabinet Member for Environment**

What assurances can you give me and the context of the option for extending the SERCO contract by 7 years. Anyone who reads the papers at the moment will see that Capita is in serious problems they are outsourcing, SERCO have had their own problems with outsourcing so a 7 year commitment to SERCO for this particular service I think would be unwise it would be cavalier this is a low margin business and I would judge it to high risk, even though they are only providing the manpower so what I would like to know from the Cabinet Member is what risk analysis she has done and if I can read from something in the paper this morning – local authorities have said they have contingency plans in place should suppliers run into financial difficulties that is exactly what is happened with Capita this week, I can see that happening potentially with SERCO because SERCO has been there before so I would like to know what contingency plans we have in place and I would like to know what price indexation has been put in place for the next 7 years on that contract to make sure the SERCO is adequately covered for salaries which it is difficult to predict at the best of times?

**Response from Councillor Campbell, Cabinet Member for Environment:**

**We are going to be looking at three options, one is to retain the contract which is under review at the moment with new routes being worked out, to take the service inhouse or to partnership with another neighbouring Council. This will take a while to work out the contract isn't due until April 2019 and it will be a 2-year process. I can't give you answers to the other questions off hand but I will get back to you on it.**

**Question 5: Councillor Hinton to Councillor Ridley, Cabinet Member for Planning**

I shall be addressing agenda item 8 CMU1 with comments on page 21 and 22 concerning the disposal and potential regeneration of the old Council offices at Corks Lane. Basically the final preferred plan as it states at the top of page 22 will be put before councillors for their approval and authority for officers to submit a planning application, will that include unlike the papers that have been put before the public any form of justification as to why option 2 rather than options 1 or 3 has been chosen because at the moment it seems like a rather arbitrary allocation of the options and it is says that the plans are progressing well so presumably they have got that information and that should be available to us.

**Response from Councillor Ridley, Cabinet Member for Planning:**

**As Cllr Hinton will know there have been 2 consultations with people in Hadleigh and I understand that those have been very positive I have to say in favour of what is being put forward as the likely application to that particular site. There was I believe a meeting this morning which I was not at which I think our Leader was at which again was on this particular issue and I am perfectly satisfied that we are looking in a proper way at all the options and that the option that we have before us is one that we have looked at after proper advice has been given. Quite clearly we need to take a decision and in order to take that decision we shall have to resubmit a planning application eventually but it will come before the full Council before we in fact go out to submit it to a planning application. I think the timetable is probably planning for some time in the early autumn, that is all I can tell you at the moment.**

**Question 6: Councillor Hinton to Councillor Campbell, Cabinet Member for Environment**

On CMU4 page 33 where under 3.4 environmental protection and environmental management there is a whole paragraph starting BEE Anglia Business Energy Efficiency Anglia through our membership of Suffolk climate change partnership Mid Suffolk businesses have benefitted it goes on to talk about lots of businesses mainly in Mid Suffolk there is not one single mention of Babergh district council anyway on the rest of that page. Could she explain why that is the case and does that we mean that we have actually done nothing in Babergh and if so what have we been doing with our time?

**Response from Councillor Campbell, Cabinet Member for the Environment:**

The paragraph begins by saying that officers are leading a project to obtain 100% grant from Highways England for the 20-mile interval rapid charging points for electric vehicles, so they have been working on that. There is plenty going on here and I am bit baffled by the question. There is work on the national grid we have been looking at battery storage in the leisure centre which is coming up soon, several things are being looked at to make the whole area more energy efficient as you know the housing has had solar panels put on. There is plenty going on with fly tipping, litter prevention, there has been £10K to go towards a scheme to try to prevent the litter that collects along the highways but basically that goes down to education and we need to have a policy in place to prevent this and educate people to take pride in their environment.

**Supplementary Question**

On page 33 starting on para 3.4, the second paragraph of that yes there are going to be rapid charging points put along the A11 none of it in our district, A14 very little of it in our district it skirts one part of it, A12 yes it comes up through I don't know how many electric charging points we are going to have on that stretch between the Essex border and Copdock Mill. That is the first paragraph but it then goes on to talk about the business energy efficiency Anglia and talks about Mid Suffolk businesses benefitting, it talks about grants being put out 35 businesses in Mid Suffolk have received free audits, there is not one single mention of Babergh, the climate change partnership, SCCP in brackets, Mid Suffolk District Council together with other Suffolk authorities have been awarded almost 2.8 million. No mention of Babergh. Is this a report that was destined for Council at Mid Suffolk or it is supposed to be a report for us?

**Question 7: Councillor Busby to Councillor Patrick, Cabinet Member for Finance**

CMU5 on page 37, which is for Cllr Patrick, 3.4 at the bottom, we are talking about the 3<sup>rd</sup> quarter so that is ending September to December, even December is four months out of date, but here we are we are talking about it, just in one line there is £1.227 million favourable variants on our general fund. I thought we were short of money. £1.227 million variants how many percentage points on council tax is that at £50K equalling 1%, that is a lot of variants, I think it deserves a bit more of an explanation than we were lucky, and we have just put into the pot somewhere.

**Response from Councillor Patrick, Cabinet Member for Finance:**

I think it should be understood Chairman that we were asked to produce reports on the activities which we as a Cabinet have been undertaking in the 6-9 months up until the time of the publication of these reports which was at least a month ago. And a lot of background data has been included in it for the edification of Members opposite and for our back benchers, so if they often wonder what we have been doing with our time and indeed what the officers have been doing with their time we have been trying to put something together and there is an awful lot of stuff here.

Now had the worthy Councillor attended the Cabinet meeting on 8 March he might have been there I don't know, but if he comes to these Cabinet meetings and see's our progress reports, Cllr Anthony Bavington certainly comes, you will understand how the movement of monies progresses and how we deal with it quarter to quarter and in fact at the next Cabinet meeting we will be having our out-turn for the year, please do come. This £1.227 million favourable variants, admirable that it is I am afraid it is already accounted for, we have had to allocate to cover deficits elsewhere, we have put monies aside to cover known deficits and to be prepared for areas of expenditure where we do actually have a reasonable expectation of problems so we are being careful and sound as I hope you would expect a good chartered accountant to be.

**Question 8: Councillor Hurren to Councillor Campbell, Cabinet Member for the Environment**

CMU4, 3.7 second paragraph, the food and safety service involved in an investigation into 3 linked cases of legionnaires disease, could we possibly know a little more about this, are they all on the same premises is it 3 different places and could we have an update please of where we are with that.

**Response from Councillor Campbell, Cabinet Member for the Environment:**

Anywhere there is water and the public are involved the water must be run for 30 seconds because legionnaires exists in that and it is like a flu virus so everywhere where the public comes in all these water facilities have to be tested, it is there everywhere, I have actually done the training and I would advise everyone even getting into your own shower in the morning run it for 30 seconds before you use it, there is nothing we can do about it, it is something that exists as a microcosm. It has been cleared, there was a scare at one particular place but I think it has all been resolved and these are stringent tests it is something that we have to be extremely careful about it and I would urge every individual to always take these precautions.

**Question 9: Councillor Hurren to Councillor Patrick**

CMU5, 4.8 the conditions of working together staff survey Peter. I would love to know what the questions were and I would love to have a more detailed report of the answers, is it possible to have that may I ask?

**Response from Councillor Patrick, Cabinet Member for Finance:**

Yes you may ask Cllr, the responses are currently being considered by the Senior Leadership Team, they will then be discussed with members of staff and they will be made available to yourselves in due course, probably in two months' time.

**Supplementary Question**

The first part of the questions Chairman was could I be informed of what the questions actually were, how was this phased? You can ask genuine questions of staff in the form of a consultation or it could be one of these more Comres types things which I feel I would be quite unhappy with and I would state as a long term

Councillor who knows a lot of staff and does walk the floor a bit, I can tell you that probably in excess of 50% of our staff in the customer access points are seeking other jobs. Now that is a quite a serious statement to make and I think that shows a high level of dissatisfaction amongst those we employ. I notice in the annual statement in the pictures there was a picture of a lorry saying we have moved to Endeavour House, but it didn't show what had fallen off the lorry did it and I would be very interested to know the result of this survey amongst our staff and I would definitely like to see the questions and how they were served.

#### **Response from the Chief Executive:**

**I just wanted to give some reassurance to Councillors I have got absolutely no vested interest in asking staff any questions that don't illicit honest and detailed answers so we can learn, develop and grow as an organisation. The questions asked were long, there were lots of them, they were carefully asked in a way that wouldn't provide any leading answers and also provide detailed balanced answers so people could respond for example do they strongly agree with issues or do they strongly disagree with issues or honestly did they not know either way. In addition to that free text so that they could give full detailed answers in relation to every single question, that's why it is going to take some time to properly analyse it. I don't know when we last held a staff survey, there certainly hasn't been one since I have been here. I think it is a positive step forward and the intention is that we learn from that in order to make sure that we continue to improve how we operate. I don't know where the stats come from in terms of customer access points and 50% looking for new jobs. I don't recognise that in any way shape or form, if it is true I am more than more than happy to talk to those staff but as I say I don't recognise that in any way, shape or form. Not least because as you will be aware for example the customer access staff in Sudbury are not our employees.**

#### **Question 10: Councillor McCraw to Councillor Patrick**

CMU5, in paragraphs 3.6 to 3.10 the paper refers to the business rates revaluation grant. I don't know if any other Members have had dealings with the VOA during the business rates revaluation in the course of last year, a very complicated process and one of the areas that was primarily hit, this is a necessary preamble by the way Mr Chairman, there will be a question. One of the primary areas hit was in the hospitality industry, I have one particular business within my ward which saw its base business rate quadrupled although with the application of a multiplier of 0.5% or around that, it only came up to just more than doubling it. I note that this paper refers to the money available nationally, the paper suggests in 3.8 that it has proven difficult to allocate all the grant. I would suggest and I would like to ask if this can be addressed, that one of the reasons it might have been difficult to allocate all the grant was that I don't think Members were made aware of the possibilities of this relief available to the businesses within their wards and I would like to ask Cllr Patrick if that information, and the process by which we would claim it for any businesses severely affected, could be made known to Members.

### **Response from Councillor Patrick, Cabinet Member for Finance:**

**I can assure you as one of the Members representing this Council on the Shared Revenues Partnership a considerable amount of time and effort was put in to making sure that this money provided by the government was actually dispersed and in the end approximately 170 businesses benefitted from the money we managed to actually disperse, the biggest amounts refunded were about £17K, there were an awful lot in the range of £1K to £3K but in some cases down to as little as £10 or £3 but we did manage to expend the money which we were intending to do. But I have to say when the matter was first tackled we found that we had too much left over so we have been bending over backwards to make sure that the money was properly dispersed and so companies, businesses that were not originally first in line to receive have been able to do so.**

### **Supplementary Question**

Can I ask Cllr Patrick how ward Members were involved in this process on the basis of our local knowledge?

### **Response:**

**I don't think that comes into it Councillor.**

### **Question 12 Councillor Ferguson to the Chief Executive**

It is page 34 of the document pack sent to Members. This page really to me is just full of alarm and warning bells, it is all about people, it says planning enforcement we have lost two senior officers but we can't recruit, Heritage services also lost two members of staff and can't recruit. There are IT failures with the new IDOX, the food & safety people are struggling with lack of touchdown points in Mid Suffolk. it says the neighbourhood plans officer hasn't been recruited because we couldn't get one of those and I believe that our planning teams are already light. So huge alarm bells to me and my question is whether it is to the Cabinet Member or the Chief Executive, I don't mind who answers it. I am looking for what light we have at the end of this tunnel, it would seem to me that all of these problems have come on us since we decided and moved down here rather than staying up in Hadleigh, so my question is what light do we have at the end of the tunnel that we are going to get over these huge manpower difficulties in recruiting people that we seem to have at the moment?

### **Response from the Chief Executive:**

**In terms of recruitment issues the challenges are very specific to planning and they are not new, they have got nothing to do with moving to Endeavour House. If you go back over a period of time for a long period we have struggled in terms of planning, that is not just an issue for Babergh or Mid Suffolk, it is an issue nationally. There is shortage of planners and so what you will see is a twofold element happening whereby planners are both moving between local authorities, which is not to be unexpected particularly as local authorities increase their pay to try and attract the limited resource but what you will also see is planners leaching, moving into the private sector**



as well so we are attempting to do lots of things in that regard we have been more successful in recent times. As you identified, this report is a backwards look and was published as of March. We have been more successful in recruiting planners more recently but for the longer term Suffolk is working together as part of a graduate scheme to grow our own, so clearly that is a positive move that will take time as you would expect and clearly it is not just about recruitment it is about retention as well and so there is also other work underway across the board not just in relation to planning but for the whole organisation looking at how we can provide better reward and recognition scheme so it is not all about pay it is about the wider offer and opportunity that we provide to staff so that people not only want to come and work here in the first place but they also want to stay with us having made that decision. So there is light at the end of the tunnel but as you would expect at any point in time with the variety of services that we deliver and the variety of professions that we cover there will be some pinch points and at the moment planning in particular is one of those.

47 BC/17/33 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE FRAMEWORK

- 47.1 Councillor Ridley introduced the report and **MOVED** the recommendations within it. He informed Council that it had been essential that a detailed expenditure framework was developed and a cross party Panel was set up to develop the proposed scheme. Some of the Panel's key outcomes was resolving the difference between strategic and local infrastructure and the amount of CIL money to be saved. The Panel had also agreed a communications strategy and timetable for delivery.
- 47.2 Councillor Ward seconded the report and reserved the right to speak.
- 47.3 Councillor Arthey stated that as a member of the Panel he had felt that it was an excellent piece of work and thanked the staff involved in the process for their hard work and support of the work of the Panel.
- 47.4 Councillor Busby welcomed the fact that ward Members would be involved in the process and asked if the 5% that the Council would receive for administration costs could be used to fund feasibility studies and infrastructure work?
- 47.6 In response the Key Sites and infrastructure Officer stated that the 5% CIL admin costs are already factored in against staff costs so had already been allocated. The Panel had discussed the issue of feasibility studies and had agreed that a feasibility study would not guarantee whether the project would actually come forward for a bid and that would therefore mean that money could therefore be wasted. However, there will be a review of the scheme and that could be revisited when that happens.
- 47.7 Councillor Bavington queried paragraph 4.2 in the report and asked if the 15% and 25% residual percentage that went to the Council were required by the government or whether it was a choice the Council had made at some point?

- 47.8 In response Councillor Ridley confirmed that it was part of the CIL regulations.
- 47.9 Councillor Hinton felt that in appendix A bullet point 2.1 the paragraph was very wordy and asked when applications came before the Planning Committee where an ask of the 1, 2, 3, list, or a potential ask of the 1,2,3, list from the County Council has been £350,000 and the CIL is only going to produce £250,000 so is it a CIL as in Babergh as a whole community or do we have to go back to some of the legal decisions recently and bring the boundaries down a bit? Also please can you clarify that anything over £150k has to be a Cabinet decision?
- 47.10 In response the Key Site and Infrastructure Officer stated that In connection with the first question in order to make residential development acceptable you need infrastructure in order to mitigate the harm from the development and the Panel were very clear on the fact that they felt that if communities were going to accept the growth then they ought to have the infrastructure to support the growth which would impact on their communities so if that's a little bit wordy in the document that's something when we go through the review we can look at and make that more simple and more clear if that would help. In terms of governance in relation to what the Joint Member Panel wanted to see, they felt that officers could make decisions on bids which met the bid criteria providing the spend was no more than £10,000 and so it was under £10,000. If there are any decisions that involve strategic infrastructure spend those will be Cabinet decisions, if its local infrastructure spend then the threshold for Cabinet to make a decision is £150,000. Because this is the first bid round we're going to produce a CIL business plan and that whole document will go to Cabinet to note the decisions where they need to be noted and then it will be made clear whether decisions need to be made by Cabinet.
- 47.11 Councillor Hinton asked if this wording could be clarified and simplified as it did not appear to cover that there is potential within the system that sustainable development appears to mean sustainable to the district rather than to the development itself because it means that if all the monies are going to be soaked up by a development at one end of the district there would be nothing left for anywhere else?
- 47.12 In response the Key Site and Infrastructure Officer stated that to support the CIL expenditure framework going forward, sensitivity testing was carried out to see whether the infrastructure could be provided from the growth projects that were coming forward. That sensitivity testing had captured all the developments of over 10 dwellings plus in both districts. What's clear is that with the 20% savings for strategic items then it is going to be very tight to provide the infrastructure. But there is a golden thread that runs through the expenditure framework and from the work of the Joint Member Panel it was quite clear that we were looking for collaborative forms of spend in order to land the necessary infrastructure. Officers have already been in touch with some parishes where we know that there will be big pieces of infrastructure that will be required and that is important to the community and it's important to the Council, we're very hopeful that we will be able to achieve what we need to achieve in order to get the infrastructure funded.

Clearly as you know, there is a review which will be happening at the same time as bid round 2 so anything we learn from bid round 1 and any nuanced changes to any of the documents can be picked up at that point.

- 47.13 Councillor Busby sought assurance that Overview and Scrutiny would regularly scrutinise the scheme.
- 47.14 In response Councillor Ridley confirmed that the scheme would be looked at very carefully and if any scrutiny was required of course that would be supported.
- 47.15 Councillor Ward stated that he was very impressed with the speed and thoroughness that both Members and officers had shown in producing this report and this was one example of where being inclusive and collaborative had produced a piece of work of immense value.

**It was Resolved:-**

- (i) That the detailed CIL Expenditure Framework (including details of implementation and review) forming Appendices A and E to the report and the joint CIL Expenditure Framework Communications Strategy (Appendix B) be approved as recommended by Cabinet.**

(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)

- (ii) 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 to this report.**

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 Council has to agree its own approach.

48 BC/17/34 STATEMENT OF COMMUNITY INVOLVEMENT REVIEW

- 48.1 Councillor Ridley introduced the report and informed Council that the Statement of Community Involvement was a joint planning document with Mid Suffolk that explained how the Council would engage with the public and other stakeholders in the preparation of planning documents and in determining planning applications. The current version of the Joint Statement of Involvement for the two Councils was published in March 2014. It had been necessary to update this document to reflect greater use of the Councils website, the move to Endeavour House and the opening of the Customer Access Point in Sudbury, to also reflect the support offered to Neighbourhood Planning Groups in producing a neighbourhood plan, to acknowledge the introduction of the Community Infrastructure Levy, and to detail the introduction for pre-application charging service. The 2017 planning regulations also introduced the requirement to review the Statement of Community Involvement every 5 years.

This Statement of Community Involvement draft update will inform the preparation of the wider communities and communications strategies being prepared by both Councils. It is recommended that a 4-week public consultation is undertaken on the draft update in May and June, a final decision would come back to Council for adoption later this year.

- 48.2 Councillor Ridley then **MOVED** the recommendations in the report.
- 48.3 Councillor Ward seconded the recommendations and reserved the right to speak.
- 48.4 Councillor Busby raised concerns relating to public access.
- 48.5 Councillor Ridley whilst accepting that there had been some problems with the website stated that we were now in a digital age with many people preferring to use digital access to Council services and this needed to be recognised in the Statement of Community Involvement.
- 48.6 Councillor Davis added that whilst he accepted that there were problems contacting the Council as the Cabinet Member responsible for Communications he would be working hard with officers to address the problems.
- 48.7 Councillor Bavington added that he had tried to contact the Council about any urgent ward matter and had not been able to contact any officer and he felt that the technology was worse.
- 48.8 In response the Chief Executive stated that he wanted to address the points that had been raised but also reminded Members that the report was about the Statement of Community Involvement in relation to planning. In terms of contacting officers, changes have been made in which the chasing system works, a call hunting system has been introduced and when a mobile phone is engaged or not answered the phone will automatically move on to the next mobile phone in the hunt group.
- 48.9 Councillor Hinton felt that a four-week consultation period was not sufficient to consider an extensive document especially when a lot of it will have to go before parish councils.

**It was Resolved:-**

- (i) **That Council note the draft update to the Babergh and Mid Suffolk Statement of Community Involvement: Planning Issues, which updates the March 2014 adopted version.**
- (ii) **That Council agree to public consultation for four weeks during May and June on the Babergh and Mid Suffolk Statement of Community Involvement: Planning Issues (Draft Update, April 2018)**

- (iii) That the Corporate Manager – Spatial Planning Policy be authorised to make minor technical and formatting amendments to the Babergh and Mid Suffolk Statement of Community Involvement: Planning Issues (Draft Update, April 2018) prior to consultation.

49 BC/17/35 PAY POLICY STATEMENT FOR 2018/19

- 49.1 Councillor Patrick introduced the report on behalf of the Chief Executive. Commenting further he went on to say that the report sets out the Pay Policy Statement for 2018/19 which under the Localism Act 2000 has to be reported to Council on an annual basis. The report sets out information about the remuneration of Chief Officer, the lowest paid employees, and the relationship between the two. The main change in the statement compared with 2017/18 was the removal of the role of Deputy Chief Executive from the structure with effect from 1 April 2018.
- 49.2 Councillor Patrick then **MOVED** the recommendations in the report.
- 49.3 Councillor Ward seconded the report and reserved the right to speak.
- 49.4 Councillor Arthey queried the gender pay gap and drew attention to the results for Babergh as female pay was nearly 23% lower than male pay and asked what the reasons were behind this?
- 49.5 In response the Chief Executive advised that Government had introduced the requirement for Councils to have openness and transparency in relation to any gender pay gap and that is why the information had been included within the covering report even though it did not form part of the pay policy itself. On that specific point the Council was obliged to report for Babergh and separately for Mid Suffolk. As Council was aware, doing so was a nonsense because the basis on which each individual member of staff happened to be employed differed, he happened to be a Babergh employee, colleagues may happen to be Mid Suffolk employees but everybody works for both so you could only really get a true picture of the gap by looking at the two combined Councils because looking at the two separately tells you nothing but the Council was obliged to report it in that way and that's why the figures that Council were looking at, specifically for Babergh really are meaningless. To comply with the regulations a snap shop was taken in March 2017, now that it is beyond 31<sup>st</sup> March 2018 this can now be recalculated to give the Council an updated position.
- 49.6 Councillor Bavington requested that going forward the actual figures were included in the report and whether the gender pay gap was closing over time.
- 49.7 Councillor Melanie Barrett asked following the recent redundancy of the Deputy Chief Executive if, in future, recruitment was made to that that post would approval need to be sought from full Council?

- 49.8 In response the Chief Executive informed Council that if he were to bring forward any significant change to the structure of the Senior Leadership Team, creating a new Deputy Chief Executive post would be a significant change, that would come forward to full Council and in addition to that all Senior Leadership Team appointments are made by Councillors so Councillors would both be involved from a full Council perspective in agreeing the structure but then more specifically in any appointment. He also gave his assurance that he had no intention to do so.
- 49.9 Councillor Melanie Barrett also queried whether it would be possible to seek a settlement agreement with an employee and if there was a policy that prevented a settlement being offered to someone with less than 2 years' service who couldn't claim unfair dismissal in any case.
- 49.10 The Chief Executive replied that if they had not got continuity of service, so if they've not got any acquired rights by virtue for example of having worked elsewhere within local government, and it was simply their first job with the Council within a 2 year period and then they disappeared the Council wouldn't be looking to any settlement agreement.

**It was Resolved:-**

**That the proposed Pay Policy Statement for 2018/19 attached as Appendix A to the report be approved.**

50 BC/17/36 POLITICAL BALANCE AND COMPOSITION OF COMMITTEES

- 50.1 The Monitoring Officer introduced the report and informed Council that following a change to the membership of the political groups, Council was being asked to approve the recalculated composition of the Committees.
- 50.2 Councillor Busby queried why the Cabinet was not included in the calculation for Committee places?
- 50.3 In response the Monitoring Officer informed Council that Cabinet was not a Committee of the Council and the legislation that was used to calculate the composition places only related to Committees of the Council.

On the proposal of Councillor Ward and seconded by Councillor Hinton

**It was Resolved:-**

- (i) **That the Committees' size and numerical allocation of seats be approved as detailed in Appendix 1 to the report.**
- (ii) **That the revisions to the appointments to Committees as set out in Appendix 2 to the report be noted.**

51 APPOINTMENTS

51.1 On the proposal of Councillor Ward and seconded by Councillor Jan Osborne

**It was Resolved:-**

**That Councillor Jenkins replace Councillor Ayres on the South Suffolk Leisure Trust Board.**

52 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

**It was RESOLVED:-**

**That under section 100(4) of the Local Government Act 1972, the public and the press be excluded from the meeting for item BC/17/37 on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of schedule 12A of the Act in the paragraph registered against the Item.**

53 BC/17/37 BMS INVEST: PERFORMANCE, RISK AND GOVERNANCE UPDATE (EXEMPT INFORMATION BY VIRTUE OF PARAGRAPH 3 OF PART 1)

53.1 Councillor Ridley introduced the report and moved the recommendation within the report.

**It was Resolved:-**

**That the performance report be noted and agreed as an accurate reflection of Babergh District Council's current performance across its investment portfolio.**

The business of the meeting was concluded at 7.48 pm.

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Chairman

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# Agenda Item 6

			<b>BC/18/2</b>	
<b>BABERGH DISTRICT COUNCIL CHAIRMAN'S ANNOUNCEMENTS</b>				
<b>COUNCIL - 22 MAY 2018</b>				
<b>EVENT</b>	<b>LOCATION</b>	<b>DATE</b>	<b>CHAIRMAN</b>	<b>VICE CHAIR</b>
<b>APRIL 2018</b>				
<b>Felixstowe Mayor's Charity Ball</b>	Bury St Edmunds	27-Apr		✓
<b>MAY 2018</b>				
<b>iESE Awards Presentation</b>	Endeavour House, Ipswich	01-May	✓	
<b>St Edmundsbury Mayor's Charity Concert</b>	Bury St Edmunds	05-May		✓
<b>Sudbury Mayor Making Ceremony</b>	Sudbury	08-May		✓
<b>Opening of Stratford St Mary Lock [re-named Roger Brown Lock]</b>	Stratford St Mary	12-May		✓
<b>St Edmundsbury Civic Dinner for the Outgoing Mayor</b>	Bury St Edmunds	17-May		✓

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# Agenda Item 7b

## BABERGH DISTRICT COUNCIL

<b>To:</b> ANNUAL COUNCIL	<b>REPORT NUMBER:</b> <b>BC/18/3</b>
<b>FROM:</b> Monitoring Officer	<b>DATE OF MEETING:</b> 22 May 2018

### **POLITICAL BALANCE AND COMPOSITION OF COMMITTEES AND CONSTITUTIONAL AMENDMENTS**

#### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to comply with the provisions of the Local Government and Housing Act 1989 which require a Local Authority to review the allocation of seats to Political Groups at every annual meeting of the Council or as soon as practicable after that meeting. The report also seeks the Council's approval of the composition of committees which must be agreed each year at the Annual Council meeting.
- 1.2 In addition this report is seeking approval for constitutional amendments as recommended by the Joint Audit and Standards Committee.

#### **2. RECOMMENDATIONS**

- 2.1 That the committees' size and numerical allocation of seats be approved as detailed in Appendix (a) to this report
- 2.2 That committee members and named substitutes be appointed as set out in Appendix (b) to this report.
- 2.3 That a Joint Constitution Working Group be established, that the scope of the review detailed in section 3 of this report be agreed and that the Councillors named in Appendix (c) to this report be appointed to the working group.
- 2.4 That the amendments recommended by the Joint Audit and Standards Committee to its terms of reference be agreed.

#### **3. KEY INFORMATION**

##### Political Composition and Appointments to Committees

- 3.1 Under the provisions of the Local Government and Housing Act 1989 where a local authority is grouped for committee composition purposes, the Authority is required to make arrangements to ensure that its committees share the same political balance as the full Council.
- 3.2 The Local Government (Committees and Political Groups) Regulations 1990 allow ungrouped members to receive committee seats if any are left over once allocations have been made to the political groups in proportion to their membership of the authority. The political groups of Babergh make up 100% of the Council and therefore all of the politically balanced committee seats go to political groups.

The current committee structure has 43 available seats which go to political groups.

- 3.3 Separate items on the composition of the Babergh and Mid Suffolk Joint Standards Board and the Shared Revenues Partnership Committee appear elsewhere on the agenda.
- 3.4 The first step, therefore, is for the Council to approve the numerical allocation of committee seats, and the calculation in accordance with the provisions of the Local Government and Housing Act 1989 is shown in Appendix (a) to this report. The calculation provides for 43 committee seats to the various groups as follows:-
- Conservative 23 seats
  - Independent 8 seats
  - Independent Conservative 7 seats
  - Liberal Democrats 3 seats
  - Labour 2 seats
- 3.5 At its meeting on [13 November 2017](#), the Joint Audit and Standards Committee recommended that named substitutes for each committee should also be appointed at the Annual Council meeting. This would give clarity about who may sit as substitutes for each committee, provide greater consistency when substitutes are used and ensure that substitutes have the requisite training and experience to make a valuable contribution to the committee meeting.
- 3.6 The appointment of substitutes would need to reflect the political balance of the committee in question and depending on the size of the group, sufficient named substitutes could be chosen to cover all of the main committee places – i.e. a group with 5 places on the committee could appoint up to 5 substitutes. Anyone in the ‘pool’ of substitutes from the same political group can take the place of the absent Councillor.
- 3.7 The names of the substitutes would be printed on the agendas along with the committee members and substitutes would automatically be sent links to the agenda papers at the time of despatch. This new arrangement would also mean that the notice period for appointing substitutes could be reduced and that Committee Services could be responsible for contacting substitutes once they have been notified of apologies for absence.
- 3.8 There would be an exceptions process in the event that none of the named substitutes were available which would be by gaining the agreement of the Monitoring Officer to appoint someone else.
- 3.9 The Monitoring Officer would also be required to make changes to the following areas of the constitution:
- Part 2 – Responsibility of functions: the substitute section for each committee would need to be updated;
  - Part 3 – Council Procedure rules: Rule 4.1 (m) to be updated to include appointment of substitutes

- Part 3 – Committee and Sub Committee Procedure rules: Rule 20.1 to be updated to include reference to ‘appointed’ substitutes

3.10 Discussions are on-going with Group Leaders on the allocation of seats and appointment of substitutes and therefore Appendix (b) – Composition of Committees will be tabled at the meeting.

#### Constitution Working Group

3.11 The Constitution was last reviewed in April 2017 to include provisions for the introduction of the leader-cabinet model of governance. During that revision, responsibility for reviewing the Constitution was delegated to the Joint Audit and Standards Committee. However this was intended to be for piecemeal annual reviews rather than an in depth review of the whole, or a significant portion, of the Constitution. Adoption of any amendments to the Constitution remains the preserve of the full Council.

3.12 The revised Constitution has been in effect since the Annual Council meetings in May 2017, and it has become apparent that some inconsistencies exist within the Constitution following the insertion of the Cabinet provisions and procedure rules. Further, certain provisions of the Constitution, such as the procedure for Council questions, should be revised to provide greater clarity and transparency.

3.13 Given the potential extent of this review, it is recommended that the Babergh and Mid Suffolk District Councils appoint a joint cross-party working group to undertake this piece of work. The working group does not need to be politically proportionate as it is not a formal committee. Therefore it is suggested that each Council appoints three Councillors (two from the administration group and one from the opposition groups) to form the working group, as named in appendix (c) to this report. The working group would meet four times between June and October, with a set of final recommendations being presented to Council at the end of October 2018.

Proposed schedule of work for the Constitution Working Group:

<b>Date of Meeting</b>	<b>Work to be undertaken</b>
June 2018	Confirmation of Terms of Reference for Working Group, agreement of approach to review and arrangements for meetings
Early July 2018	Agreement of required amendments to the Constitution
July / August	Officer drafting of amendments to the Constitution
Early September 2018	Consideration of draft revised Constitution
September	Engagement with Councillors
Early October 2018	Confirmation of final recommendations to Council
23 October 2018	Council to consider recommendations of the Working Group

3.14 It is recommended that the scope of this Constitution review is limited to the Articles of the Constitution (section 1), the Terms of Reference for Council, Cabinet and Committees (section 2), and the Rules of Procedure (section 3), and any consequential amendments to the remaining sections of the Constitution.

The Scheme of Officer Delegations is being revised separately by the Monitoring Officer to ensure that the responsibilities for each Assistant Director area are properly represented.

- 3.15 The Joint Audit and Standards Committee considered these arrangements at its meeting on 14 May 2018 and its comments and recommendations will be reported at the Council meeting.

#### Joint Audit and Standards Committee Terms of Reference

- 3.16 The Constitution currently only contains terms of reference for a single Joint Audit and Standards Committee between Babergh District Council and Mid Suffolk District Council. However, a line was left in the terms of reference in error following the last Constitution review stating “Note: There are separate Terms of Reference for the Mid Suffolk and Babergh Audit Committees which set out their specific roles and functions.” It is recommended that this wording is removed.
- 3.17 Despite this, there are some matters which remain the preserve of the sovereign Councils, such as the Statement of Accounts. Therefore it is recommended that the following provision: “Issues that are pertinent only to a single Council area will remain the preserve of the Mid Suffolk Audit Committee or the Babergh Audit Committee.”, be amended to: “Where there are issues that are pertinent to only a single Council area, only Councillors from the relevant Council will be able to vote on the matter.”
- 3.18 Consequently it is also recommended that the quorum is amended to six Councillors, three from each Council. This is to ensure that there is equal and adequate representation from each Council and that there are sufficient Councillors present to take decisions on matters that are the preserve of a single Council.
- 3.19 The Joint Audit and Standards Committee considered these recommendations at its meeting on 14 May 2018 and its resolution and comments will be reported at the Council meeting.

#### **4. LINKS TO JOINT STRATEGIC PLAN**

- 4.1 Good governance and democratic, sound and transparent decision-making support the delivery of the Joint Strategic Plan.

#### **5. FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

#### **6. LEGAL IMPLICATIONS**

- 6.1 The approval of the recommendations will ensure compliance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

## 7. RISK MANAGEMENT

7.1 Key risks are set out below:

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Mitigation Measures</b>
Sufficient members are not appointed and the Committee is inquorate and unable to take decisions	1 – Highly unlikely	3 - Bad	Early discussions with Group Leaders regarding Committee placements
The constitution does not provide lawful or fit for purpose governance arrangements	1 – Highly unlikely	3 - Bad	The Monitoring Officer reviews the constitution on an annual basis. Creation of a constitution working group

## 8. CONSULTATIONS

8.1 The Group Leaders, Joint Audit and Standards Committee and Joint Housing Board have been consulted on the relevant aspects of this report.

## 9. EQUALITY ANALYSIS

9.1 An Equality Impact Assessment is not required as none of the protected characteristics will be affected by the recommendations within this report.

## 10. ENVIRONMENTAL IMPLICATIONS

10.1 There are no environmental implications associated with this report.

## 11. APPENDICES

<b>Title</b>	<b>Location</b>
(a) Numerical allocation of committee places	Attached
(b) Appointments to committees	To follow
(c) Appointments to Constitution Working Group	To follow

## 12. BACKGROUND DOCUMENTS

12.1 None

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## Babergh District Council – Allocation of Committee Placements 2018-19

COMMITTEES	NO. OF SEATS	CONSERVATIVE (23 MEMBERS)		INDEPENDENT (8 MEMBERS)		INDEPENDENT CONSERVATIVE (7 MEMBERS)		LIBERAL DEMOCRATS (3 MEMBERS)		LABOUR (2 MEMBERS)	
OVERVIEW & SCRUTINY	8	4.27	4	1.49	1	1.30	2	0.56	1	0.37	0
JOINT AUDIT AND STANDARDS	8	4.27	4	1.49	1	1.30	2	0.56	0	0.37	1
PLANNING	14	7.48	7	2.60	3	2.27	2	0.98	1	0.65	1
LICENSING & REGULATORY	10	5.34	6	1.86	2	1.62	1	0.70	1	0.47	0
JOINT APPOINTMENTS	3	1.60	2	0.56	1	0.48	0	0.21	0	0.14	0
<b>TOTAL TARGET</b>	<b>43</b>	<b>23</b>	<b>23</b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>2</b>

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# Agenda Item 7d

## BABERGH DISTRICT COUNCIL

<b>From: Leader of the Council</b>	<b>Report Number: BC/18/4</b>
<b>To: Annual Council</b>	<b>Date of meeting: 22 May 2018</b>

### APPOINTMENTS TO OUTSIDE BODIES FOR 2018/2019

#### 1. Purpose of Report

- 1.1 To consider appointments to Outside Bodies for 2018/2019 as outlined in Appendix A.

#### 2. Recommendation

- 2.1 That Councillors be appointed to the Outside Bodies detailed in Appendix A.

#### 3. Financial Implications

- 3.1 Councillors appointed to Outside Bodies are able to claim expenses in accordance with the Council's Members Allowance Scheme.

#### 4. Legal Implications

- 4.1 Appointments to Outside Bodies may be made under the general power in Section 2 of the Local Government Act 2000 - to do anything which is likely to promote the economic, social or environmental wellbeing of the area, unless specifically prohibited.

#### 5. Risk Management

- 5.1 This report is most closely linked with the Council's Corporate/Significant Business Risk No. 1 (Political and Managerial Leadership). Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Members not appointed and therefore not able to represent the Council's strategic priorities on Outside Bodies	Unlikely (2)	Bad (3)	Members appointed to Outside Bodies to provide an Annual Report to the relevant committee and to discuss key issues with their Group Leader on a regular basis.

## **6. Consultations**

6.1 Consultations have been undertaken by the Council Leader.

## **7. Equality Analysis**

7.1 The Outside Bodies represent the diverse range of communities across the District. This will be continuously reviewed by officers to ensure that the range of Bodies continues to be diverse and inclusive of our communities.

## **8. Shared Service / Partnership Implications**

8.1 To support synergy between the two Councils, opportunities for joint appointments were explored when appointments were reviewed in 2015, and the joint appointments which were identified have been continued, with the exception of the Suffolk Health and Wellbeing Board.

8.2 The Board's composition now allows for each District to have its own representative (and substitute).

## **9. Implications for the Joint Strategic Plan**

The annual review process which was agreed by the Council enables it to review the appropriateness of the appointments in the context of the Council's Strategic Outcomes.

## **10. Key Information**

The Leader of the Council has put forward his nominations for the Bodies listed in Appendix A, which are those to which appointments were made in 2017.

### **Review process**

10.2 A regular review of the list of Outside Bodies will help to ensure relevance and appropriateness of membership by applying basic criteria such as the following:

- The appointment is necessary to fulfil one of the Council's statutory functions
- The appointment is necessary to protect the Council's investment and assets
- There was not a significant cost and resource implication for the Council when measured against any accrued benefit.
- The balance or risk of any detrimental impact on the Council if it were not represented.
- The appointment raises the profile of the Council at a national or regional level.
- The appointment furthers the Council's strategic priorities.
- The Council works in partnership with a number of the Outside Bodies in a variety of ways, some more directly than others because of the existence of service level agreements or by holding corporate positions on organisations because of legal agreements.

**11. Appendix**

Title	Location
A Appointment of Representatives on Outside Bodies/Partnerships 2018/19	Attached

**12. Background Papers**

None.

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**BABERGH DISTRICT COUNCIL  
APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES/PARTNERSHIPS 2018/19**

NAME OF BODY Frequency, time and venue of meetings	NUMBER OF REPRESENTATIVES TO BE APPOINTED	NAME OF MEMBER NOMINATED
ASSOCIATION FOR SUFFOLK MUSEUMS 3 x per annum weekday a.m. at Suffolk museums	1	John Nunn
BABERGH DOMESTIC VIOLENCE AND ABUSE FORUM (COMPASSION) 6 x per annum	1	Margaret Maybury
COUNTY DOMESTIC VIOLENCE FORUM 4 x per annum a.m. at various locations	1	Margaret Maybury
DEDHAM VALE AONB AND STOUR VALLEY JOINT ADVISORY COMMITTEE (JAC) 3 x per annum a.m./p.m. at Sudbury/Great Cornard	2	Alastair McCraw Peter Patrick
EAST OF ENGLAND ASSEMBLY OF LEADERS 4 per annum a.m./pm at local authority venues across the east of England	1 (Leader)	John Ward
GAINSBOROUGH'S HOUSE SOCIETY Gainsborough's House	1	Nick Ridley
GREATER IPSWICH CITY DEAL BOARD	1 member from BDC 1 substitute from MSDC  <i>Joint appointment (alternates annually)</i>	Lee Parker Substitute: Gerard Brewster
GREENWAYS COUNTRYSIDE PROJECT JAC	2	Peter Burgoyne Dave Busby
HAVEN GATEWAY PARTNERSHIP 5 x per annum daytime various/locations	1 (+ 1 substitute)	John Ward Substitute: Peter Patrick
IPSWICH AND DISTRICT CITIZENS ADVICE BUREAU 5 – 4 (evening) board meetings, 1 AGM – daytime p.m. at 19 Tower Street	1	Bryn Hurren

<b>NAME OF BODY</b> <b>Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER NOMINATED</b>
IPSWICH STRATEGIC PLANNING AREA BOARD  (formerly Ipswich Policy Area Board) 4 x per annum p.m. Ipswich	1 (+ 1 substitute)	Lee Parker Substitute: Nick Ridley
JOINT WASTE MANAGEMENT BOARD	1 (+ 1 substitute)	Tina Campbell Substitute: Fenella Swan
LOCAL GOVERNMENT ASSOCIATION ASSEMBLY Annual meeting  LOCAL GOVERNMENT ASSOCIATION – SPARSE 3 x per annum daytime LGA London and at Rural Conference Venues, 11.30 a.m. – 3 p.m.	1 Leader  1	John Ward   Richard Kemp
PIN MILL BAY MANAGEMENT COMMUNITY INTEREST COMPANY	1	Bryn Hurren
<i>RAISING THE BAR SPONSORING GROUP</i> <i>4 x per annum late p.m. various locations</i> <i>Status of Group to be confirmed</i>	1 (+ 1 substitute from BDC/MSDC) <b>Joint appointment (alternates annually)</b>	<i>Julie Flatman / Sue Carpendale</i>
SOUTH SUFFOLK LEISURE TRUST BOARD  7 x per annum	2	Jennie Jenkins Tina Campbell
SUDBURY AND DISTRICT CITIZENS ADVICE BUREAU  5 x per annum p.m. at Belle Vue Sudbury	1	Adrian Osborne
SUFFOLK COAST AND HEATHS AONB JOINT ADVISORY COMMITTEE (JAC) and PARTNERSHIP  4 per annum a.m. various locations in the AONB	2 1 – JAC and Partnership 1 – JAC only and substitute	David Rose Derek Davis (substitute and JAC only)
SUFFOLK FLOOD RISK SCRUTINY SUB-COMMITTEE  2 x per annum, various locations	1 (+ 1 substitute)	Barry Gasper Substitute: Stephen Williams



<b>NAME OF BODY</b> <b>Frequency, time and venue of meetings</b>	<b>NUMBER OF REPRESENTATIVES TO BE APPOINTED</b>	<b>NAME OF MEMBER NOMINATED</b>
SUFFOLK HEALTH AND WELLBEING BOARD  6 x per annum – Thursdays at Ipswich or Bury St Edmunds – formal meeting a.m. followed by optional informal session p.m.	1 (+ 1 substitute) full voting rights  <i>Note – formerly a joint appointment which alternated annually</i>	Margaret Maybury Substitute: vacancy
SUFFOLK HEALTH SCRUTINY COMMITTEE	1 (+ 1 substitute)	Margaret Maybury Substitute: Sue Ayres
SUFFOLK JOINT EMERGENCY PLANNING POLICY PANEL  2 x per annum, Endeavour House	1 (+1 substitute)	Sue Ayres Substitute: Sue Carpendale
SUFFOLK POLICE AND CRIME PANEL	1 <i>Places are allocated by SCC County-wide on a political basis. BDC currently has to appoint an Independent.</i>	David Rose Substitute: Stephen Plumb
SUFFOLK RAIL POLICY GROUP  3 x per annum p.m.at SCC and District Council Offices	1	Alistair McCraw
SUFFOLK SPORT PARTNERSHIP FORUM  2 x per annum daytime at various Suffolk locations	1	Derek Davis
SUFFOLK WASTE PARTNERSHIP (SWP)  4 x per annum	1	Clive Arthey
THE QUAY THEATRE AT SUDBURY LIMITED – Management Board  6 x per annum evening at Quay Theatre	1	Stephen Plumb
WESTERN SUFFOLK COMMUNITY SAFETY PARTNERSHIP  (formerly Crime and Disorder Reduction Partnership)  4 x per annum a.m. at various locations	2  Voting rights	Margaret Maybury Substitute: Sue Burgoyne

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# Agenda Item 8

## BABERGH DISTRICT COUNCIL

<b>COMMITTEE:</b> Babergh Annual Council	<b>REPORT NUMBER:</b> <b>BC/18/5</b>
<b>FROM:</b> The Chair of the Overview and Scrutiny Committee	<b>DATE OF MEETING:</b> 22 May 2018
<b>OFFICER:</b> Henriette Holloway – Governance Support Officer	<b>KEY DECISION REF NO.</b> None

### BABERGH OVERVIEW AND SCRUTINY ANNUAL REPORT

#### 1. PURPOSE OF REPORT

- 1.1 In accordance with the constitution, the Committee must report annually to Council on its work during the last year.

#### 2. OPTIONS CONSIDERED

- 2.1 None, as the Annual Report from the Overview and Scrutiny Committee is a constitutional requirement.

#### 3. RECOMMENDATIONS

- 3.1 That the Babergh Overview and Scrutiny Committee's Annual Report for 2017/18 be noted.
- 3.2 That the Babergh Overview and Scrutiny Work Plan 2018/19 be approved.

#### REASON FOR DECISION

The Council is required to note the Overview and Scrutiny Committee's Annual Report and approved the Committee's Work Plan.

#### 4. KEY INFORMATION

- 4.1 None.

#### 5. LINKS TO JOINT STRATEGIC PLAN

- 5.1 This report in itself does not link directly to the Joint Strategic Plan. Links to the delivery of the Joint Strategic Plan are considered in the selection of topics for review.

#### 6. FINANCIAL IMPLICATIONS

Revenue/Capital/ Expenditure/Income Item	Total	2017/18	2018/19	2019/20
Net Effect				

The main financial implications have been the cost of officer time, normal allowances for Members attending and Members training costs, which are all included in the budget.

## **7. LEGAL IMPLICATIONS**

7.1 The Committee is required to submit an annual report with details of its work programme under Part 3 Paragraph 3.1 of the Constitution.

## **8. RISK MANAGEMENT**

8.1 This report is most closely linked with the Council's Corporate / Significant Business Risk No. none. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures

There are no inherent risks associated with this report. The Babergh Overview and Scrutiny Committee takes account of the Council's key risks, when determining its work plan and carry out its reviews.

## **9. CONSULTATIONS**

9.1 Members of the Babergh Overview and Scrutiny Committee have been consulted on an on-going basis on topics to be included in the future work plan.

9.2 The review of the Scrutiny function has involved consultations with a range of members and officers including Scrutiny Members, Leaders and Senior Leadership Team.

## **10. EQUALITY ANALYSIS**

10.1 There are no inherent equality implications within this report. Equality analysis considerations for individual topics will be included in reports to Babergh Overview and Scrutiny Committee as the year progresses.

## **11. ENVIRONMENTAL IMPLICATIONS**

None.

### **APPENDICES**

Title	Location
(a) Appendix A Babergh Overview and Scrutiny Annual Report 2017/18	Attached

## **12. BACKGROUND DOCUMENTS**

None

# BABERGH DISTRICT COUNCIL **ANNUAL REPORT** 2017-18

Overview & Scrutiny





# BABERGH DISTRICT COUNCIL ANNUAL REPORT

## **FOREWORD BY THE CHAIR OF BABERGH OVERVIEW AND SCRUTINY COMMITTEE 2017/18**

In May, when I was asked to Chair the Overview and Scrutiny Committee I had a primary requirement, before accepting the role; that scrutiny would be in-depth, comprehensive and range across key Council matters.

To meet this requirement, the Committee set out to scrutinise Cabinet decisions, specific subjects and Members' concerns. Additionally, it was considered essential to undertake scrutiny tracking, engagement with officers, pre-scrutiny, development of a communication link between Scrutiny and Audit and to ensure good communications between Mid Suffolk and Babergh Scrutiny Committees. A further requirement was associated with Scrutiny Committee Members, where being proactive and taking responsibility for researching and leading on key topics was emphasised. Whilst this approach has had mixed success, with some Members, I believe we have become more efficient in providing effective scrutiny.

A comprehensive, diverse and challenging Scrutiny programme for the year was identified and I am pleased to report that this scrutiny programme has largely been met. To achieve this, with the exceptions of August 17 and April 23 the Scrutiny Committee has met every month, scrutinised 22 topics, scoped 13 topics, scrutinised and tracked 9 topics through the Information Bulletin. In addition, we have accommodated urgent subjects, such as Homelessness, Risk Assessment, Housing Voids and the 5-year Land Supply, to name just four examples and these are discussed below.

A Member led call-in was also considered at an extraordinary Scrutiny meeting in October 2017. This meeting scrutinised the decision from Cabinet regarding 'Working Together' and resulted in the decision being returned to Cabinet and a full Council debate.

An issue I would like to share with Members is the issue of Joint Scrutiny Committee meetings. This option has been considered as a way forward by some Members and it has been suggested that Scrutiny should be jointly undertaken by both Councils. I do not share this view. There are many topics, which are better scrutinised independently and of particular concern is the fact that Babergh and Mid Suffolk have entirely separate Cabinets, which require independent Scrutiny Committees. Also, the Councils are two independent legal entities. Furthermore, we have encountered different emphasis being applied by the two Councils, which has the potential to dilute the Scrutiny process. Therefore, I consider it important that the Scrutiny Committee remit, for the foreseeable future, remains a sovereign activity. Nevertheless, there are times when joint Scrutiny meetings can be helpful, and this option should be maintained.

The introduction of Cabinet/Leader governance model has meant that the scrutiny process is now a legal requirement and it is essential to operate scrutiny transparently. I believe that the work of the Scrutiny Committee has met these requirements. Furthermore, scrutiny has been undertaken in a spirit of cooperation, with no political bias. This I believe has been a significant achievement and I leave it to Members to judge how well we have performed.

Finally, both the Vice Chairman and I have taken this role seriously, with the aim of adding a sound and effective scrutiny process to improve our public services.

Councillor Barry Gasper

April 2018



## MEMBERS OF THE BABERGH OVERVIEW AND SCRUTINY COMMITTEE 2017/18



Cllr Barry Gasper (Chair)



Cllr Simon Barrett



Cllr Peter Burgoyne



Cllr Bryn Hurren



Cllr Jennie Jenkins



Cllr Alastair McCraw  
(Vice-Chair)



Cllr Fenella Swan



Stephen Williams

## **OVERVIEW AND SCRUTINY**

In May 2017 Babergh and Mid Suffolk District Councils adopted the Leader/Cabinet model for each Council. This resulted in the Joint Scrutiny Committee being decommissioned and the formation of separate Overview and Scrutiny Committees for each Council.

The Committee consists of eight members of the Council and can be any Member except Members of the Cabinet. No Member is allowed to scrutinise a decision where they have been part of the decision process. Substitutes for Members on the Committee must be from the same political group and Council. The Committee sets its own workplan and can set up task and finish groups as and when considered appropriate.

The Babergh and Mid Suffolk Overview and Scrutiny Committees also conduct joint meetings on a regular basis, when similar topics have been identified, to scrutinise topics and external stakeholders and Service providers relevant to both Councils.

## **THE ROLE OF OVERVIEW AND SCRUTINY COMMITTEE**

The role of the Overview and Scrutiny Committee is defined as having the key purposes of:

- Scrutinising the work of external stakeholders and service providers.
- Holding the Strategy/Executive Committee to account
- Being the home of “call in”.
- Being the home of Member Call for Action.

The Overview and Scrutiny review items in relation to the Strategic Plan and where the Committee can add value; avoiding duplication with any other Committee or working group and ensuring where changes have been made and significant time has lapsed before a review has been undertaken. These suggestions are worked up by the Chairs, Vice Chairs and officers into a forward plan which is then discussed with the Leaders before being referred back to the Overview and Scrutiny for agreement.

The Overview and Scrutiny Committee cannot make decisions or policies itself but has the power of influencing and can make informed recommendations to the Cabinet, Full Council and other Committees. Cabinet can also recommend that the Overview and Scrutiny conduct detailed investigation of items considered to require further scrutiny before being referred back to Cabinet for final decision.

Overview and Scrutiny forms an important part of the democratic process within the Council and wider community by examining topics and continuing to monitor the outcome of its work. Where it is considered necessary to follow up on the outcome of a scrutinised topic the Committee will conduct further scrutiny or receive updates on the topic to enable the Council to continue to deliver the best service for all residents in the District



## THE CENTRE FOR PUBLIC SCRUTINY'S FOUR PRINCIPLES OF GOOD SCRUTINY

1. Scrutiny provides a critical friend challenge to executive policy and decision makers by conducting a constructive, robust, and purposeful challenge. This challenge should be non-aggressive and non-political so as to create the optimum conditions for an investigative evidence-based process.
2. Scrutiny enables the voice and concerns of the public through innovative public communications, consultation and feedback. Meetings are conducted in public to enable transparency and openness.
3. Scrutiny is carried out by independent minded councillors, who actively engage in the scrutiny function so as to drive improvement. Areas are reviewed in an apolitical atmosphere.
4. Scrutiny drives improvement and promotes community well-being. Good scrutiny improves the quality of life by undertaking strategic reviews of corporate policies, plans, performance and budgets.

Sources: Centre for Public Scrutiny; [www.cfps.ukfips](http://www.cfps.ukfips)  
 Mid Suffolk Annual Scrutiny Report JSC/8/13 Appendix  
 Annual Report of the Joint Scrutiny Committee Report BC/17/5 and MC/17/7

## **THE STRUCTURE FOR OVERVIEW AND SCRUTINY OUTSIDE COMMITTEE MEETINGS**

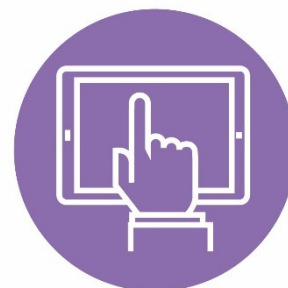
The Overview and Scrutiny Committee cycle is based round one monthly pre-committee meetings to which the authors who will be presenting items at the Committee are invited to attend. This enables co-operation between Officers, Chairs and Vice-Chairs of the Overview and Scrutiny Committee when discussing the relevant content of reports, and to give a steer of what the Committee is expecting to achieve from upcoming items. It also allows the Chairs and Officers to consider any question which may be asked at the Committee meeting. Generally, each item will be discussed at two pre-committee meetings before going to Committee.

Between meetings, Officers and the Chairs of the Committees maintain an open and engaging working relationship to ensure that the scrutiny process will be efficient and beneficial to the Committee meeting.

Members also partake in 'Task and Finish Groups' which focus on a specific item set by the Overview and Scrutiny Committee. This enables Members to engage with a topic separately from the Committee and then to report back on the findings of the 'Task and Finish Group' to the Committee, which then recommends any action required to the relevant Officers.

## **TRAINING**

At the meeting in June, the Committee was updated on the training options available from the Centre of Public Scrutiny, when it was decided that the Law and Governance team should proceed to organise a comprehensive training programme for Members and Officers. Training was scheduled to commence in the Autumn, however the move to Endeavour House and outside circumstances beyond the Council's control, required the training to be rescheduled. This will now start in April for both Members and officers of the Overview and Scrutiny Committee, the Senior Leadership Team, and the Extended Leadership Team as well as other officers who work with the Committee.





## **THE ORGANISATION OF THE 2017 – 2018 WORK PLAN**

In May 2017 the Leader/Cabinet Model was adopted by the Council, whereupon the Joint Scrutiny Committee was de-commissioned. At the separate Overview and Scrutiny Committees in July, the Members of the Committee developed a new Forward Plan centred around incomplete topics from the previous Joint Scrutiny Committee's Forward Plan. Further items were discussed and duly added to the individual Forward Plan. The revised Forward Plan was then agreed by each Committee in August 2017.

The Forward Plan is updated at each Committee meeting and Members evaluate each item in relation to the Strategic Plan in order to assess whether the scrutiny process adds value. This results in avoiding unnecessary duplication of work carried out by any other Committee or working group and ensures sufficient time had lapsed between reviews.

Towards the end of 2017 it was agreed by the Chairs that regular joint meetings could be conducted where common topics could be considered. This was implemented from December 2017.

### **Babergh Overview and Scrutiny Committee Summary of Four Important Topics Scoped and Scrutinised in the Past Year.**

1. Homelessness was scrutinised and the Plan setting out how to meet the challenges of the new legislation, written by the Corporate Manager for Homeless Prevention was found to be comprehensive and suitable, if implemented, to meet the challenges faced by the Council. Further Scrutiny of how well the Council has met the challenge is listed in the work plan.
2. Risk Assessment was identified as a topic in which there were perceived to be key shortfalls in the Council's process and documentation. Scrutiny led to changes, in how the Senior Management Team now address and record their Risk Assessment decisions. However, more needs to be done on this important topic, to improve confidence in the risk assessment elements of Council reports.
3. Scrutiny of Housing Voids was among the first topics to be scrutinised. This led to a rigorous assessment and ongoing monitoring to ensure that a Voids reduction plan was formulated, implemented and monitored. This subject has been reported to the Scrutiny Committee and tracked at each meeting, since it was scrutinised. It is an example, where there has been continuous involvement of Scrutiny Committee Members with the Voids team and management. This has involved meeting with Officers, Council and contract staff, ranging from the Tradesmen in BMBS, through the management chain to the Senior Management. A six-month recovery plan was defined and implemented, which addressed many of the issues identified and in March a presentation was given to the Scrutiny Committee. We can now report that the new wider ranging management recovery plan is being implemented and is having a significant effect on Void times in Babergh. Monitoring is continuing to address in the medium term.

4. The Babergh Five-year Land Supply, failure to meet Government targets, has had a serious impact on our communities. The Scrutiny Committee decided to call this matter in just before Christmas, to assess the 'algorithm', determine if regular monitoring of the independent variables was being undertaken and whether improved monitoring would show that the 5 Year Land Supply shortfall had or was close to being bridged. It took a long time to get to a scoping position, which involved three pre-meetings and two Member discussions with Officers from the Planning Department. The final scoping meeting took place in February with Scrutiny in March. This resulted in 4 recommendations, listed below to introduce regular review of the Five-year Housing Land Supply and monitoring by the Scrutiny Committee.

# The Work of Babergh Overview and Scrutiny Committee 2017/18

## **The Housing Revenue Account 30 Year Business and Finance Plan Update 2017**

This report was considered in June by the Babergh Overview and Scrutiny Committees. Members were updated on the Business and Financial plan for the District, with the Committee being informed on changes made to the assumptions contained in the Housing Revenue Account financial plan; the reasons for these changes and the impact the changes have had on the 30-year financial position. Also, Members were updated on how the management of the HRA was being adapted to meet evolving needs and demands and to reflect legislative, financial and technological change.

The update also set out a roadmap for the transformation of the role of local authority housing and the HRA in light of the significant financial challenges caused by changes to Government policy “The emerging Suffolk work on housing delivery and the Government’s White Paper ‘Fixing our Broken Housing Market’ to create a sustainable and robust plan for the future.”

**RESOLVED** 

**That the updated 30-year HRA Business and Financial Plan (Appendix A to Paper BOS/17/4) be approved.**

## **Void Times in Council Housing**

In July Members conducted a scoping exercise of Void Time in Council Housing, with several issues being identified in relation to the challenges facing the Void team to reduce the void times for Council Housing:



- What are the hidden problems when trying to reduce void times – eg notification timescales; management; backlog in carrying out the necessary works, due to changeover from Morrisons’ contract to Babergh Mid Suffolk Building Service (BMBS)
- Breakdown of the turnaround times for different types of repairs etc which have to be done before properties can be re-let
- The potential for an earlier start for some types of work – e.g. while the existing tenants remain in occupation

**RESOLVED** 

**That the Review of Voids for consideration at the September meeting proceeds on the basis of the Scoping Document together with regard to the aspects identified by Members at the meeting.**

In September The Babergh Committee received a report on void times in Council Properties and based on the scoping exercise the report provided Members of the Committee with information about the average time to re-let vacancies within Council housing stock and the action being taken to improve performance.

**RESOLVED** 

- 1.1 That the Committee has received assurances that appropriate steps are still being taken to reduce void times and that the position be reported to Cabinet.**
- 1.2 That the performance against void targets be monitored and be reported back to the Overview and Scrutiny Committee.**
- 1.3 That a member of the Overview and Scrutiny Committee be appointed to work with the Cabinet Member for Housing and the Assistant Director for Housing to monitor progress with developing the process documents for reducing void times.**

From January 2018 a monthly Information Bulletin on the Voids Improvement Project was submitted to the Committee and provided regular updates on the progress in the reduction of void times.

In March 2018 a Six-month Void Improvement Plan was presented to the Overview and Scrutiny Committee and a mid-term review conducted.

**Review of Great Western Community Safety Partnership (WSCSP)**

In October the Committee received the annual report from the Great Western Community Safety Partnership to fulfil the Committee's function under Sections 19 and 20 of the Crime and Disorder Act 1998, the Police and Justice Act 2006 and the Crime and Disorder Overview and Scrutiny Regulations 2009 to scrutinise the work of Community Safety Partnerships (CSPs).

Babergh was and remains staffed to organise individual review of tragic events, this being considered an appropriate arrangement.

**RESOLVED** 

**That the report be noted.**





### **The Homelessness Reduction Act 2018**

The Committee conducted a scoping exercise for the Homelessness/Bed and Breakfast Accommodation Review in July. It was anticipated by the Committee that with the introduction of the Homelessness Reduction Act 2018, the Councils' resources would be tested. The Committee wanted to scrutinise the work to be done and how the Homelessness Team were preparing for the introduction of the Homelessness Reduction Act in April 2018.

### **RESOLVED**

**That Members' views as expressed at the meeting be reflected in a detailed scoping document to be considered at the next meeting of the Committee, with the Review to be carried out in September/October 2017.**

In November a report "Implementation of the Homelessness Reduction Act", was presented to the Committee, providing Members with detailed information of how the changes would impact on the Council, and outline the work being carried out to ensure that the Councils were legally compliant and able to fulfil the new duties.

It also outlined the current and predicted work levels within the homelessness service.

### **RESOLVED**



- 1.1 That the report be NOTED with the following recommendations:**
- 1.2 That all Babergh District Councillors are briefed on the implications of the implementation of the Homelessness Reduction Act (2017)**
- 1.3 That an update on the Homelessness Reduction Act (2017) be provided to Babergh Overview and Scrutiny Committee six months after the implementation of the Act (October 2018)**

## Update on Joint Scrutiny Recommendation – Neighbourhood Planning

In October the Committee received an update on Neighbourhood Planning from the 'Task and Finish Group' review of the Councils role and duties with regards to neighbourhood planning. The 'Task and Finish Group' identified action areas which the Council needed to address, and the Neighbourhood planning team provided a progress report on each area.

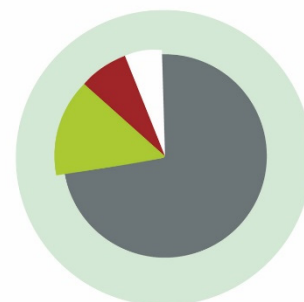
The Committee was concerned that Parish Councils did not understand the reasons for neighbourhood planning and were unable to access relevant information required for the process. Members were also concerned that the Neighbourhood Plan was being ignored in the planning process. The Committee was assured that the Council had improved its service and that all enquiries were directed to the relevant websites.

**RESOLVED** ✓

**(i) That the Committee noted the progress of the actions from the Joint Scrutiny recommendations for Neighbourhood Planning.**

## Supporting Business Growth

In October the Committee scoped the topic Supporting Business Growth. Following the debate, it was agreed that the best way forward would be for the Committee to receive the Draft Economic Development 'Open for Business' Strategy report for comment.



In November the Committee received the report. However, due to the nature of sensitive business information, the report was heard with the Public and Press excluded.

**RESOLVED** ✓

**That the report be noted**

## Community Infrastructure Levy (CIL)

In December the Joint Overview and Scrutiny Committee was updated on CIL funding. Members had requested clarification of how the CIL was managed and applied for, and how much had been paid from the CIL funding to the Community. Members were interested not only in the working relationship between parishes and the Council, but also the process for how CIL funding was managed both within the District and with other service providers. As a result, the Committee requested pre-scrutiny of the CIL report before it was presented to Cabinet to allow for Recommendations to Cabinet from the Committees.

**RESOLVED** ✓

**That the CIL Spending Scheme report be pre-scrutinised before being presented to Cabinet**

## **Review of the Shared Legal Service**

In November Members scoped a review of the Shared Legal Service. The Committee responded to concerns from Members of the Council that there had been issues with the Service. The Shared Legal Partnership came into existence in September 2016 as a result of the reorganisation of the Council's use of resources.



The Committee's objectives were to establish how the working relationship with the Shared Legal Service could be improved and if general processes could be identified to achieve these objectives. The scoping exercise identified that further scoping on the topic was necessary before the Committee could receive a report.

**RESOLVED** ✓

**1.1 That the scoping of the Shared Legal Service be completed at the meeting on 18 December 2017**

**1.2 That a survey be conducted into experiences of Officers and Members regarding the Shared Legal Services with witnesses and evidence to be brought before the Committee at the meeting in February 2018.**

Cooperation between Officers and the Chairs of the Overview and Scrutiny Committees resulted in a report being brought to the Joint Overview and Scrutiny Committee in December.

The Service Manager for the Shared Legal Service was present to answer questions, with Councillor Davis being invited by the Committee as a witness to relay his experience with the Shared Legal Service. The Corporate Manager – Strategic Asset Management had been invited by the Director of Law and Governance to represent the development of cooperation between a Client and the Shared Legal Service.

After a detailed discussion of the report and the Shared Legal Service, the Committee agreed that communication and clarification on delegation of responsibility both with the Shared Legal Service and the Councils would improve the relationship between the Clients and the Service.

**RESOLVED**

- 1.1 That the Joint Overview and Scrutiny Committee concluded that further improvements in the performance of Shared Legal Service are required, specifically around communication and the understanding of which officer within the client department is able to give instructions.**
- 1.2 That the Shared Legal Service be reviewed by Overview and Scrutiny Committee again in six months' time and that this review included updates on case management and the information previously presented to the Committee.**
- 1.3 That the Joint Overview and Scrutiny Committee recommend to Cabinet that prior to any future shared services or partnership working arrangements that a full and proper business case is prepared and that the business case will be presented to the Overview and Scrutiny Committees for pre-scrutiny.**

At the Cabinet meeting in February 2018 the Vice-Chair of the Overview and Scrutiny Committee presented the recommendation from the Committee and explained there had been much discussion, and concerns had been raised as the Committee was unhappy with the level of service.

The Vice-Chair raised the point that a business case for any future shared services should be prepared as without one scrutiny of future shared services would be difficult. The Members of the Cabinet welcomed the recommendation.

**RESOLVED**

- 1.1 That prior to any future shared services or partnership arrangements with Councils other than Mid Suffolk, a full and proper business case be prepared and be presented to the Overview and Scrutiny Committees for pre-scrutiny**

**Reason for Decisions:**

To ensure that Overview and Scrutiny Members are provided with a full and proper business case in relation to future shared services or partnership working arrangements.

The Overview and Scrutiny Committee will be reviewing the Shared Legal Service again in July 2018.

## Draft Joint Medium Term Financial Strategy and 2017/18 Budget

In January the Committee received a report which provided an update on the work that had been undertaken so far on the 2018/19 General Fund budget, and explained the budget process and the approach taken, the current budget shortfall or surplus across the Medium Term Financial Strategy (MTFS) period, and the changes from 2017/18 to 2018/19.

**RESOLVED** ✓

**That report BOS/17/30 containing 2018/19 General Fund Budget – Early Indication (Report BCa/17/36) and the Draft Joint Medium Term Financial Strategy and 2018/19 Budget (BCa/17/42) be noted.**

### Waste Services

Members were concerned that the Waste Contracts represented the largest share of out-sourced contracts, and that a proportion of these contracts were soon coming up for renewal.



During the pre-committee meetings for this item the Chairs established that the Waste Service and Waste Contract and related service agreements were complex. In order for the Committee to add value to the scrutiny process, further information on how the waste service contracts related to the management of the Waste Service would be needed.

The Strategic Director and the Assistant Director – Environment and Commercial Partnership together with the Chairs conducted a scoping exercise out of Committee to establish which areas of the Waste Service and associated contracts could be scrutinised and any necessary adjustments made. A report based on this scoping was then presented to the Joint Committee in February.

The Committee scrutinised the ‘Waste Services - Options for Review’ report and identified the timing for when scrutiny of Waste Contracts would be appropriate. The report also contained details of the how the waste service operated across the two Districts. The Committee was concerned that insufficient information was received by Members about the structure and the management of the Waste Service. This resulted in a request from the Committee to receive a five-year forecast of the income and expenditure for the Waste Service.

**RESOLVED** ✓

- 1.1 Officers to report to Joint Overview and Scrutiny in October, prior to the Cabinet report, on the outcomes of the review and possible extension of the Joint Waste Contract.**

- 1.2 **Officers to report to Joint Overview and Scrutiny in December on the outcome of the MRF procurement process.**
- 1.3 **That the Babergh and Mid Suffolk Overview and Scrutiny Committees to receive a report from Suffolk Waste Partnership for food waste after April 2018.**
- 1.4 **That the cost and income be supplied to Members for the Waste Services for the next five years.**

## **The Five-year Housing Land Supply**

The Committee requested to scrutinise the Five-year Housing Land Supply due to a mixed understanding in the communities regarding the way it was calculated, and how the lack of supply could be resolved. These issues impacted on delivery of the Joint Strategic Plan in a number of ways, particularly in terms of housing delivery, community capacity and the effect of ad hoc building in inappropriate areas.



At the Joint Overview and Scrutiny Committee in February the Five-year Housing Land Supply was scoped by Members, and officers were able to explain in detail the complicated process for calculating the Five-year Housing Land Supply as well as discussing some of the concerns of the Committee. It was agreed that this information and the additional questions identified should form part of the upcoming report to the Committee. Members expressed concern regarding the absence of regular review of the Five-year Housing Land Supply, other than the annual review and the interpretation of the subjective elements of the calculation.

**RESOLVED**



**That a report based on the scoping document be presented to Mid Suffolk Overview and Scrutiny Committee on 15 March 2018 and to Babergh Overview and Scrutiny Committee on 19 March 2018.**

In March the Five-Year Land Supply report was presented to the separate Overview and Scrutiny Committees and Members of the Babergh Committee debated the issues raised above. The Committee was satisfied that it was possible to conduct a half-yearly review of the Five-year Housing Land Supply and further that the supply be monitored by officers throughout the year. Members agreed that the report had answered the questions in the scoping document to a satisfactory level and that the proposed recommendations would ensure transparency and clarity of how the Five-year Housing Land supply was calculated.

The recommendations were forwarded to Cabinet.

**RESOLVED** ✓

- 1.1 That the Five-year Housing Land Supply be formally published yearly unless it can be shown that the requirements have been met earlier.
- 1.2 That the Five-year Housing Land Supply be reviewed half yearly and a report be provided to the Babergh Overview and Scrutiny Committee.
- 1.3 That the Five-year Housing Land Supply subjective and objective variables be monitored regularly throughout the year.
- 1.4 That the Five-year Housing Land Supply report be recalculated and presented to the Babergh Overview and Scrutiny Committee in April/May 2018 for review.
- 1.5 That Report BOS/17/36 be circulated to all Members.

**All Together Programme**

In March the Committee received a report on the cost of the move to Endeavour House and a comparison of the costs if the Council had remained in the headquarters in Hadleigh. The Committee had expressed concern of the financial position for both Councils following the move to Endeavour House, the opening of the new customer access points in Sudbury and Stowmarket; and the opening of the touchdown locations across both districts. Members discussed the consequences of the move and the cost implications for the Council in the long term.



**RESOLVED** ✓

- 1.1 That report BOS/17/37 be circulated to Cabinet and all Members.
- 1.2 That a breakdown of the Capital Expenditure cost in Table 2.1 in report BOS/17/37 be reported to the Babergh Overview and Scrutiny Committee as an Information Bulletin in May 2018.



## **TOPICS TO BE CONSIDERD AT THE MAY 2018 OVERVIEW AND SCRUTINY COMMITTEE**

- **Investment Strategy**

The Committee will be scrutinising the BMS Business Plan for the Investment Strategy.

- **Updated Joint Complaints Policy**

Members will be updated and reviewing the Joint Complaints Policy.

- **Information Bulletin**

Void times in Council Properties

All Together Programme - a Breakdown of Capital Expenditure (BDC only)

## **RECOMMENDATIONS TO CABINET AND OTHER COMMITTEES**

During the year the Committee made recommendation to Cabinet or Council on the following items:

- **Void Times in Council Properties**
- **Review of the Shared Legal Service**
- **The Five-year Land Supply**



## **BABERGH DISTRICT COUNCIL - CALL-INS**

In October 2017 the Overview and Scrutiny exercised the option to call-in a decision made by Cabinet and responded to a Call-in of the Decision from the meeting of the Babergh Cabinet held on 13 October 2017:

BCa/17/22 – Future Options for ‘Working Together’ between Babergh and Mid Suffolk District Councils.

The Committee met, and the following was agreed with one objection:

That the Scope of the Call - in was based on the following points:

- 1 That the decision notice states that no alternative options have been considered and rejected.
- 2 The decision does not appear to be listed as a key decision.
- 3 There appears to be a decision to consult on merging inadequate preparation and information release.
- 4 The financial appendix to the report is far from a full unbiased picture of the current and projected situation.

The Committee scrutinised Cabinet’s decision and upheld that the decision process had not been followed correctly.

### **RESOLVED**

(i) That the principles of decision making were breached, and that the decision be referred back to Cabinet for reconsideration with additional information. The following additional information should be considered by the Cabinet:

- a) The comments raised during the meeting of the Overview and Scrutiny Committee on 31 October 2017;
- b) A more detailed Financial Case;
- c) Further information about the consultation activities, particularly the telephone poll.

(ii) That Cabinet be requested to refer these decisions to a meeting of the full Council for debate, before Cabinet makes its final determination.

Babergh Full Council debated Future Options for ‘Working Together’ between Babergh and Mid Suffolk District Councils, and it was resolved that independent legal advice be provided to the Chief Executive and provided to Members at Council. This advice was delivered to Council in early December.

At the Babergh Cabinet meeting in December the decision to uphold the decision made by Cabinet in October 2017 was confirmed based on careful consideration of the debate at Full Council and the legal advice received.

## INFORMATION BULLETINS PRESENTED TO BABERGH OVERVIEW AND SCRUTINY COMMITTEE 2018/18

<b>September 2017</b>	Community engagement
<b>October 2017</b>	Update on the scoping exercise for Public Realm Transformation Project with the Corporate Manager for Countryside and Public Realm
<b>November 2017</b>	Babergh Business Rate Relief Summery 2017/18
<b>December 2017 (Joint)</b>	Recent Customer Access Activities
	Use by the Council of interims, temporary staff and consultants
	Defining the Performance Framework, and Indicators for Monitoring Delivery of the Joint Strategic Plan (Mid Suffolk District Council)
	Void Improvement Project (BDC)
<b>March 2018</b>	Transformation Fund

## SCOPING TOPICS FOR BABERGH OVERVIEW AND SCRUTINY COMMITTEE 2017/18

- Scoping the General Scrutiny Process (June-July 2017)
- Scoping for Homelessness/ Bed and Breakfast Accommodation Review (July 2017)
- Scoping a Review of Voids (July 2018)
- Scoping the Finance Model (July 2018)
- Scoping Risk Assessment (Sept 2017)
- Scoping for Supporting Business Growth (Nov 2017)
- Scoping Legal Services Partnership (Nov 2017)
- Scoping of the use of Interim and Temporary staff (Oct – Nov 2017)
- Scoping of the Community Infrastructure Levy (Oct – Nov 2017)
- Scoping the Budget (Dec 2017)
- Scoping Waste Services – Options for Review (Feb 2018)
- Scoping the Five-year Land Supply (Feb 18)
- Scoping of the All Together Programme (Feb 2018)

# BABERGH OVERVIEW AND SCRUTINY COMMITTEE WORK PLAN 2018/19:

18 June 2018

Topic	Purpose	Lead Officer	Cabinet Member	Joint Strategic plan reference
<b>Overview and Scrutiny Training for Members of the Committee</b>		Janice Robinson Corporate Manager – Law and Governance		Enabled and Efficient Organisation
<b>Babergh and Mid Suffolk Building Services (BMBS)</b>	12 months review after the implementation of the services This to include reporting back to the committee on progress in implementing the actions drawn up to reduce the days council properties are void.	Justin Wright - Newton Corporate Manager - BMBS	Jan Osborne	Intelligence based community insight and outcome - focused performance management  Make best use of our existing Housing assets
<b>Local Tourism Strategy</b>	To scrutinise the Local Tourism Strategy	Lee Carvell Corporate Manger – Open for Business	John Ward	Further develop local economy and market towns to thrive
<b>Staff Turnover and Welfare</b>	Reviewing the impact, the office move has had on staff and the financial impact of the move to Endeavour House, with the aim of learning points for other future major change activities.	Anne Conway Corporate Manager HR & OD  Katherine Steel Assistant Director – Corporate Resources		Strengthened and clear governance to enable delivery
<b>Off-payroll Costs Review</b>	A review of Off-payroll Cost following on from the update presented 18 December 2017	Katherine Steel Assistant Director – Corporate Resources	Peter Patrick	Financially sustainable Councils  Manage our corporate assets effectively
<b>Information Bulletin</b>	Void times in Council Properties	Sue Lister – Corporate Manager – Housing Options  Justin King – Interim Consultant for the Voids Team		Make best use of our existing Housing assets
<b>Members to agree the BDC Work Plan for 2018/19</b>		Henriette Holloway – Governance Support Officer		

<b>23 July 2018</b>	<b>21 January 2018</b>
<p><b>Scoping of Pre-Planning Application</b> – to scope a review of the newly introduced pre-planning application fees. (P Isbell/ G Walker)</p> <p><b>Review of Shared Legal Service</b> – To review the progress and communication following the December</p>	
<b>20 August 2018</b>	<b>18 February 2019</b>
<p><b>Voids</b> – A review of the time it takes to re-let a property</p> <p>Members to receive an updated forecast of how to reduce the BDC deficit based on the 1<sup>st</sup> quarter of 2017/18 figures</p> <p><b>Pre-planning Application report</b></p>	
<b>17 September 2018</b>	<b>18 March 2019</b>
<p><b>Crime and Disorder Panel meeting</b></p> <p><b>The HQ Sites</b> - The Investment Business Case for the Development</p>	
<b>22 October 2018</b>	<b>15 April 2019</b>
<p><b>Investment Strategy</b> To scrutinise the Business Plan for BMS Invest and CIFCO</p> <p><b>An update on the Homelessness Reduction Act (2017)</b> (Six months review after the implementation of the Act)</p> <p><b>Waste Strategy</b> Scrutiny of the outcome of Waste Services Review and possible extension of the Joint Waste Contract, prior of report going to Cabinet. (JOS/17/8)</p>	
<b>19 November 2018</b>	<b>20 May 2019</b>
<p><b>CIL Expenditure Framework</b> The Joint Member Panel to be part of the Scrutiny Process</p>	<b>Annual review of BMS Invest Business Plan</b>
<b>17 December 2018</b>	
<p><b>MRF Procurement Process</b> Officer to report back to the committee on the outcome of the MRF Procurement Contract. (JOS/17/8)</p> <p><b>Information Bulletin: Five-year Housing Land Supply</b> Half Year update</p>	

## TOPICS IDENTIFIED FOR REVIEW BUT NOT CURRENTLY TIMETABLED:



### **Information Bulletin: Customer Access Activity Update**

An update on the customer activity Information Bulletin presented 18 December 2017 **TBC**



**Information Bulletin: Community Engagement** – update to be provided quarterly (sept 2017) **TBC**



### **Community Grants**

Strong and safe communities was asked to report back following a 'health check' of the groups receiving grants. (To be an Information Bulletin) **TBC**



### **Fuel Poverty**

Reporting back to the Committee on the changes incorporated into the Joint Fuel Poverty Strategy – To consider if further action is needed at this stage, in the light of it being incorporated into a Suffolk-wide strategy

### **CIL**

Update on the outcome from the Joint Overview and Scrutiny Committee 18 December 2018



### **Crime and Disorder Panel meeting**

Required to take place at least once a year, provisionally agreed to take place in **September** of each year



**Void times in Council Properties** – Monthly Information Bulletin



### **Other topics identified:**

- Home ownership review

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