

Monday, 4 March 2019



MID SUFFOLK DISTRICT COUNCIL

DECISIONS NOTICE

**DECISIONS BY THE MID SUFFOLK CABINET
CALL IN DEADLINE 5:00PM ON 13 MARCH 2019**

The following decisions have been taken by the Cabinet and will come into effect on 14 March 2019 unless the call-in procedure is activated. For clarity, where an item is 'to be noted', 'received' or recommended to Council for a decision, this is deemed not to be a formal Executive decision and so the call-in provisions will not apply.

MCa/18/66 GENERAL FUND FINANCIAL MONITORING 2018/19 - APRIL TO DECEMBER 2018

It was RESOLVED:-

- 1.1 That subject to any further budget variations that arise during the rest of the financial year, the following net transfers of £1,939k be noted;
 - a) Transfer from reserves of £46k being the net amount for the following specific earmarked reserves, referred to in section 5.8 and Appendix C of this report;
 - £208k to Joint Local Plan (a new earmarked reserve)
 - £33k to Waste
 - £30k to Carry Forwards (Leisure Contract)
 - £13k to Government Grants (other items – Better Business for All)
 - £10k to Elections
 - £237k from Planning for appeal costs
 - £40k from Government Grants (Policy Strategy, Health and Well-being)
 - £33k from Homelessness
 - £30k from Commuted Maintenance
 - b) Of the remaining balance of the General Fund surplus £767k be transferred to the Growth and Efficiency Fund and £1,218k to the Business Rates Equalisation reserve, as referred to in section 2.1 (c) of the report.

Reason for Decision: To ensure that Members are kept informed of the current budgetary position for both General Fund Revenue and Capital.

Alternative Options Considered and Rejected:

- 1.1 Transfer surplus funds of £1,939k to the Growth and Efficiency (GEF) reserve.
- 1.2 Transfer surplus funds of £1,939k to the Business Rates Equalisation reserve.
- 1.3 Transfer surplus funds of £1,218k to the Business Rates Equalisation reserve, surplus funds of £767k to the Growth and Efficiency reserve and net transfers of £46k from specific earmarked reserves as detailed in 3.1(a) below.
- 1.4 At this stage in the year, make no recommendation for the transfer of surplus funds to reserves.

Any Declaration of Interests declared: None

Any Dispensation Granted: None

MCa/18/67 HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2018/19 - APRIL TO DECEMBER 2018

It was RESOLVED:-

- 1.1 That the potential or likely variations in relation to the HRA both Revenue and Capital compared to the Budget be noted.
- 1.2 That, subject to any further budget variations that arise during the rest of the financial year, the shortfall in funds of £415k, referred to in section 5.6 of the report, be transferred from the Strategic Priorities reserve, as referred to in 2a) of the report.

Reason for Decision: To ensure that Members are kept informed of the current budgetary position for both the HRA Revenue and Capital Budget.

Alternatives Options Considered and Rejected:

- 1.1 Transfer funds of £415k from the Strategic Priorities reserve to support the deficit.
- 1.2 At this stage in the year, make no recommendation for the transfer of funds from reserves.

Any Declarations of Interest declared: None

Any Dispensation Granted: None

MCa/18/68 QUARTER 3 PERFORMANCE OUTCOME REPORTING

It was RESOLVED:-

That the performance report and the performance outcome information tabled at Appendices A

to G of the report be agreed as reflecting Mid Suffolk District Council's performance for October – December 2018.

Reason for Decision: To provide assurance that the Council is meeting its performance objectives.

Alternative Options Considered and Rejected:

It is a requirement to report this information to Cabinet, therefore there are no other available options.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

MCa/18/69 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE BUSINESS PLAN MARCH 2019

It was RESOLVED:-

1.1 That the CIL Expenditure Business Plan (March 2019) and accompanying technical assessments of the CIL Bids forming Appendices A and B of the report and which include decisions on valid Bids for Cabinet to make and those for Cabinet to note be approved as follows: -

Decisions for Cabinet to take: Local Infrastructure Fund

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid	Recommendation
M1-18 GISLINGHAM Mill Street Erection of new building	£44,568.75 Total Cost £160,596.60 (revised figure) Other remaining sources of funding for this project are: £57,431.25 from s106 funds (which will be spent on this project) £25,000 Garfield Weston £15,846.60 Band Funds £5000 Gislingham United Charity £4,000 - Gislingham Parish Council £3000 – Alfred Williams	Cabinet recommended to approve CIL Bid of £44,568.75

	Charitable Trust £1000 Gislingham Variety £1000 – Council Fleming Locality Budget £1000 Ganzoni Charitable Trust £1800 – Personal Donations £500 Scarfe Trust £200 East of England Co-op £150 – Botesdale Parish Council £100 Eye Town Council	
M20-18 THURSTON Norton road opposite the Community college and also adjacent to the Community college Provision of 2 new bus shelters	£13,000 (amended figure) Total Cost £13,000	Cabinet recommended to to to approve CIL Bid of £13,000
M23-18 EYE Cross Street Car park Electric Vehicle charging station	£20,728.40 Total cost £20,728.40	Cabinet recommended to to to approve CIL Bid of £20,728.40

Decisions for Cabinet to note and endorse: Local Infrastructure Fund

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the Infrastructure	Delegated Decision
M3 STOWUPLAND Trinity Meadows Church Road	£641.35 Total cost £1282.35 Other remaining source of funding for this project are: - £641.00 Stowupland Parish Council	Delegated decision has been taken to approve. For Cabinet to note.

1.2 Cabinet are asked to note and endorse that all other non-determined valid or invalid Bids

continue to be worked upon and all will be carried forward to the next CIL Bid round 3 for consideration.

- 1.3 Cabinet are also asked to note and endorse this CIL Business Plan (which includes all those valid CIL Bids where offers of other sources of funding have been made for projects as part of the CIL process such that the value of that original CIL Bid is reduced).

Reason for Decision: Community Infrastructure Levy (CIL) monies have been collected since the implementation of CIL on the 11th April 2016. The CIL Expenditure Framework adopted in April 2018 requires the production of a CIL Business Plan for each District which contains decisions for Cabinet to make or note and endorse on CIL Bids for CIL expenditure. These decisions relating to the expenditure of CIL monies form the one of the ways which necessary infrastructure supporting growth is delivered.

Alternative Options Considered and Rejected: There is a diverse spectrum of approaches to CIL expenditure across the country from Unitary Authorities who have absorbed CIL into their individual Capital Programmes to others who ringfence all funds to be spent locally. A range of different approaches was identified in Appendix A of the Framework for CIL Expenditure report provided to Cabinet's on the 5th and 8th of February 2018 and discussed in full during the workshops with the Joint Member advisory panel. Members however adopted the documents set out in paragraph 1.1 above by Council decision in April 2018.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

MCa/18/70 STOWUPLAND NEIGHBOURHOOD PLAN

It was RESOLVED:-

- 1.1 That Stowupland Parish Council be requested to make the necessary modifications to their Neighbourhood Plan in accordance with the Examiner's recommendations.
- 1.2 That, subject to the satisfactory completion of the above (to be agreed by the Corporate Manager for Strategic Planning); the Neighbourhood Plan be advanced to a local referendum covering the parish of Stowupland.

Reason for Decision: To enable the Council to meet its statutory obligations under Section 17A of the Neighbourhood Planning (General) Regulations 2012 (as amended) and to allow the Stowupland Neighbourhood Plan to proceed to a local referendum.

Alternative Options Considered and Rejected:

- 1.1 The local planning authority may propose to make a decision on a recommendation that differs from that set out by the Examiner in their report. If so, it must give its reason why and undertake further consultation before issuing a final decision. As appropriate, this may require the matter to be re-examined. For the reasons set out in section 4 below, this option has been discarded.
- 1.2 The recommended options as set out below is that the local planning authority agree that this Neighbourhood Plan proceed to a local referendum.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

MCa/18/71 AMENDMENTS TO THE PLANNING PRE-APPLICATION CHARGING ADVICE SERVICE AND CHARGING SCHEDULE

It was RESOLVED:-

- 1.1 That the proposed changes to the charged pre-application advice service and associated charges as set out in the attached draft Schedule at Appendix (a) of the report be approved.
- 1.2 That the Assistant Director Planning & Communities to, at least annually, review the Schedule of charges and as needed be authorised to amend the Schedule in consultation with the Cabinet Member for Planning to reflect current good business practice in pre-application charging.

Reason for Decision: The decision to agree the changes to the pre-application advice service and associated charges will refine and improve the service offered to users and the delegation of authority will enable continued service improvement in an iterative way.

Alternative Options Considered and Rejected:

- 1.1 Two clear options, other than that recommended, are available. The first is to cease charging for pre-application advice. This would remove a viable income stream arising from charging and would re-introduce a number of service pressures which led to the adoption of a charged advice scheme. It is likely that service quality would be undermined and adverse reputational impacts could result. This would also require further liaison with Suffolk County Council as to do so now would remove funding for their elements of the advice service. This is not recommended.
- 1.2 The second option is “do nothing”. The changes proposed are intended to make the charging arrangements more effective and sensitive to our support to local communities through other service areas so that the Councils approach is more obviously “joined up”. If these are not introduced then the Council will not be as obviously “joined up” in its work as it could be nor as clearly and coherently supportive of other interventions in local communities. Other changes are intended to better reflect actual time and resources impacts on related services when delivering cohesive pre-application advice. If these are not introduced then those costs and resources pressure will remain on the District and County Councils. This is not recommended.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

MCa/18/73 DEVELOPMENT OF VISITOR CENTRE AT NEEDHAM LAKE

It was RESOLVED:-

- 1.1 That funding of up to £600,000 to deliver a new visitor centre development at Needham Lake be approved.

- 1.2 To proceed with the associated planning permission and to carry out the subsequent tender processes, including the award of contract, for the development of the new facility.
- 1.3 That the Strategic Director be authorised, in consultation with the Cabinet portfolio holders for Environment and for Communities, to select and award the contract for the development of the new facility.
- 1.4 That the Strategic Director be delegated authority in consultation with the Cabinet portfolio holders for Environment and for Communities to award the contract to operate the new facility.
- 1.5 That the Member advisory working group for the development of Needham Lake Visitor Centre that includes relevant Cabinet Members and local Ward Members be continued.

Reason for Decision: Improving the quality of life for the local community and increasing visitor spend in the local economy; supporting community capacity building and engagement; maximising a Council asset; encouraging increased physical activity and improved use of open space; and efficient management of the delivery of the facility.

Alternative Options Considered and Rejected:

- 1.1 In order to deliver this key priority for the Council, and following the feasibility work, several delivery options have been reviewed. These have included due consideration of future sustainability in terms of ongoing revenue costs and environmental matters. The options include:
 - 1.2 A café model operated by the Council or by a third party.
 - 1.3 The option of a model operated by the Council was discounted as the Council has no relevant experience of running a café operation, whereas the private, voluntary and community sectors do. This would also provide an opportunity for a small business or social enterprise to run the facility. The Council would be interested in working with potential operators who were prepared to engage with the Local Authority's wider economic development and skills objectives, as set out in its Open for Business strategy.
 - 1.4 A lease, with potential for a shared profit arrangement, or a model whereby the operator would design, build, own and operate the facility.
- 1.5 In order to maintain a degree of control over the project at this key strategic open space site for the Council, a lease arrangement is preferred.
- 1.6 Other sites for the new building at the Lake were investigated and rejected principally on flood risk grounds and also because they would not deliver against the key aspiration expressed by the public for a facility which overlooks the main playground area.
- 1.7 Cabinet is invited to consider the content of this report and then determine via the recommendations below how to progress.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

MCa/18/72 MEMBER LEARNING AND DEVELOPMENT POLICY AND MEMBER ROLE PROFILES

It was RESOLVED:-

That the Member Learning and Development Policy and Role Profiles be approved to provide a framework for future Member training and development.

Reason for Decision: To provide a framework for future Member learning and development and to clarify the responsibilities and expectations for prospective Members, newly elected Members and existing Members, members of the public, partner organisations and officers.

Alternative Options Considered and Rejected: There are no statutory requirements to formally introduce a Member Learning and Development Policy or Member Role Profiles, the Council could choose not to adopt these and carry on with the current informal arrangements.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

MCa/18/74 REGULATORY REFORM ORDER POLICY ON MINOR DISABLED ADAPTATION SCHEME

It was RESOLVED:-

That the Regulatory Reform Order Policy on Minor Disabled Adaptation Scheme as described in Option 1 of the report be adopted and reviewed in 12 months.

Reason for Decision: For a Regulatory Reform Order Policy on Minor Disabled Adaptation Scheme to be used legally, members need to have adopted such a scheme.

Alternative Options Considered and Rejected:

1.1 Option 1: Adopt a separate RRO Policy. The existing Disabled Facilities Grant (DFG) process can be long and complex and often comes at a time of crisis. The criteria for a DFG is very rigid and has remained relatively unchanged for 20 years. The introduction of an RRO enables greater flexibility around the use of DFG funding to ensure local authorities can target resources to tackle local issues which may be preventing people being able to remain at home and live independently.

It gives power to an authority to provide "assistance in any form, to any person to repair, adapt or rebuild residential premises". There are a number of scenarios where removing the requirement to make a full Disabled Facilities Grant application would enable an application for an adaptation or provision of equipment to progress quickly. An RRO allows the provision of small-scale adaptations to fulfil needs not covered by mandatory DFG's. Below are the proposed changes to the current DFG process.

- Where the cost of the adaptation is £4,999.99 or less the requirement to undertake a means test will be removed. This figure is used, as above this, costs are registered as a local land charge and there is a requirement to repay monies if the property is sold within ten years. Adaptation work below £1000 are dealt with by the County Council. Keeping the figure at £4,999.99 simplifies matters and does not penalise applicants who have

incurred a charge historically. By applying a financial ceiling, the risk of public funds being misappropriated is proportional to the benefit of the costs of administering a more complex process.

Examples of work that would be covered within this limit include ramps, bathing/washing facilities, additional heating, stairlifts, key safes, wash/dry toilets. The removal of the means test in these circumstances has received approval from Foundations (a body appointed by the Ministry of Housing, Communities and Local Government to oversee Home Improvement Agencies and offer advice on DFG's).

- Where works exceed £5,000 the standard DFG process will be followed which includes a means test.
- Where adaptations are straightforward, it can remove the requirement for an Occupational Therapist referral. This is often the bottleneck in the adaptation process therefore removing this should speed up the end to end journey. Further details can be found in the Key Information, 4.6 - 4.9.

1.2 Option 2 – No change to the existing RRO policy. This option keeps the provision of grants as statutory through the DFG process with the option to help people with physical disabilities. It follows a prescribed process which could be considered as equitable, however some residents will continue to be put off by the process and there is little risk to the Council in providing a DFG for people who could afford to pay for the adaptations themselves. However, this will mean the considerable underspend will continue and our vulnerable residents will not get the assistance they need.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None