

COUNCIL

DATE Wednesday 29 June 2016

PLACE Council Chamber, Council
Offices, High Street, Needham
Market

TIME 5:30pm

Please ask for: Val Last
Direct Line: (01449) 724673
E-mail: val.last@baberghmidsuffolk.gov.uk

21 June 2016

NOTES:

- i) Tea /coffee will be available for Members in the Council Chamber at 5:00 pm.
- ii) The Council Chamber is situated on the first floor. There is access via a lift as an alternative to stairs.
- iii) The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends the meeting and wishes to be filmed should advise the Committee Clerk.

A G E N D A

1. Public Participation Session

Members of the public are able to ask a question or make a statement during this item in accordance with the Council's Constitution, Part 7, Appendix 2 – Public Participation at Council Meetings – A Guide to Procedure.

Prior written notice of the intention to speak must be given to the Monitoring Officer by no later than 5:00 pm on Friday 24 June 2016 (two clear working days before the meeting).

2. Apologies for absence

3. To receive any declarations of pecuniary or non-pecuniary interests by Members

4. Minutes of the 28 April 2016 meeting

Report C/34/16

Pages 5 to 17

5. Chairman's announcements

Report C/35/16

Page 18

6. To receive notification of petitions in accordance with the Council's Petition Procedure

In accordance with Council Procedure Rules, the Chief Executive will report the receipt of any petitions. There can be no debate or comment upon these matters at the Council meeting.

7. Recommendation from Committee

Joint Annual Treasury Management Report - 2015/16
(Joint Audit and Standards Committee - 20 June 2016)

Report JAC82 was considered by the Joint Audit and Standards Committee at its meeting on 20 June 2016. Following clarification of various matters by Officers the recommendation below was agreed by a unanimous vote.

RECOMMENDED

That the treasury management activity for the year 2015/16 be noted. Further, that it be noted that performance was in line with the Prudential Indicators set for 2015/16

Report C/36/16

Pages 19 to 44

8. Questions from the Public

The Chairmen of Committee to answer any questions from the public of which notice has been given no later than midday two clear working days before the day of the meeting in accordance with Council Procedure Rules

9. Questions from Members

The Chairman of the Council, the Chairman of Committees and Subcommittees to answer any questions on any matters in relation to which the Council has powers or duties which affect the District and which fall within the terms of reference of the Committee of which due notice has been given in accordance with Council Procedure Rules.

10. Political Balance and Composition of Committees and Joint Committees

Report C/37/16

Pages 45 to 49

11. Appointment of Members to Joint Groups

Report C/38/16

Pages 50 to 54

12. Devolution for Norfolk and Suffolk

Report C/39/16

Pages 55 to 174

13. Constitutional Update – Phase 1
Report C/40/16 **Pages 175 to 362**
14. Recruitment of the Chief Executive
Report C/41/16 **Pages 363 to 366**
15. Amended Pay Policy Statement for 2016/17
Report C/42/16 **Pages 367 to 374**
16. Constitutional Update Review – Phase 2
Report C/43/16 **Pages 375 to 377**
17. To receive reports from the Leader of the Council and appropriate Executive Committee Members with Portfolios on issues arising since the last Council meeting. The Leader and Portfolio Holders will be prepared to answer Members' questions.

Leader (and Assets and Investment Portfolio)

- (a) Councillor Nick Gowrley
Report C/44/16 **Pages 378 to 379**

- (b) Executive Committee Forward Plan
Report C/45/16 **Page 380 to 382**

Business Growth and Increased Productivity

- (c) Councillor Gerard Brewster
Report C/46/16 **Page 383 to 384**

Environment Portfolio

- (d) Councillor David Burn
Report C/47/16 **Pages 385 to 386**

Community Capacity Building and Engagement Portfolio

- (e) Councillor Julie Flatman
Report C/48/16 **Pages 387 to 388**

Enabled and Efficient Organisation Portfolio / Finance Portfolio

(f) Councillor Glen Horn / Councillor John Whitehead

Report C/49/16

Page 389

Housing Development Portfolio

(g) Councillor John Levantis

Report C/50/16

Pages 390 to 391

Joint Scrutiny Committee

(h) Councillor Rachel Eburne – Joint Chair

Report C/51/16

Page 392

18. Urgent business – such other business that, by reason of special circumstances to be specified, the Chairman agrees should be considered as a matter of urgency

(Note: Any matter to be raised under this item must be notified, in writing, to the Chief Executive or the District Monitoring Officer before the commencement of the meeting who will then take instructions from the Chairman)

Charlie Adan
Chief Executive
21 June 2016

MID SUFFOLK DISTRICT COUNCIL

Minutes of the Council meeting of the **MID SUFFOLK DISTRICT COUNCIL** held at the Council Offices, Needham Market on 28 April 2016 at 5:30pm.

PRESENT:

Councillors:	Roy Barker	John Levantis
	Gerard Brewster	Sarah Mansel
	David Burn	Wendy Marchant
	James Caston	John Matthissen
	Rachel Eburne	Suzie Morley
	Paul Ekpenyong	Dave Muller
	John Field	Mike Norris
	Charles Flatman	Derek Osborne
	Julie Flatman	Penny Otton
	Jessica Fleming	Timothy Passmore
	Elizabeth Gibson-Harries	Jane Storey
	Nick Gowrley	Andrew Stringer
	Gary Green	Keith Welham
	Lavinia Hadingham	Kevin Welsby
	Derrick Haley	John Whitehead
	Matthew Hicks	David Whybrow
	Glen Horn	Jill Wilshaw

In attendance:

Chief Executive
Strategic Director (LB/ME)
Interim Head of Democratic Services
Interim Head of Law and Governance and Monitoring Officer
Corporate Manager (Community Planning and Heritage)
Governance Support Officer (VL/KD)

Note: The Interim Head of Law and Governance and Monitoring Officer explained the Council rules and procedures for the Council, members of the public and the press to record/film/photograph or broadcast the meeting when the public and press are not lawfully excluded.

CL01 ELECTION OF CHAIRMAN OF COUNCIL

By a unanimous vote

RESOLUTION

That Councillor Elizabeth Gibson-Harries be appointed Chairman of the Council for 2016/17

Note: Councillor Gibson-Harries duly signed the declaration of acceptance of office of Chairman and took the chair

Councillor Gibson-Harries thanked Members for electing her as Chairman and she also thanked the previous Chairman Derek Osborne for his work. She considered it an honour to be elected Chairman and looked forward to representing the Council at civic functions during the coming year. Her chosen charities were the East Anglian Air Ambulance and Home Start.

CL02 ELECTION OF VICE CHAIRMAN OF COUNCIL

By a unanimous vote

RESOLUTION

That Councillor Derrick Haley be appointed Vice Chairman of the Council for 2016/17

Note: Councillor Haley duly signed the declaration of acceptance of office of Vice Chairman.

CL03 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillors Kathie Guthrie, Barry Humphreys MBE, Esther Jewson, Diana Kearsley and Lesley Mayes.

CL04 DECLARATIONS OF INTEREST

Councillor Mike Norris declared a non-pecuniary interest in agenda item 18, report C/25/16, by way of being a member of the Needham Market Town Council which was working on preparation of a Neighbourhood Plan.

Councillors Sarah Mansel and John Levantis declared a non-pecuniary interest in agenda item 18, report C/25/16, as they were both on the Elmswell Neighbourhood Plan Group.

Councillor Jane Storey declared a non-pecuniary interest in agenda item 18, report C/25/16, as she was a member of both the Woolpit and Elmswell Neighbourhood Plan Groups.

CL05 MINUTES OF THE MEETING HELD ON 25 FEBRUARY 2016

Report C/16/16

The minutes of the meeting held 25 February 2016 were confirmed as a correct record, subject to the following amendment to:

- Minute CL105 – page 10 – penultimate paragraph, second sentence: “this could result in waste being put in the black bins which would *increase* the gate charge at the MRF”

By a majority vote

RESOLUTION

That the minutes of the meeting held on 25 February 2016 be confirmed as a correct record

CL06 CHAIRMAN'S ANNOUNCEMENTS

Report C/17/16

The report was received.

CL07 LEADER'S ANNOUNCEMENTS

Councillor Derrick Haley addressed the Committee and said that it had been a great privilege to be leader of Mid Suffolk District Council. When he became Portfolio Holder for Finance and Resources, the Council faced significant financial challenges and he was pleased to be handing over to the new Portfolio Holder with the Council in a much healthier and stable position.

He thanked staff for their hard work and support during his time as Portfolio Holder, then as Deputy Leader and finally as Leader. They had put Mid Suffolk at the forefront of change, and he felt they should be proud of the way they had accepted changes whilst still delivering services. He also gave special thanks to the Chief Executive for her help during the journey.

The Chief Executive spoke in response and gave thanks to Councillor Haley for his efforts during his time as Leader. She said she had gathered a few words from staff regarding Councillor Haley; these included that he had a real passion for making a difference, he had incredible commitment and energy, and that he was a techno whizz who put some of us to shame. He was great to work with, always striving to achieve the best outcome, and was always able to find the real issue to be addressed. She gave her personal thanks to Councillor Haley and presented him with a gift.

CL08 PUBLIC PARTICIPATION SESSION

There were no requests from the public to speak at the meeting.

CL09 QUESTIONS FROM THE PUBLIC

In accordance with Council Procedure Rule No 15, and with prior due notice given, the following question was received from Mr Antony Spilman:

“Given that Mid Suffolk District Council accept that the vulnerable position resulting from the combination of the lack of, a 5-year land supply, which is seen as surprising given our rural demographic and the apparently good platform that the CSFR and Stowmarket Local Plan provided and MSDC has not supplied important information to local councils for an extended period, thereby blocking their production of Neighbourhood plans, which is widely viewed as un-democratic, and inappropriate by communities who may be badly impacted and certainly not in the spirit of the Statement of Community Involvement March 2014, Localism Act or the NPPF, what are MSDCs plans to mitigate this situation, especially relative to absolute housing numbers, spatial allocations and policy also changes which may be relevant to them?”

Councillor John Whitehead responded to Mr Spilman's question and commented that as there were a number of assertions made and issues raised, a meeting with Mr Spilman and Mid Suffolk officers outside of this Council meeting would be beneficial.

Mr Spilman replied that he was happy with this suggestion and he had no further questions.

CL10 QUESTIONS FROM MEMBERS

There were no questions from Members.

CL11 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION PROCEDURE

None received.

CL12 POLITICAL BALANCE AND COMPOSITION OF COMMITTEES AND JOINT COMMITTEES

Report C/18/16

Interim Head of Democratic Services

Under the provisions of the Local Government and Housing Act 1989, a Local Authority was under a duty to review the allocation of seats to Political Groups at every annual meeting or as soon as practicable after that meeting. In addition, the composition of Committees must be approved at Annual Council each year.

Councillor Nick Gowrley advised Members that there was an amendment to Appendix 2 of the report, and Councillor John Levantis would move from Development Control Committee A to Development Control Committee B.

By a unanimous vote

RESOLUTION 1

That the Committees' size and numerical allocation of seats be approved as detailed in Appendix 1 to the report

RESOLUTION 2

That Committee seats be allocated as set out in Appendix 2 to the report, with the amendment that Councillor John Levantis to sit on Development Control B Committee and not Development Control A Committee.

CL13 APPOINTMENT OF LEADER OF THE COUNCIL/CHAIRMAN OF THE EXECUTIVE COMMITTEE

By a majority vote

RESOLUTION

That Councillor Nick Gowrley be appointed Leader of the Council and Chairman of the Executive Committee for 2016/17

Councillor Gowrley started by paying tribute to his predecessor Councillor Haley and gave thanks to him for all his effort and hard work, which had led to the sound financial position of the Council and left it ready to face the challenges ahead. He said he was very grateful for all the support he had received from Councillor Haley since his being

elected to Council and becoming a Portfolio Holder. He also gave his thanks to all Councillors who had elected him and said it was a privilege to be elected Leader, he stated that he was humbled by all the messages of support he had received.

CL14 ELECTION OF DEPUTY LEADER OF THE COUNCIL

By a majority vote

RESOLUTION

That Councillor Glen Horn be appointed Deputy Leader of the Council for 2016/17

CL15 ELECTION OF CHAIRMEN AND VICE CHAIRMEN OF COMMITTEES

By a majority vote

RESOLUTION

That the following Councillors be appointed as Chairmen and Vice Chairmen to the Committees as shown below:

Development Control Committee A	Chairman:	Matthew Hicks
	Vice Chairman:	Lesley Mayes
Development Control Committee B	Chairman:	Kathie Guthrie
	Vice Chairman:	Roy Barker
Planning Referrals Committee	Chairman:	Kathie Guthrie Matthew Hicks
Regulatory Committee	Chairman:	Kathie Guthrie
	Vice Chairman:	Kevin Welsby

Note: The following conventions were adopted:

- (i) That the Chairman and Vice Chairman of Planning Committee be selected from the Chairman of Development Control Committees A and B
- (ii) That the Chairman and Vice Chairman of the above mentioned Joint Committees be appointed as Chairman and Vice Chairman of the respective sub Committees; namely Mid Suffolk Audit Committee Mid Suffolk Scrutiny Committee

CL16 ELECTION OF VICE CHAIRMAN OF EXECUTIVE COMMITTEE

By a majority vote

RESOLUTION

That Councillor Glen Horn be appointed Vice Chairman of Executive Committee

CL17 ELECTION OF CHAIRMEN AND VICE CHAIRMEN OF JOINT COMMITTEES

By a majority vote

RESOLUTION

That the following Councillors be appointed as Chairmen and Vice Chairmen to the Joint Committees as shown below:

Joint Audit & Standards Committee	Chairman:	Suzie Morley
	Vice Chairman:	Dave Muller
Joint Scrutiny Committee	Chairman:	Rachel Eburne
	Vice Chairman:	Dereck Osborne
Joint Appointments Committee:	Chairman:	Nick Gowrley
	Vice Chairman:	Glen Horn

CL18 ELECTION OF CHAIRMAN OF REGULATORY SUBCOMMITTEE/LICENSING ACT 2003 COMMITTEE

By a majority vote

RESOLUTION

That Councillors Kathie Guthrie and Kevin Welsby be appointed Chairman of Regulatory Subcommittee/Licensing Act 2003 Subcommittee

CL19 APPOINTMENT OF PORTFOLIO HOLDERS

Councillor Nick Gowrley advised that the Portfolio Holder posts had been created to align with the strategic priorities within the Joint Strategic Plan.

Business Growth and Increased Productivity	Gerard Brewster
Environment	David Burn
Community Capacity Building and Engagement	Julie Flatman
Assets and Investment	Nick Gowrley
Enabled and Efficient Organisation	Glen Horn
Housing Delivery	John Levantis
Finance	John Whitehead

By a majority vote

RESOLUTION

That the appointment of Portfolio Holders as set out above be endorsed

CL20 APPOINTMENT OF MEMBERS WITH SPECIAL RESPONSIBILITIES (MSRs)

Councillor Gowrley stated that since he had been a Portfolio Holder it had become apparent that there was a huge level of work ongoing with Devolution, the Joint Strategic Plan and action plans resulting from that work, along with various reviews that were being developed. This had prompted him to create the role of Members with

Special Responsibilities (MSR). Each MSR would work within the Portfolio Holder regime, so that everybody was working together.

Waste
Community Activities
Public Access
Planning
Landlord Function

Roy Barker
Diana Kearsley
Suzie Morley
David Whybrow
Jill Wilshaw

By a majority vote

RESOLUTION

That the appointment of Members with Special Responsibilities as set out above be endorsed.

CL21 APPOINTMENT OF MEMBERS TO PROGRAMME STEERING BOARDS

Communities – Julie Flatman, Diana Kearsley, Lesley Mayes, Penny Otton

Housing – Nick Gowrley, Kathie Guthrie, Derek Osborne, Rachel Eburne

Economy – Gerard Brewster, Paul Ekpenyong, Derrick Haley, Keith Welham

Enabling – Derrick Haley, Glen Horn, Suzie Morley, Andrew Stringer

Environment – Roy Barker, David Burn, Jessica Fleming, Wendy Marchant

By a unanimous vote

RESOLUTION

That the appointment of Members to Programme Steering Boards as set out above be endorsed.

CL22 APPOINTMENT OF MEMBERS TO JOINT GROUPS OUTSIDE LOCAL GOVERNMENT ACT 1972

Report C/19/16

Interim Head of Democratic Services

Council was asked to appoint Members to serve on the Council's Joint Bodies, which were not subject to Local Government Act 1972 rules.

Members were advised of one change to the proposed membership detailed in Appendix 2 to the report as follows:

Joint Staff Consultation Committee – David Whybrow to be replaced by Esther Jewson

By a majority vote

RESOLUTION 1

That the political representative calculations for the bodies referred to in paragraph 10.2 as contained in Appendix 1 be approved

RESOLUTION 2

That the membership of the Joint Groups as detailed in Appendix 2 be approved with the change to the Joint Staff Consultation Committee outlined above

CL23 APPOINTMENT TO OUTSIDE BODIES FOR 2016/17

Report C/20/16

Interim Head of Democratic Services

Council was asked to appoint Members to serve on statutory and non-statutory Outside Bodies for 2016/2017 as outlined in Appendix A of the report, and to agree that an annual review of appointments takes place, as set in paragraph 10.12.

By a majority vote

RESOLUTION 1

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

RESOLUTION 2

That an annual review of appointments takes place

CL24 APPOINTMENTS TO THE SUFFOLK JOINT STANDARDS BOARD

The Interim Head of Democratic Services reported that, in accordance with joint arrangements established with Babergh District and Suffolk County Councils, Members were asked to appoint three Members to serve on the Board for the current municipal year.

It was agreed that political balance rules would not apply to Mid Suffolk appointees. The Chairman of the Council and members of the Executive Committee could not be appointed on the Board.

Appointments would be made for the ensuing year, unless one of the circumstances in Section 5 of the Boards Terms of Reference relating to resignations, removal/replacement of members, changes to the constitutional arrangements took effect.

By a majority vote

RESOLUTION

That Barry Humphreys, Suzie Morley and John Matthissen be appointed as Members of the Suffolk Joint Standards Board for the ensuing year

CL25 APPOINTMENTS TO THE JOINT GYPSY AND TRAVELLER STEERING GROUP

Council was asked to appoint three Members to serve on the Joint Gypsy and Traveller Steering Group.

By a majority vote

RESOLUTION

That Lavinia Hadingham, Kevin Welsby and Andrew Stringer be appointed as Members of the Joint Gypsy and Traveller Steering Group

CL26 JOINT STRATEGIC PLAN REFRESH

Report C/21/16

Strategic Director (LB)

Approval was sought to the adoption by Full Council of the Babergh and Mid Suffolk Councils full Joint strategic Plan Refresh 2016-2020. The purpose of the full Plan and the direction set by the Plan had been considered and supported by the Portfolio Holders of both Councils.

An overview of the Plan, a 'Plan on a Page' was approved by both Councils in February. The Plan being presented at this meeting was the information that informed the 'Plan on a Page' document. It encapsulated all of the key strategic outcomes and the outputs needed to deliver these outcomes, identified by Portfolio Holders in a series of strategic planning workshops held between September and November 2015. The full Plan also included examples of the activities to be undertaken to ensure the outputs and outcomes were delivered.

Members debated the report and raised concerns over:

- Changes to education regarding schools becoming academies, as the relationship with the main education provider would be changing.
- Housing plans and retaining council houses, as it was still unclear what the guidance from the Government would be on this.
- Business rates and Government changes to these.
- In particular they discussed the need for improvements to broadband and mobile phone coverage, in some areas of the District, as it was felt that this would have a positive impact on growth of the local economy.

Members were assured that the Strategic Plan in its entirety would be constantly reviewed, the action plans associated with the Plan and Members continuous analysis of these, would ensure that Government changes were included and incorporated. Councillor Gowrley also confirmed that once council houses were built they were subject to Right to Buy, however there were some exclusion clauses and safeguards, a formal response on this question would be given after the meeting. He clarified with Members that the issue of broadband and mobile coverage was a recognised priority of Devolution.

By a majority vote

RESOLUTION 1

That the Babergh District Council and Mid Suffolk District Council full Joint Strategic Plan Refresh 2016-2020 (Appendix A to the report) be approved

RESOLUTION 2

That the Strategic Director, in conjunction with the Leaders of both Councils, be authorised to make any minor changes to the document as may be necessary

CL27 ANNUAL REPORT OF THE JOINT SCRUTINY COMMITTEE 2015/16

**Report C/22/16 Councillor Peter Burgoyne – Joint Scrutiny Chair (Babergh)
Councillor Rachel Eburne – Joint Scrutiny Chair (Mid Suffolk)
Project and Research Officer (CR)
Interim Projects – Electoral and Governance**

In accordance with the Constitution, the Joint Scrutiny Committee was required to report annually to Council. The report outlined the work undertaken in 2015/16 and the work plan for 2016/17.

By a unanimous vote

RESOLUTION

That the Joint Scrutiny Committee's Annual Report be noted

CL28 FOCUSED MANAGEMENT REVIEW

Report C/23/16

Chief Executive

Council was asked to consider a report by the Head of Paid Service pursuant to s.4 of the Local Government and Housing Act 1989 setting out the arrangements for staffing of Babergh and mid Suffolk District Councils. She also paid tribute to staff for still continuing to deliver changes throughout the review.

During the course of the discussion Members requested that consideration be given to the simplification of job titles, as it could be difficult to decode them in order to decide who it was appropriate to approach. The Chief Executive suggested that this could be taken to a Member Briefing where Members and Officers could collaborate on titles to make job roles clearer.

Before opening the floor to questions from Members, Councillor Elizabeth Gibson-Harries gave thanks to the Chief Executive for the work both herself and her team have carried out, through stressful times, which had left Mid Suffolk District Council in good shape to move forward.

By a unanimous vote

RESOLUTION

That the contents of the report be noted

CL29 CONSTITUTIONAL UPDATE

Report C/24/16 Interim Head of Law and Governance and Monitoring Officer

The report provided Council with an update on progress being made with regard to updating the Council's Constitution, which also formed part of the ongoing Strengthening Governance review.

Members raised concerns over the suggested removal of some parts of the current Constitution, as it was felt that these may not hold the same weight and may be lessened or undermined if they were removed and became procedural rules. The Interim Head of Law and Governance and Monitoring Officer assured Members that this would not be the case as procedural rules and Council policies were held in the same regard as the Constitution. Any parts of the Constitution that were removed would be made available to staff and Members and would be available on both Councils' websites.

By a majority vote

RESOLUTION

That Council agrees to update the Constitution as set out in paragraphs 4.3 and 4.4 of the report and delegates the changes to be carried out by the Monitoring Officer and that the delegation will be exercised after consultation with the Lead Members

CL30 NEIGHBOURHOOD PLANNING

Report C/25/16 Corporate Manager (Community Planning and Heritage)

The purpose of the report was to set out the steps and possible actions that might be taken following the receipt of an Examiners Report into a neighbourhood development plan or order, including the procedures for conducting a referendum.

The report also set out an operating framework, outlining where the District Council was required to make key decisions, and confirmed the appropriate authority to Officers in order that a timely and proportionate response can be provided to neighbourhood planning groups.

Due to the infrequency of Council meetings, the report requested that Council delegate matters arising from the consideration of an Examiner's report, including a decision on whether a neighbourhood development plan or order should proceed to a referendum.

By a majority vote

RESOLUTION 1

That Council delegates to the respective Executive/Strategy Committee matters relating to the consideration of an Examiner's Report, including the responsibility to make a decision on whether a neighbourhood development plan or order should proceed to referendum

RESOLUTION 2

That Council notes the processes and procedures involved in the making of a neighbourhood development plan or order and agrees the delegation of authority to Officers as set out in Appendix 2 of the report

CL31 LEADER (AND FINANCE AND RESOURCES PORTFOLIO)

Report C/26/16

Councillor Derrick Haley

Councillor John Matthissen asked why Mid Suffolk was not having a Council debate on Devolution when many other Councils were currently doing so. He was advised that Devolution would be debated at the May Councillor Briefings, and a report would be brought to Council following this.

The report was received.

CL32 EXECUTIVE COMMITTEE FORWARD PLAN

Report C/27/16

The report was received.

CL33 HOUSING PORTFOLIO

Report C/28/16

Councillor Nick Gowrley

Councillor John Field asked if in view of the paperless direct debit system failure whether it had been adequately tested prior to installation, and whether the Council was recovering costs from the vendor. He was advised that following a full investigation of the problems it had been found that much of the fault laid with the bank who had compensated the Council for the error.

The report was received.

CL34 COMMUNITIES PORTFOLIO

Report C/29/16

Councillor Diana Kearsley

Officers were complimented on the professional way that the Community Achievement Awards had been organised. It was noted that the event was run in conjunction with partners and that the Chief Executive had written to them, and to Mark Murphy, Radio Suffolk thanking them for their help.

The report was received.

CL35 ENVIRONMENT AND ENVIRONMENTAL HEALTH PORTFOLIO

Report C/30/16

Councillor David Burn

The report was received.

CL36 PLANNING PORTFOLIO

Report C/31/16

Councillor John Whitehead

Councillor John Matthissen expressed concern that any delay in Officers signing off planning permission conditions might significantly impact on the local economy. Strategic Director (LB) advised that there could be a number of reasons why approved

applications were not started and it was not always because of conditions not being signed off. A new post had been included in the team structure to look at the reasons and to bring the delivery of new dwellings forward.

Councillor Andrew Stringer expressed his thanks to Peter Burrows, recently retired Head of Economy, for his determination and success in completing outstanding S106 obligations before the introduction of CIL.

Councillor Penny Otton requested that all Members be advised of the figures for S106 monies still outstanding in their Wards.

The report was received.

CL37 ECONOMY AND STOWMARKET REGENERATION PORTFOLIO

Report C/32/16

Councillor Gerard Brewster

Councillor Penny Otton asked if there was any information regarding the vacant Morrison's store in Stowmarket. Councillor Gerard Brewster advised that Officers had worked with the staff to help with finding employment or training.

Councillor Penny Otton asked whether the Council was able to be involved in attracting the type of outlet that would be favourable to the town. Councillor Gerard Brewster advised that if it was a retail organisation then the Council would not have control.

The report was received.

CL38 JOINT SCRUTINY COMMITTEE

Report C/33/16

Councillor Rachel Eburne (Joint Chair)

The report was received.

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Chairman

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Agenda Item 5

C/35/16

Mid Suffolk District Council was represented at the following events by
Councillor Derek Osborne, Chairman of Council
04 May 2016 – 27 June 2016

Wednesday 4 May	SCC Chairman's Reception, Haughley Park Barn
Tuesday 17 May	Annual Meeting and Mayor Making Ceremony, Haverhill Arts Centre
Wednesday 18 May	Something to Hide, Stowmarket Operatic and Dramatic Society Production, The Regal, Stowmarket
Thursday 19 May	St Edmundsbury Mayor's Civic Dinner, The Athenaeum, Bury St Edmunds
Thursday 26 May	Visit of HRH The Princess Royal, Citizens Advice centre, Stowmarket
Friday 3 June	Funeral of resident, Jay Leader, Syleham
Saturday 4 June	Visit to resident's 100 th birthday celebration, Chilton Meadows, Stowmarket
Sunday 5 June	Eye Mayor's Parade and Service, Town Hall and St Peter and Paul Church, Eye
Sunday 12 June	HM the Queen's 90 th Birthday Tea Party, Syleham and Wingfield
Sunday 12 June	Stowupland Celebration of Queen and Community, Holy Trinity Church, Stowupland
Saturday 25 June	Mid Suffolk Armed Forces Day, Pikes Meadow, Stowmarket
Monday 27 June	West Suffolk College – Celebration of Achievement Gala Dinner, St Edmundsbury Cathedral, Bury St Edmunds

Mid Suffolk District Council was represented at the following event by
Councillor Derrick Haley, Vice Chairman of Council

Saturday 11 June	Stowmarket Mayor's Garden Party to Commemorate HM the Queen's 90 th Birthday, Stowmarket Town Council, Milton House, Stowmarket
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BABERGH AND MID SUFFOLK DISTRICT COUNCILS

From: Assistant Director - Corporate Resources	Report Number: C/36/16 (JAC82)
To: Council (Joint Audit and Standards Committee)	Date of meeting: 29 June 2016 (20 June 2016)

JOINT ANNUAL TREASURY MANAGEMENT REPORT - 2015/16

1. Purpose of Report

- 1.1 The report is part of the Council's management and governance arrangements for Treasury Management activity under the CIPFA Code of Practice on Treasury Management ("the Code"). It provides Members with a comprehensive assessment of activities for the year.
- 1.2 The report specifically sets out performance of the treasury management function, the effects of the decisions taken and the transactions executed in the past year and on any circumstances of non-compliance with the Council's treasury management policy statement and treasury management practices.
- 1.3 The report also includes performance on Prudential Indicators which were set in the 2015/16 Treasury Management Strategy.
- 1.4 The figures contained in this report are subject to the external auditors review which will conclude in September 2016.

2. Recommendations

- 2.1 That the Treasury Management activity for the year 2015/16 be noted. Further, that it be noted that performance was in line with the Prudential Indicators set for 2015/16.
- 2.2 The Committee is asked to make a recommendation to Full Council on the above matter.

3. Financial Implications

- 3.1 As detailed in the Report.

4. Legal Implications

- 4.1 None.

5. Risk Management

This report is not linked with the Council's Corporate / Significant Business Risks. Key risks, however, are set out below:

Description	Likelihood	Impact	Mitigation Measures
Loss of investment	Very Low	Critical	Strict lending criteria for high credit rated institutions.
Poor return on investments	High	Marginal	Focus is on security and liquidity, therefore, careful cashflow management in accordance with the TM Strategy is undertaken throughout the year.
Liquidity problems	Unlikely	Marginal	As above.
Higher than expected borrowing costs	Low	Marginal	Benchmark is to borrow from the Public Works Loan Board whose rates are very low and can be on a fixed or variable basis. Research lowest rates available within borrowing boundaries and use other sources of funding and internal surplus funds temporarily.

6. Consultations

- 6.1 None, although it should be noted that Babergh and Mid Suffolk have regular joint strategy meetings with the external treasury advisor, Arlingclose who provide updates and advice on treasury management issues as they arise.

7. Equality Analysis

- 7.1 None.

8. Shared Service / Partnership Implications

- 8.1 None directly related to this report.

9. Links to Joint Strategic Plan

- 9.1 Ensuring that the Council has the resources available is what underpins the ability to achieve the priorities set out in the Joint Strategic Plan.

10. Key Information

- 10.1 The 2015/16 Treasury Management Strategy for both Councils was approved in February 2015.
- 10.2 The strategy and activities are affected by a number of factors, including the regulatory framework, economic conditions, best practice and interest rate/liquidity risk. The attached appendices summarise the regulatory framework, economic background and information on key activities for the year.

10.3 The following key points are highlighted: Interest rates continued at very low levels

- Economic conditions have improved but no real impact on treasury activities with, for example, investment of surplus funds with banks and other financial institutions still operating in a ‘tight’ market.
- No new long term external borrowing was taken out by Babergh or Mid Suffolk to finance the 2015/16 capital programme. Mid Suffolk reduced its short term borrowing by £1m over the year and reduced its long term borrowing by £0.5m (see Appendix B, section 1.1). All of the existing long term debt relates to the HRA for both Councils.
- Investment activity was undertaken in accordance with the approved counterparty policy (see Appendix B, sections 2.1 to 2.8 for further detailed information on investment activities and returns)

10.4 Some more specific highlights relating to 2015/16 activity are provided below:

Area/Activity	Babergh	Mid Suffolk	Comments
Borrowing – average interest rate	3.27%	3.38%	All HRA and fixed rate
Short Term Investments – average interest rate	0.36%	0.38%	Exceeded 7 day LIBID benchmark
Credit Risk Scores during the year (value weighted average)	3.71 – 5.06	3.77 – 4.98	Both within the score for the approved A- credit rating for investment counterparties
Compliance with Prudential Indicators	✓	✓	See Appendix D

10.5 There were no breaches of the strategy or policy for either Council during the year.

11. Appendices

Title	Location
(a) Regulatory Framework and Economic Background	Attached
(b) Treasury Management Activity Summary	Attached
(c) Borrowing and Investments – Further Details	Attached
(d) Prudential Indicators	Attached
(e) Glossary of Terms	Attached

12. Background Documents

12.1 CIPFA's Code of Practice on Treasury Management ("the Code").

12.2 Capital Investment Strategy - Report JAC54 – June 2015

Authorship:

Katherine Steel

Assistant Director-Corporate Resources

01449 724806 or 01473 826672

Katherine.Steel@babberghmidsuffolk.gov.uk

Melissa Evans

Corporate Manager–Financial Services

01473 825819

Melissa.Evans@babberghmidsuffolk.gov.uk

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Regulatory Framework and Economic Background

1. Regulatory Framework

The Councils' treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management ("the Code"), which requires local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. The Code also recommends that members are informed of treasury management activities at least twice a year. Scrutiny of treasury policy, strategy and activity is delegated to the Joint Audit and Standards Committee.

Treasury management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council's treasury management strategy.

2. Economic Background

Growth, Inflation, Employment

The UK economy slowed in 2015 with GDP growth falling to 2.3% from a robust 3.0% the year before. CPI inflation hovered around 0.0% through 2015 with deflationary spells in April, September and October. The prolonged spell of low inflation was attributed to the continued collapse in the price of oil from \$67 a barrel in May 2015 to just under \$28 a barrel in January 2016, the appreciation of sterling since 2013 pushing down import prices and weaker than anticipated wage growth resulting in subdued unit labour costs. CPI picked up to 0.3% year on year in February, but this was still well below the Bank of England's 2% inflation target.

The labour market continued to improve through 2015 and in Q1 2016, the latest figures (Jan 2016) showing the employment rate at 74.1% (the highest rate since comparable records began in 1971) and the unemployment rate at a 12 year low of 5.1%. Wage growth has however remained modest at around 2.2% excluding bonuses, but after a long period of negative real wage growth (i.e. after inflation) real earnings were positive and growing at their fastest rate in eight years, boosting consumers' spending power.

Global influences

The slowdown in the Chinese economy became the largest threat to the South East Asian region, particularly on economies with a large trade dependency on China and also to prospects for global growth as a whole. The effect of the Chinese authorities' intervention in their currency and equity markets was temporary and led to high market volatility as a consequence. There were falls in prices of equities and risky assets and a widening in corporate credit spreads. As the global economy entered 2016 there was high uncertainty about growth, the outcome of the US presidential election and the consequences of June's referendum on whether the UK is to remain in the EU. Between February and March 2016 sterling had depreciated by around 3%, a significant proportion of the decline reflecting the uncertainty surrounding the referendum result.

UK Monetary Policy

The Bank of England's Monetary Policy Committee (MPC) made no change to policy, maintaining the Bank Rate at 0.5% (in March it entered its eighth year at 0.5%) and asset purchases (Quantitative Easing) at £375bn. In its inflation reports and monthly monetary policy meeting minutes, the Bank was at pains to stress and reiterate that when interest rates do begin to rise they were expected to do so more gradually and to a lower level than in recent cycles.

Improvement in household spending, business fixed investment, a strong housing sector and solid employment gains in the US allowed the Federal Reserve to raise rates in December 2015 for the first time in nine years to take the new Federal funds range to 0.25%-0.50%. Despite signalling four further rate hikes in 2016, the Fed chose not to increase rates further in Q1 and markets pared back expectations to no more than two further hikes this year.

However central bankers in the Eurozone, Switzerland, Sweden and Japan were forced to take policy rates into negative territory. The European Central Bank also announced a range of measures to inject sustained economic recovery and boost domestic inflation which included an increase in asset purchases (Quantitative Easing).

Market reaction

From June 2015 gilt yields were driven lower by the a weakening in Chinese growth, the knock-on effects of the fall in its stock market, the continuing fall in the price of oil and commodities and acceptance of diminishing effectiveness of central bankers' unconventional policy actions. Added to this was the heightened uncertainty surrounding the outcome of the UK referendum on its continued membership of the EU as well as the US presidential elections which culminated in a significant volatility and in equities and corporate bond yields.

3. Counterparty Update

The transposition of two European Union directives into UK legislation placed the burden of rescuing failing EU banks disproportionately onto unsecured institutional investors which include local authorities and pension funds. During the year, all three credit ratings agencies reviewed their ratings to reflect the loss of government support for most financial institutions and the potential for loss given default as a result of new bail-in regimes in many countries. Despite reductions in government support many institutions saw upgrades due to an improvement in their underlying strength and an assessment that the level of loss given default is low.

In December the Bank of England released the results of its latest stress tests on the seven largest UK banks and building societies which showed that the Royal Bank of Scotland and Standard Chartered Bank were the weakest performers. However, the regulator did not require either bank to submit revised capital plans, since both firms had already improved their ratios over the year.

The first quarter of 2016 was characterised by financial market volatility and a weakening outlook for global economic growth. In March 2016, following the publication of many banks' 2015 full-year results, Arlingclose advised the suspension of Deutsche Bank and Standard Chartered Bank from the counterparty list for unsecured investments. Both banks recorded large losses and despite improving capital adequacy this will call 2016 performance into question, especially if market volatility continues. Standard Chartered had seen various rating actions taken against it by the rating agencies and a rising CDS level throughout the year. Arlingclose will continue to monitor both banks.

The end of bank bail-outs, the introduction of bail-ins, and the preference being given to large numbers of depositors other than local authorities means that the risks of making unsecured deposits continues to be elevated relative to other investment options. The Councils therefore increasingly favoured secured investment options or diversified alternatives such as pooled funds over unsecured bank and building society deposits.

Treasury Management Activity Summary

The Councils' Treasury Management and Prudential Indicators for 2015/16 were revised when the 2016/17 Treasury Management Strategies were approved in February 2016.

1. Borrowing and Debt Management

1.1 The tables show the borrowing position of each Council as at 31 March 2016.

BABERGH DISTRICT COUNCIL	Balance 31/3/2015	Debt Maturing	Debt Prematurely	New Borrowing	Balance 31/3/2016	Avg Rate %
	£m	£m	Repaid £m	£m	£m	
CFR	95.269				99.311	
Short Term Borrowing						
Long Term Borrowing	87.797	(0.500)			87.297	3.27%
TOTAL BORROWING	87.797	(0.500)			87.297	3.27%
Other Long Term Liabilities - finance leases						
TOTAL EXTERNAL DEBT	87.797	(0.500)			87.297	3.27%
Increase/ (Decrease) in Borrowing					(0.500)	

MID SUFFOLK DISTRICT COUNCIL	Balance 31/3/2015	Debt Maturing	Debt Prematurely	New Borrowing	Balance 31/3/2016	Avg Rate %
	£m	£m	Repaid £m	£m	£m	
CFR	103.494				106.780	
Short Term Borrowing	12.000	(26.500)		25.500	11.000	0.43%
Long Term Borrowing	76.183	(0.496)			75.687	3.67%
TOTAL BORROWING	88.183	(26.996)		25.500	86.687	3.38%
Other Long Term Liabilities - finance leases						
TOTAL EXTERNAL DEBT	88.183	(26.996)		25.500	86.687	3.38%
Increase/ (Decrease) in Borrowing					(1.496)	

1.2 The chief objectives of both Councils when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required. The flexibility to renegotiate loans, should the Councils' long-term plans, change is a secondary objective.

1.3 Affordability and the "cost of carry" remained important influences on the Councils' borrowing strategies alongside the consideration that, for any borrowing undertaken ahead of need, the proceeds would have to be invested in the money markets at rates of interest significantly lower than the cost of borrowing.

1.4 The benefits of internal borrowing were monitored regularly against the potential for incurring additional costs by deferring borrowing into future years when long-term borrowing rates are forecast to rise. Arlingclose assists the Councils with this 'cost of carry' and breakeven analysis.

- 1.5 Mid Suffolk District Council holds £4m of Lender's Option Borrower's Option (LOBO) Loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. None of these loans had options during the year.
- 1.6 The premium charge for early repayment of PWLB debt remained relatively expensive for loans in the Councils' portfolios and therefore unattractive for debt rescheduling activity. No rescheduling activity was undertaken as a consequence.
- 1.7 In January 2015 the Department of Communities and Local Government (CLG) confirmed that HM Treasury (HMT) would be taking the necessary steps to abolish the Public Works Loans Board. They issued consultation on the new governance arrangements on 12 May 2016. This consultation is about governance arrangements and does not change any of the policy or operational aspects of lending to local authorities. Both Councils intend to use the PWLB's replacement as a potential source of borrowing if required.

2. Investment Activity

- 2.1 The CLG's Investment Guidance requires local authorities to focus on security and liquidity, rather than yield. The table below shows the investments made during 2015/16 and the position as at 31 March 2016.

Babergh District Council				31/03/2016		
Investments	Balance 31/3/2015	Investments Made	Maturities/ Investments Sold	Balance	Avg Rate %	Avg Life (days)
	£m	£m	£m	£m		
Short Term Investments	10.498	90.947	(97.745)	3.700	0.36%	28
Instant Access Call Accounts (net movement)	0.500	1.500	(1.000)	1.000	0.30%	1
Long Term Investments		7.100		7.100	4.41%	
TOTAL INVESTMENTS	10.998	99.547	(98.745)	11.800		
Inc/(Dec) in Investments				0.802		

Mid Suffolk District Council				31/03/2016		
Investments	Balance 31/3/2015	Investments Made	Maturities/ Investments Sold	Balance	Avg Rate %	Avg Life (days)
	£m	£m	£m	£m		
Short Term Investments	1.000	66.400	(66.100)	1.300	0.38%	36
Instant Access Call Accounts (net movement)	0.750	0.550	(1.300)	0.000	0.30%	1
Long Term Investments		5.100		5.100	4.53%	
TOTAL INVESTMENTS	1.750	72.050	(67.400)	6.400		
Inc/(Dec) in Investments				4.650		

2.2 **Security:** Security of capital was maintained by following each Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2015/16, which was amended in July 2015. Investments made by the Councils during the year included:

- Deposits with the Debt Management Office (DMO)
- Deposits with other Local Authorities (Babergh only).
- Investments in AAA-rated Constant Net Asset Value Money Market Funds
- Call accounts and deposits with UK Banks and Building Societies which are systemically important to the country's banking system.
- Treasury Bills and UBS Multi Asset Fund (Babergh only).
- Churches, Charities and Local Authorities Property Fund (CCLA)
- Funding Circle

2.3 **Credit Risk:** Counterparty credit quality was assessed and monitored with reference to credit ratings; for financial institutions analysis of funding structure and susceptibility to bail-in; credit default swaps; financial statements; information on potential government support and reports in the quality financial press. The minimum long-term counterparty credit rating determined for the 2015/16 treasury strategy for both Councils was:

- The minimum criterion for specified UK investments was A- or equivalent (AA- for foreign banks with a sovereign rating of AAA) across all assigned credit rating agencies Fitch, Standard and Poors, and Moody's

2.4 An assessment is made in quarterly and annual reports of the Councils' 'credit score' based on the table below:

Long-Term Credit Rating	Score	Long-Term Credit Rating	Score
AAA	1	BBB+	8
AA+	2	BBB	9
AA	3	BBB-	10
AA-	4	Not rated	11
A+	5	BB	12
A	6	CCC	13
A-	7	C	14
		D	15

2.5 Applying this to the actual investments made produces the following overall credit score for investment activity in 2015/16:

Babergh District Council					
Date	Value Weighted Average Credit Risk Score	Value Weighted Average Credit Rating	Time Weighted Average Credit Risk Score	Time Weighted Average Credit Rating	Average Number of Days to Maturity
30/06/2015	3.87	AA-	2.91	AA	15
30/09/2015	3.94	AA-	4.02	AA-	4
31/12/2015	3.71	AA-	4.09	AA-	3
31/03/2016	5.06	A+	8.06	BBB+	3

Mid Suffolk District Council					
Date	Value Weighted Average Credit Risk Score	Value Weighted Average Credit Rating	Time Weighted Average Credit Risk Score	Time Weighted Average Credit Rating	Average Number of Days to Maturity
30/06/2015	4.79	A+	2.31	AA+	5
30/09/2015	3.77	AA-	3.77	AA-	1
31/12/2015	4.98	A+	9.21	BBB	4
31/03/2016	4.64	A+	9.97	BBB-	7

Notes

The value weighted average reflects the credit quality of investments according to the size of the deposit. The time weighted average reflects the credit quality of investments according to the maturity of the deposit.

1. Following the change to the Treasury Management Strategy in July 2015, both councils invested £100k each into Funding Circle. Whilst these were of small value in overall investment terms, the accepted bids were for periods of 3 years and 5 years. Due to the way the time weighted average is calculated, this results in a high risk score, even though the amount involved is very small in relative terms. Details of these investments can be found in the paragraph 2.9 below.
2. At 31 March 2016 Babergh's investments included a total of £2.7m with money market funds, and a term deposit of £1m with a maturity date in early April 2016. This has impacted on the average number of days to maturity.
3. During the year the short term investments held by Mid Suffolk were moved from a Barclays Deposit Account to Money Market Funds. Both of these investments are instant access.

2.6 **Liquidity:** In keeping with the CLG's Guidance on Investments, both Councils' maintained a sufficient level of liquidity through the use of overnight deposits, money market funds and call accounts.

2.7 **Yield:** The UK Bank Rate was maintained at 0.5% through the year. Short term money market rates also remained very low. The low rates of return on the Councils' investments reflect prevailing market conditions and the Councils' objective of optimising returns commensurate with the principles of security and liquidity.

- **Babergh District Council** achieved investment income of £222k against a budget of £189k. The average rate of return achieved on investments during the year was 0.36% compared with the average 7 day LIBID rate for the year (the benchmark rate) of 0.36%. Average cash balances throughout the year (calculated on a daily basis) representing the Council's reserves and working balances were £8,309k.
- **Mid Suffolk District Council** achieved investment income of £115k against a budget of £86k. The average rate of return achieved on investments during the year was 0.38% compared with the average 7 day LIBID rate for the year (the benchmark rate) of 0.36%. The average cash balances throughout the year (calculated on a daily basis) representing the Council's reserves and working balances were £6,928k.

2.8 Long Term Investment returns:

In July 2015 changes were made to the Treasury Management Strategy and the Councils approved:

- an increase in investment and loan limits as follows:
- Pooled funds from £2m to £5m
- Investments without credit ratings from £2m to £10m
- Non-specified investments from £5m to £10m
- Loans to unrated corporates £500k to £1m

As a result both Councils invested £5m each in the Churches, Charities and Local Authorities Property Fund (CCLA) and £100k each in Funding Circle. Babergh also invested £2m in the UBS Multi Asset Fund. The amount of interest received noted in paragraph 2.7 above reflects the increased interest generated by these long term investments.

The table below shows the investments and returns for both Councils to 31 March 2016 for CCLA.

CCLA	Babergh District Council	Mid Suffolk District Council
	£	£
Amount Invested	5,000,000	5,000,000
Interest received	153,097	107,748
Management Expenses Paid	(17,242)	(12,211)
Net Income received	135,855	95,538

The table below shows the performance to 31 March 2016 for both councils for Funding Circle.

Funding Circle	Babergh District Council	Mid Suffolk District Council
Investments-		
5 Year loans	£ 9,560	£ 14,000
3 Year loans	£ 6,000	£ 4,000
Rejected bids	6	5
Unallocated Funds	£ 84,440	£ 82,000
Income received -		
Principal repaid	£ 2,266	£ 831
Interest received	£ 365	£ 435
Promotional Cashback received	£ 20	£ 20
Expenses - fees paid	-£ 41	-£ 49
Average rate of return over period	8.80%	8.40%

Another new investment opportunity was taken for Babergh by investing in the UBS Multi Asset Income Fund (UK). The Fund invests in various types of assets including cash, bonds, property and equity across various economic areas such as the US, EU and emerging markets.

Fund performance statements are received every six months, at 30 June and 31 December. The first amount of interest paid on 29 February 2016 was £18,489, for the period 1 October to 31 December 2015.

2.9 **Prudential Indicators** – Babergh and Mid Suffolk District Councils can confirm that they have complied with the revised Prudential Indicators for 2015/16, set in February 2015 as part of the Councils' Treasury Management Strategy Statements. Details of the revised Prudential Indicators can be found in Appendix D.

In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during 2015/16. None of the revised Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

Borrowing and Investments – Further Details

Babergh District Council						
Long-term borrowing at 31 March 2016 (all HRA)						
Start Date	Interest Rate	Value of Loan	Borrowed from	Repayment date	Fixed or Variable	Type
26/01/2006	3.70%	£ 1,100,000	PWLB	26/01/2056	Fixed	Maturity
24/08/2010	2.01%	£ 900,000	PWLB	25/08/2020	Fixed	EIP
14/07/2011	2.88%	£ 1,650,000	PWLB	14/07/2021	Fixed	EIP
28/03/2012	2.92%	£ 6,000,000	PWLB	28/03/2026	Fixed	Maturity
28/03/2012	3.42%	£ 46,647,000	PWLB	28/03/2036	Fixed	Maturity
28/03/2012	2.82%	£ 6,000,000	PWLB	28/03/2025	Fixed	Maturity
28/03/2012	3.26%	£ 25,000,000	PWLB	28/03/2031	Fixed	Maturity
Total Borrowing at year end		£ 87,297,000	Appendix B Para 1.1 refers			

Babergh District Council					
Short Term Investments in 2015/16					
Start Date	Interest Rate	Value of Loan	Invested with	Repayment Date	Length of Investment (Days)
Repaid during Year					
16/10/2014	0.4000%	£ 2,000,000.00	HSBC	16/04/2015	182
05/01/2015	0.3900%	£ 1,998,035.90	K&S	07/04/2015	92
10/03/2015	0.2500%	£ 1,500,000.00	DMADF	01/04/2015	22
01/04/2015	0.7000%	£ 1,000,000.00	Standard and Chartered	01/10/2015	183
01/04/2015	0.5000%	£ 1,000,000.00	Nationwide BS	01/07/2015	91
01/04/2015	0.5000%	£ 1,000,000.00	Leeds BS	01/07/2015	91
01/04/2015	0.2500%	£ 1,000,000.00	DMADF	13/04/2015	12
07/04/2015	0.2500%	£ 2,000,000.00	DMADF	13/04/2015	6
13/04/2015	0.3500%	£ 1,499,597.37	K&S	11/05/2015	28
16/04/2015	0.3000%	£ 1,000,000.00	HSBC	18/05/2015	32
16/04/2015	0.2500%	£ 1,000,000.00	DMADF	30/04/2015	14
01/05/2015	0.2500%	£ 3,000,000.00	DMADF	19/05/2015	18
12/05/2015	0.2500%	£ 1,750,000.00	DMADF	15/05/2015	3
18/05/2015	0.3500%	£ 1,000,000.00	HSBC	20/07/2015	63
19/05/2015	0.2500%	£ 2,000,000.00	DMADF	01/06/2015	13
01/06/2015	0.4300%	£ 3,998,680.98	K&S	29/06/2015	28
29/06/2015	0.4200%	£ 3,998,711.65	K&S	27/07/2015	28
01/07/2015	0.4300%	£ 1,000,000.00	Nationwide BS	01/08/2015	31
01/07/2015	0.2500%	£ 3,000,000.00	DMADF	20/07/2015	19
20/07/2015	0.2500%	£ 1,000,000.00	DMADF	03/08/2015	14
27/07/2015	0.2500%	£ 4,000,000.00	DMADF	03/08/2015	7
03/08/2015	0.2500%	£ 8,000,000.00	DMADF	21/08/2015	18
22/07/2015	0.3000%	£ 1,000,000.00	HSBC	24/08/2015	33
24/08/2015	0.3000%	£ 1,000,000.00	HSBC	24/09/2015	31
21/08/2015	0.2500%	£ 8,000,000.00	DMADF	27/08/2015	6
27/08/2015	0.2500%	£ 3,000,000.00	DMADF	01/09/2015	5
01/09/2015	0.2500%	£ 5,000,000.00	DMADF	07/09/2015	6
07/09/2015	0.2500%	£ 4,000,000.00	DMADF	21/09/2015	14
07/09/2015	0.4300%	£ 1,000,000.00	Nationwide BS	07/10/2015	30
21/09/2015	0.2500%	£ 2,000,000.00	DMADF	01/10/2015	10
24/09/2015	0.3000%	£ 1,000,000.00	HSBC	26/10/2015	32
01/10/2015	0.2500%	£ 4,000,000.00	DMADF	19/10/2015	18
08/10/2015	0.2500%	£ 1,000,000.00	DMADF	19/10/2015	11
19/10/2015	0.2500%	£ 3,000,000.00	DMADF	02/11/2015	14
02/11/2015	0.2500%	£ 5,000,000.00	DMADF	19/11/2015	17
02/11/2015	0.2500%	£ 1,000,000.00	HSBC	02/12/2015	30
02/11/2015	0.4300%	£ 1,000,000.00	Nationwide BS	02/12/2015	30
09/11/2015	0.2500%	£ 1,250,000.00	DMADF	19/11/2015	10
19/11/2015	0.2500%	£ 4,500,000.00	DMADF	01/12/2015	12
01/12/2015	0.2500%	£ 4,500,000.00	DMADF	21/12/2015	20
02/12/2015	0.3800%	£ 1,000,000.00	Nationwide BS	04/01/2016	33
02/12/2015	0.2500%	£ 1,000,000.00	DMADF	07/12/2015	5
07/12/2015	0.4100%	£ 1,999,214.01	K&S	11/01/2016	35
21/12/2015	0.2500%	£ 1,000,000.00	DMADF	04/01/2016	14
04/01/2016	0.2500%	£ 5,250,000.00	DMADF	11/01/2016	7
11/01/2016	0.3925%	£ 5,248,419.72	K&S	08/02/2016	28
11/01/2016	0.2500%	£ 2,000,000.00	DMADF	19/01/2016	8
08/02/2016	0.2500%	£ 3,750,000.00	DMADF	01/03/2016	22
Not Repaid during Year					
04/01/2016	0.5000%	£ 1,000,000.00	Nationwide BS	04/04/2016	91
Total Investments at year end		£ 1,000,000.00			

Babergh District Council					
Short Term Investments in Money Market Fund Balances at:					
Deposited with	31/03/2015	30/06/2015	30/09/2015	31/12/2015	31/03/2016
Goldman Sachs	£ 1,000,000	£1,500,000	£1,000,000	£2,000,000	£ -
Ignis	£ 1,000,000	£1,000,000	£1,000,000	£1,900,000	£ 700,000
Federated	£ 1,000,000	£1,000,000	£1,000,000	£1,700,000	£ 1,000,000
Blackrock	£ 1,000,000	£1,000,000	£1,600,000	£2,000,000	£ 1,000,000
Total	£ 4,000,000	£ 4,500,000	£4,600,000	£ 7,600,000	£ 2,700,000

Babergh District Council	
Total Short Term Investments at 31 March 2016 :	£ 3,700,000
As per Appendix B, paragraph 2.1	

Mid Suffolk District Council						
Long-term borrowing at 31 March 2016 (all HRA)						
Start Date	Interest Rate	Value of Loan	Borrowed from	Repayment date	Fixed or Variable	Type
26/05/1987	9.125%	500,000	PWLB	27/01/2017	Fixed	Maturity
09/05/1992	10.250%	500,000	PWLB	27/07/2017	Fixed	Maturity
21/09/1993	7.875%	1,000,000	PWLB	27/07/2053	Fixed	Maturity
26/04/2007	4.600%	3,500,000	PWLB	27/07/2047	Fixed	Maturity
26/04/2007	4.550%	3,500,000	PWLB	27/07/2052	Fixed	Maturity
01/05/2007	4.600%	3,831,140	PWLB	27/07/2053	Fixed	Maturity
09/09/2011	2.430%	1,650,000	PWLB	09/09/2021	Fixed	EIP
28/03/2012	3.010%	15,000,000	PWLB	28/03/2027	Fixed	Maturity
28/03/2012	3.300%	15,000,000	PWLB	28/03/2032	Fixed	Maturity
28/03/2012	3.440%	12,206,000	PWLB	28/03/2037	Fixed	Maturity
28/03/2012	3.500%	15,000,000	PWLB	28/03/2042	Fixed	Maturity
22/08/2008	4.200%	2,000,000	LOBO	22/08/2078	Fixed	Maturity
22/08/2008	4.220%	2,000,000	LOBO	22/08/2078	Fixed	Maturity
Total Borrowing at year end	£ 75,687,140	Appendix B Para 1.1 refers				

Mid Suffolk District Council					
Short Term Borrowing in 2015/16					
Start Date	Interest Rate	Value of Loan	Borrowed from	Repayment Date	Length of Investment (Days)
Repaid during Year					
24/12/2014	0.4500%	£ 1,000,000.00	Babergh District Council	01/04/2015	98
26/02/2015	0.4200%	£ 4,000,000.00	Leciester City Council	13/04/2015	46
13/03/2015	0.3700%	£ 1,000,000.00	Ceredigion	13/04/2015	31
16/03/2015	0.4000%	£ 3,000,000.00	Crawley Borough Council	13/04/2015	28
16/03/2015	0.4500%	£ 2,000,000.00	Manchester City Council	13/04/2015	28
30/03/2015	0.4000%	£ 1,000,000.00	Bridgend	30/04/2015	31
13/04/2015	0.4000%	£ 5,500,000.00	Leciester City Council	13/07/2015	91
13/04/2015	0.4000%	£ 2,000,000.00	Vale of Glamorgan Council	13/07/2015	91
13/07/2015	0.4200%	£ 2,000,000.00	Vale of Glamorgan Council	25/02/2016	227
13/07/2015	0.4500%	£ 4,000,000.00	Police West Yorkshire	13/01/2016	184
07/03/2016	0.4200%	£ 1,000,000.00	Carmarthenshire County Council	31/03/2016	24
Not Repaid during Year					
22/02/2016	0.4500%	£ 3,000,000.00	Kingston upon Hull	22/04/2016	60
25/02/2016	0.5000%	£ 2,000,000.00	Vale of Glamorgan Council	25/04/2016	60
15/03/2016	0.5000%	£ 3,000,000.00	City & Council Swansea Pension Fund	15/04/2016	31
21/03/2016	0.5000%	£ 2,000,000.00	Shropshire Council	21/04/2016	31
24/03/2016	0.5000%	£ 1,000,000.00	Erewash	29/04/2016	36
Total Borrowing at year end		£ 11,000,000.00	Appendix B para 1.1 refers		

Mid Suffolk District Council	
Total Borrowings at 31 March 2016 :	£ 86,687,140
As per Appendix B, paragraph 1.1	

Mid Suffolk District Council					
Short Term Investments in 2015/16					
Start Date	Interest Rate	Value of Loan	Invested with	Repayment Date	Length of Investment (Days)
Repaid during Year					
01/04/2015	0.2500%	£ 1,000,000.00	Debt Management Office	13/04/2015	12
14/04/2015	0.2500%	£ 1,000,000.00	Debt Management Office	15/04/2015	1
15/04/2015	0.2500%	£ 1,000,000.00	Debt Management Office	30/04/2015	15
01/05/2015	0.2500%	£ 500,000.00	Debt Management Office	19/05/2015	18
14/05/2015	0.2500%	£ 1,500,000.00	Debt Management Office	26/05/2015	12
01/06/2015	0.2500%	£ 1,000,000.00	Debt Management Office	22/06/2015	21
15/06/2015	0.2500%	£ 500,000.00	Debt Management Office	01/07/2015	16
01/07/2015	0.2500%	£ 1,500,000.00	Debt Management Office	13/07/2015	12
13/07/2015	0.2500%	£ 1,000,000.00	Debt Management Office	27/07/2015	14
14/07/2015	0.2500%	£ 2,000,000.00	Debt Management Office	20/07/2015	6
03/08/2015	0.2500%	£ 1,000,000.00	Debt Management Office	21/08/2015	18
14/08/2015	0.2500%	£ 2,000,000.00	Debt Management Office	21/08/2015	7
14/08/2015	0.2500%	£ 500,000.00	Debt Management Office	24/08/2015	10
21/08/2015	0.2500%	£ 1,500,000.00	Debt Management Office	01/09/2015	11
28/08/2015	0.2500%	£ 1,000,000.00	Debt Management Office	01/09/2015	4
01/09/2015	0.2500%	£ 3,750,000.00	Debt Management Office	07/09/2015	6
07/09/2015	0.2500%	£ 3,750,000.00	Debt Management Office	21/09/2015	14
14/09/2015	0.2500%	£ 2,000,000.00	Debt Management Office	15/09/2015	1
21/09/2015	0.2500%	£ 2,000,000.00	Debt Management Office	01/10/2015	10
01/10/2015	0.2500%	£ 3,000,000.00	Debt Management Office	19/10/2015	18
14/10/2015	0.2500%	£ 3,500,000.00	Debt Management Office	29/10/2015	15
16/11/2015	0.2500%	£ 1,000,000.00	Debt Management Office	19/11/2015	3
14/12/2015	0.2500%	£ 3,250,000.00	Debt Management Office	21/12/2015	7
04/01/2016	0.2500%	£ 1,500,000.00	Debt Management Office	13/01/2016	9
14/01/2016	0.2500%	£ 1,000,000.00	Debt Management Office	19/01/2016	5
Total Investments at year end		£ -	Appendix B para 2.1 refers		

Mid Suffolk District Council					
Short Term Investments in Money Market Fund Balances at:					
Deposited with	31/03/2015	30/06/2015	30/09/2015	31/12/2015	31/03/2016
Federated	£ 1,000,000	£1,000,000	£1,100,000	£1,700,000	£ 1,000,000
Blackrock	£ -	£ -	£1,000,000	£ 800,000	£ 300,000
Total	£ 1,000,000	£ 1,000,000	£ 2,100,000	£ 2,500,000	£ 1,300,000

Mid Suffolk District Council	
Total Short Term Investments at 31 March 2016 :	£ 1,300,000
As per Appendix B, paragraph 2.1	

Prudential Indicators**1. Capital Financing Requirement**

Estimates of the Councils' revised cumulative maximum external borrowing requirement for 2015/16 are shown in the tables below:

Babergh District Council	31/3/2016 Estimate	31/3/2016 Actual
	£m	£m
Capital Financing Requirement	102.345	99.311
Less :		
Existing Profile of Borrowing	(87.297)	(87.297)
Cumulative Maximum External Borrowing Requirement	15.048	12.014

Mid Suffolk District Council	31/3/2016 Estimate	31/3/2016 Actual
	£m	£m
Capital Financing Requirement	109.811	106.780
Less :		
Existing Profile of Borrowing	(75.700)	(86.687)
Cumulative Maximum External Borrowing Requirement	34.111	20.093

2. Prudential Indicator Compliance**(a) Authorised Limit and Operational Boundary for External Debt**

- The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit (Authorised Limit), irrespective of their indebted status. This is a statutory limit which should not be breached. It is based on the estimated borrowing to finance the capital programme plus an allowance to cover any cash flow shortfalls that might arise during the year.
- The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit.
- The Section 151 Officer for Babergh and Mid Suffolk District Councils confirms that there were no breaches to the Authorised Limit and the Operational

Boundary during the year by either council. Borrowing at its peak was £87.797m Babergh District Council, £87.183m for Mid Suffolk District Council.

Babergh District Council	Operational Boundary (Approved) as at 31/3/2016	Authorised Limit (Approved) as at 31/3/2016	Actual External Debt as at 31/3/2016
Operational Boundary	£m	£m	£m
Borrowing	102.000	105.000	87.297
Total	102.000	105.000	87.297

Mid Suffolk District Council	Operational Boundary (Approved) as at 31/3/2016	Authorised Limit (Approved) as at 31/3/2016	Actual External Debt as at 31/3/2016
Operational Boundary	£m	£m	£m
Borrowing	110.000	113.000	86.687
Total	110.000	113.000	86.687

(b) Upper Limits for Interest Rate Exposure

- These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates.
- The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

Babergh District Council	Limits for 2015/16	Maximum during 2015/16
	£m	£m
Upper Limit for Fixed Rate Exposure	127	88
Compliance with Limits:	-	Yes
Upper Limit for Variable Rate Exposure	20	(22)
Compliance with Limits:	-	Yes

Mid Suffolk District Council	Limits for 2015/16	Maximum during 2015/16
	£m	£m
Upper Limit for Fixed Rate Exposure	136	88
Compliance with Limits:	-	Yes
Upper Limit for Variable Rate Exposure	40	(4)
Compliance with Limits:	-	Yes

(c) Maturity Structure of Fixed Rate Borrowing

- This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.
- Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which a lender can demand payment.

Babergh District Council					
Fixed Rate Borrowing as at 31/3/16					
Maturity Structure of Fixed rate Borrowing	Upper Limit	Lower Limit	Actual Fixed Rate Borrowing (£m)	Proportion of Fixed rate Borrowing	Compliance with Set Limits?
Under 12 months	50%	0%	£ 0.500	0.57%	Yes
12 months and within 24 months	50%	0%	£ 0.500	0.57%	Yes
24 months and within 5 years	50%	0%	£ 1.400	1.60%	Yes
5 years and within 10 years	100%	0%	£ 0.150	0.17%	Yes
10 years and within 20 years	100%	0%	£ 37.000	42.38%	Yes
20 years and within 30 years	100%	0%	£ 46.647	53.43%	Yes
40 years and above	100%	0%	£ 1.100	1.26%	Yes
Total Borrowing at year end			£ 87.297		

Mid Suffolk District Council					
Fixed Rate Borrowing as at 31/3/16					
Maturity Structure of Fixed rate Borrowing	Upper Limit	Lower Limit	Actual Fixed Rate Borrowing (£m)	Proportion of Fixed rate Borrowing	Compliance with Set Limits?
Under 12 months	50%	0%	£ 11.300	13.04%	Yes
12 months and within 24 months	50%	0%	£ 0.300	0.35%	Yes
24 months and within 5 years	50%	0%	£ 0.900	1.04%	Yes
5 years and within 10 years	100%	0%	£ 0.150	0.17%	Yes
10 years and within 20 years	100%	0%	£ 30.000	34.61%	Yes
20 years and within 30 years	100%	0%	£ 27.706	31.96%	Yes
30 years and above	100%	0%	£ 16.331	4.61%	Yes
Total Borrowing at year end			£ 86.687		

(d) Capital Expenditure

The capital expenditure of the two Councils and the financing is summarised below.

Babergh District Council	2015/16 Approved	2015/16 Actual
Capital Expenditure	£m	£m
General Fund	8.625	5.818
HRA	7.127	5.430
Total For Year	15.752	11.248

Mid Suffolk District Council	2015/16 Approved	2015/16 Actual
Capital Expenditure	£m	£m
General Fund	7.679	4.519
HRA	6.306	5.375
Total For Year	13.985	9.894

Capital expenditure has been and will be financed or funded as follows:

Babergh District Council	2015/16 Approved	2015/16 Actual
Capital Financing	£m	£m
Capital Receipts	0.593	0.596
Government Grants and Contributions	0.335	0.451
Revenue Contributions to Capital	5.089	3.226
Major Repairs Reserve	-	0.245
Capital Reserves	1.661	1.661
Total Financing For Year	7.678	6.179
Borrowing	8.074	5.069
Total Financing and Funding For Year	15.752	11.248

Mid Suffolk District Council	2015/16 Approved	2015/16 Actual
Capital Financing	£m	£m
Capital Receipts	2.278	1.217
Government Grants and Contributions	0.466	0.631
Revenue Contributions to Capital	2.692	1.202
Major Repairs Reserve	-	1.414
Capital Reserves	1.509	1.509
Total Financing For Year	6.945	5.973
Borrowing	7.040	3.920
Total Financing and Funding For Year	13.985	9.894

These tables show that the capital expenditure plans for both Councils could not be funded entirely from sources other than external borrowing.

(e) Capital Financing Requirement

The Capital Financing Requirement measures the Council's underlying need to borrow for a capital purpose.

Babergh District Council	2015/16 Revised Estimate	2015/16 Actual	2016/17 Estimate	2017/18 Estimate
Capital Financing Requirement	£m	£m	£m	£m
General Fund	15.613	12.579	17.701	17.616
HRA	86.732	86.732	86.232	85.732
Total	102.345	99.311	103.933	103.348

Mid Suffolk District Council	2015/16 Revised Estimate	2015/16 Actual	2016/17 Estimate	2017/18 Estimate
Capital Financing Requirement	£m	£m	£m	£m
General Fund	23.052	20.021	25.112	25.289
HRA	86.759	86.759	86.759	86.759
Total	109.811	106.780	111.871	112.048

(f) Gross Debt and the Capital Financing Requirement

In order to ensure that over the medium term debt will only be for a capital purpose, the Councils should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current year and the next two financial years. This is a key indicator of prudence.

Babergh District Council	31/3/2016 Actual	31/3/2017 Estimate	31/3/2018 Estimate
Gross Debt and Capital Financing Requirement	£m	£m	£m
Borrowing	87.297	90.178	91.090
Total Debt	87.297	90.178	91.090

Mid Suffolk District Council	31/3/2016 Actual	31/3/2017 Estimate	31/3/2018 Estimate
Gross Debt and Capital Financing Requirement	£m	£m	£m
Borrowing	86.687	74.887	74.087
Total Debt	86.687	74.887	74.087

Total debt is expected to remain below the CFR in the forecast period.

(g) Ratio of Financing Costs to Net Revenue Stream

- This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs.
- The ratio is based on costs net of investment income

Babergh District Council	2015/16 Approved	2015/16 Actual
Ratio of Financing Costs to Net Revenue Stream	%	%
General Fund	8.64%	3.68%
HRA	17.44%	16.30%

Mid Suffolk District Council	2015/16 Approved	2015/16 Actual
Ratio of Financing Costs to Net Revenue Stream	%	%
General Fund	11.16%	4.11%
HRA	22.12%	18.26%

(h) Total principal sums invested for periods longer than 364 days

- This indicator allows Councils to manage the risk inherent in investments longer than 364 days.
- The policy of both Babergh and Mid Suffolk District Councils during 2015/16 was not to make investments for a period longer than 364 days. No investments were made for a period greater than 364 days during the year to 31 March 2016.
- Whilst the investments that have been made in CCLA, UBS and Funding Circle are intended to benefit from longer term higher returns, they can be redeemed on a short term basis.

(i) Adoption of the CIPFA Treasury Management Code

This indicator demonstrates that the Councils adopted the principles of best practice.

Adoption of the CIPFA Code of Practice in Treasury Management
The Councils approved the adoption of the CIPFA Treasury Management Code at their meetings on 9 th February 2012 (Babergh District Council) and on 23 rd February 2012 (Mid Suffolk District Council).

(j) Incremental impact of capital investment decisions

This is an indicator of affordability that shows the impact of capital investment decisions on Council Tax and on average rent levels.

Babergh District Council	2015/16 Estimate	2015/16 Actual
Incremental impact of capital investment decisions -	£	£
On Band D Council Tax	8.34	10.05
On Average Housing Rent levels per week (for a 52 week year)	9.42	13.58

Mid Suffolk District Council	2015/16 Estimate	2015/16 Actual
Incremental impact of capital investment decisions -	£	£
On Band D Council Tax	10.31	3.06
On Average Housing Rent levels per week (for a 52 week year)	(3.18)	(0.42)

The impact on council tax and rents is accounted for by changes in the capital programmes.

Glossary of Terms

CFR	Capital Financing Requirement. The underlying need to borrow to finance capital expenditure.
CIPFA	The Chartered Institute of Public Finance and Accountancy. This is the leading professional accountancy body for public services.
CLG	Department for Communities and Local Government. This is a ministerial department.
CPI	Consumer Price Index. This measures changes in the price level of consumer goods and services purchased by households.
CCLA	Churches, Charities and Local Authority Property Fund
DMADF	Debt Management Account Deposit Facility.
GDP	Gross Domestic Product. This is the market value of all officially recognised goods and services produced within a country in a given period of time.
HRA	Housing Revenue Account. The statutory account to which are charged the revenue costs of providing, maintaining and managing Council dwellings. These costs are financed by tenants' rents.
MPC	Monetary Policy Committee. A committee of the Bank of England which decides the Bank of England's Base Rate and other aspects of the Government's Monetary Policy.
LOBO	Lender's Option Borrower's Option. This is a loan where the lender has certain dates when they can increase the interest rate payable and, if they do, the Council has the option of accepting the new rate or repaying the loan.
PWLB	Public Works Loan Board - offers loans to local authorities below market rates.
QE	Quantitative Easing. The purchase of Government bonds by the Bank of England to boost the money supply.
T Bills	Treasury Bill. A short term Government Bond.

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MID SUFFOLK DISTRICT COUNCIL

From: Interim Head of Democratic Services	Report Number: C/37/16
To: Annual Council	Date of Meeting: 29 June 2016

POLITICAL BALANCE AND COMPOSITION OF COMMITTEES AND JOINT COMMITTEES

1. Purpose of Report

In accordance with the provisions of the Local Government and Housing Act 1989, the Council at its meeting on 28 April 2016 agreed to the sizes and numerical allocation of seats to the various groups and to the composition of Committees.

2. Recommendations

- 2.1 That the Committees' size and numerical allocation of seats be approved as detailed in Appendix 1 to this report.
- 2.2 That Committee seats be allocated as set out in Appendix 2 to this report.

3. Financial Implications

3.1 None.

4. Legal Implications

4.1 None

5. Risk Management

5.1 This report is most closely linked with the Council's 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 Committee not quorate	Very low	Critical	Discussions already held with Group Leaders

6. Consultations

6.1 Consultations have been undertaken with Group Leaders and other relevant Members.

7. Equality Analysis

7.1 Good governance, democratic, sound and transparent decision-making should enable potential inequalities to become apparent and should therefore be more obviously addressed.

8. Shared Service/Partnership Implications

8.1 There are no shared service implications.

9. Implications for the Joint Strategic Plan

9.1 Good governance, democratic, sound and transparent decision-making will ensure that the Joint Strategic Plan is delivered in an optimum fashion.

10. Key Information

10.1 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.

10.2 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 Mid Suffolk make up 100% of the Council and therefore all of the politically balanced Committee seats go to political groups with the exception of the allocation for the one vacant seat.

10.3 At the By Election for the Barking and Somersham ward held on 2 June 2016 , Anne Killest was elected for the Green Party. Following the By Election there is a requirement for the Council to carry out a recalculation of the allocation of seats on committees and joint committees.

10.4 The current Committee structure has 61 available seats which go to political groups.

10.5 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 1 to this report. The calculation provides for 61 Committee seats to the various groups as follows:-

Conservative and Independent	-	46 seats
Green and Independent	-	9 seats
Liberal Democrat	-	6 seats

10.6 Members of the Regulatory Committee automatically serve on the Licensing Act 2003 Committee.

10.7 Members of the Joint Scrutiny Committee automatically serve on the Mid Suffolk Scrutiny Committee.

10.8 Members of the Joint Audit and Standards Committee automatically serve on the Mid Suffolk Audit Committee.

10.9 Discussions are on-going with Group Leaders on the allocation of seats and the current situation is reflected in Appendix 2. Any further updates will be provided at the meeting.

11. Appendices

Title	Location
Appendix 1 – Size of Committee and numerical allocation	Attached
Appendix 2 – Composition of Committees	Attached

12. Background Documents

None.

Jeanette McGarry
Interim Head of Democratic Services

Tel: 01473 825891
Email: Jeanette.mcgarry@babermidsuffolk.gov.uk

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APPENDIX 1

SIZE OF COMMITTEE AND NUMERICAL ALLOCATION

COMMITTEES	NO. OF SEATS	CONSERVATIVE AND INDEPENDENT (30 MEMBERS) 75%		GREEN (6 MEMBERS) 15%		LIB/DEM (4 MEMBERS) 10%%	
EXECUTIVE	10	7.50	8	1.50	1	1	1
JOINT SCRUTINY	8	6	6	1.20	1	0.8	1
JOINT AUDIT AND STANDARDS	8	6	6	1.20	1	0.8	1
DEVELOPMENT CONTROL A	10	7.50	8	1.50	1	0.8	1
DEVELOPMENT CONTROL B	10	7.50	7	1.50	2	0.8	1
REGULATORY	12	9	9	1.8	2	1.2	1
JOINT APPOINTMENTS	3	2.25	2	0.45	1	0.3	0
TOTAL TARGET	61	45.75	46	9.15	9	5.7	6

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MSDC COMMITTEE MEMBERSHIP - JUNE 2016

	EXECUTIVE COMMITTEE	DEVELOPMENT CONTROL COMMITTEE A	DEVELOPMENT CONTROL COMMITTEE B	REGULATORY COMMITTEE	JOINT AUDIT & STANDARDS & MSDC AUDIT COMMITTEE	JOINT SCRUTINY COMMITTEE	MSDC SCRUTINY COMMITTEE	JOINT APPOINTMENTS	PLANNING REFERRALS COMMITTEE (Membership as Development Control A & B)	LICENSING ACT 2003 COMMITTEE (Membership as Regulatory Committee)	
	10	10	10	12	8	8	8	3	20	12	
CONSERVATIVE AND INDEPENDENT (30)	8	7	8	9	6	6	6	2	16	9	CONSERVATIVE AND INDEPENDENT (30)
BARKER (MSR-W)			# (VC)						#		BARKER (MSR-W)
BREWSTER (BGIP)	#	#							#		BREWSTER (BGIP)
BURN (ENV)	#	#							#		BURN (ENV)
CASTON				#		#	#			#	CASTON
EKPENYONG				#						#	EKPENYONG
FLATMAN C											FLATMAN C
FLATMAN J (CCBE)	#		#	#					#	#	FLATMAN J (CCBE)
FLEMING			#						#		FLEMING
GIBSON-HARRIES (CC)				#		#	#			#	GIBSON-HARRIES (CC)
GOWRLEY (LDR) (AI)	#							# (CH)			GOWRLEY (LDR) (AI)
GREEN				#						#	GREEN
GUTHRIE			# (CH)	# (CH)					#	# (CH)	GUTHRIE
HADINGHAM		#			#	#	#		#		HADINGHAM
HALEY (VCC)											HALEY (VCC)
HICKS		# (CH)							#		HICKS
HORN (DEP) (EEO)	#							# (VC)			HORN (DEP) (EEO)
HUMPHREYS			#						#		HUMPHREYS
JEWSON				#						#	JEWSON
KEARSLEY (MSR-CA)	#	#							#		KEARSLEY (MSR-CA)
LEVANTIS (HD)	#		#						#		LEVANTIS (HD)
MAYES		# (VC)			#	#	#		#		MAYES
MORLEY (MSR-PA)					# (CH)						MORLEY (MSR-PA)
MULLER			#		# (VC)				#		MULLER
OSBORNE						# (VC)	# (VC)				OSBORNE
PASSMORE											PASSMORE
STOREY			#						#		STOREY
WELSBY				# (VC)	#	#	#			# (VC)	WELSBY
WHITEHEAD (F)	#										WHITEHEAD (F)
WHYBROW (MSR-P)		#							#		WHYBROW (MSR-P)
WILSHAW (MSR-LF)				#	#					#	WILSHAW (MSR-LF)
GREEN (6)	1	2	1	2	1	1	1	1	2	2	GREEN (6)
EBURNE						# (CH)	# (CH)				EBURNE
KILLET		#									KILLET
MANSEL		#							#		MANSEL
MATTHISSEN				#	#					#	MATTHISSEN
STRINGER A (GL)	#			#				#		#	STRINGER A (GL)
WELHAM			#						#		WELHAM
LIBERAL DEMOCRAT (4)	1	1	1	1	1	1	1	0	2	1	LIBERAL DEMOCRAT (4)
FIELD		#			#	#	#		#		FIELD
MARCHANT											MARCHANT
NORRIS			#	#					#	#	NORRIS
OTTON (GL)	#										OTTON (GL)
	10	10	10 (1 vacancy)	12	8	8	8	3	20	12	
VACANT											VACANT
	EXECUTIVE COMMITTEE	DEVELOPMENT CONTROL COMMITTEE A	DEVELOPMENT CONTROL COMMITTEE B	REGULATORY COMMITTEE	JOINT AUDIT & STANDARDS & MSDC AUDIT COMMITTEE	JOINT SCRUTINY COMMITTEE	MSDC SCRUTINY COMMITTEE	JOINT APPOINTMENTS	PLANNING REFERRALS COMMITTEE (Membership as Development Control A & B)	LICENSING ACT 2003 COMMITTEE (Membership as Regulatory Committee)	

MEMBER OF COMMITTEE- (CH) CHAIRMAN - (VC) VICE CHAIRMAN - (LDR) LEADER OF COUNCIL - (DEP) DEPUTY LEADER OF COUNCIL - (BG) BUSINESS GROWTH & INCREASED PRODUCTIVITY - (ENV) ENVIRONMENT - (CCBE) COMMUNITY CAPACITY BUILDING & ENGAGEMENT PORTFOLIO - (AI) ASSETS & INVESTMENTS PORTFOLIO - (EEO) ENABLED & EFFICIENT ORGANISATION PORTFOLIO - (HD) HOUSING DELIVERY PORTFOLIO - (F) FINANCE PORTFOLIO - (MSR: W-WASTE CA- COMMUNITY ACTIVITIES PA-PUBLIC ACCESS P-PLANNING LF-LANDLORD FUNCTION) - (GL) GROUP LEADER - (DGL) DEPUTY GROUP LEADER - (CC) CHAIRMAN OF COUNCIL - (VCC) VICE CHAIRMAN OF COUNCIL

MID SUFFOLK DISTRICT COUNCIL

From: Interim Head of Democratic Services	Report Number: C/38/16
To: Council	Date of meeting: 29 June 2016

APPOINTMENT OF MEMBERS TO JOINT GROUPS OUTSIDE LOCAL GOVERNMENT ACT 1972

1. Purpose of Report

- 1.1 At the meeting on 28 April 2016 the Council appointed Members to serve on the Council's Joint Bodies, which are not subject to Local Government Act 1972 rules.

2. Recommendations

- 2.1 That the political representative calculations for the bodies referred to in Paragraph 9.2 as contained in Appendix 1 be approved
- 2.2 That the membership of the groups as detailed in Appendix 2 be approved.

3. Financial Implications

- 3.1 None.

4. Legal Implications

- 4.1 The Local Government Act 1972 states that 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.

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 Groups unable to function	Low	Medium/ High	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 with the Group Leaders.

7. Equality Analysis

7.1 Good governance, democratic, sound and transparent decision-making should enable potential inequalities to become apparent and should therefore be more obviously addressed.

8. Implications for the Joint Strategic Plan

8.1 Good governance , democratic, sound and transparent decision-making will ensure that the Joint Strategic Plan is delivered in an optimum fashion.

9. Shared Service/Partnership Implications

9.1 The bodies identified in Appendix 2 attached have been approved by both Mid Suffolk District Council and Babergh District Council at the respective Council meetings held in 2015.

10. Key Information

10.1 The Council meeting on the 25 March 2014 agreed to a revised Babergh and Mid Suffolk Committee Structure.

10.2 Included in this structure are the following bodies, which are not subject to the Local Government Act 1972 Committee rules:-

Name	Number
JMIB	5
Joint Housing Board	3 *
Joint Staff Consultation Committee	3
Joint Health and Safety Committee	<u>4</u>
	<u>15</u>

* Appointed for term of office.

10.3 The bodies referred to in 9.2 above fall outside the Local Government Act 1972 rules but there is general acceptance that the total amount of seats should be politically representative. The calculations for these seats are shown in Appendix 1 attached.

10.4 At the By Election for the Barking and Somersham ward held on 2 June 2016 , Anne Killett was elected for the Green Party. Following the By Election there is a requirement for the Council to carry out a recalculation of the allocation of seats on joint groups.

10.5 As shown in appendix 1 the change in Council composition does not have an impact on the allocation of seats to joint groups made on 28 April 2016.

11. Appendices

Title	Location
Appendix 1 – Calculations	Attached
Appendix 2 – Proposed Membership	Attached

12. Background Documents

12.1 None.

Authorship:

Jeanette McGarry
Interim Head of
Democratic Services

01473 825891/825713 and 01449 724694
Jeanette.McGarry@Baberghmidsuffolk.gov.uk

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OTHER JOINT GROUPS

MSDC JUNE 2016 CALCULATIONS				
TOTAL SEATS	PARTY	%	15 SEATS TO BE ALLOCATED	ROUND UP/DOWN
30	CONS / IND	75	11.25	12
5	GREEN	15	2,25	2
4	LIB DEM	10	1.5	1
40		100.00	15.00	15

* Rounded up as largest remainder

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Appointment of Members to Joint Groups Outside the Local Government Act 1972

Joint Member Integration Board (5)

Nick Gowrley
Glen Horn
John Whitehead
Andrew Stringer
Penny Otton

Joint Housing Board* (3)

Nick Gowrley
Lesley Mayes
Sarah Mansel

Joint Staff Consultation Committee (3)

Matthew Hicks
Derek Osborne
David Whybrow

Joint Health and Safety Committee (4)

Jessica Fleming
Gary Green
Barry Humphreys
Esther Jewson

Joint Gypsy and Traveller Steering Group (3)

Lavinia Hadingham
Kevin Welsby
Andrew Stringer

Shared Revenues Partnership Committee ** (2)

Derrick Haley
John Whitehead

Substitutes: Kathie Guthrie
Diana Kearsley

* **Appointed for term of office**

** **Also includes Ipswich Borough Council**

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BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Chief Executive	Report Number: C/39/16
To: Babergh District Council Mid Suffolk District Council	Date of meeting: 28 June 2016 29 June 2016

DEVOLUTION FOR NORFOLK AND SUFFOLK

1. Purpose of Report

- 1.1 This report sets out Norfolk and Suffolk’s ambition for and approach to devolution based on the East Anglia Devolution Deal announced by the Chancellor in the Budget on 16 March 2016. It builds on Government’s commitment to enhance local autonomy through devolution, reflected in the *Cities and Local Government Devolution Act*.
- 1.2 It also provides a unique opportunity to access funding for the two counties, now and in the future, in an era of diminishing core funding for local authorities. Those areas entering into Devolution Agreements are being given further opportunities to secure funds for economic growth, e.g. Greater Manchester, who are on their fourth Devolution Agreement with Government.
- 1.3 In light of the opportunity outlined above, this report asks Full Council to endorse the Norfolk and Suffolk Devolution Agreement (Appendix A), support the Governance Review (Appendix B) and agree to publish a Scheme of Governance (Appendix C) for public consultation.

2. Recommendations

- 2.1 That the Authority endorses the signing of the Norfolk and Suffolk Devolution Agreement by the Leader.
- 2.2 That, on the basis of the Governance Review, and having regard to any impact on equalities explored in the Equalities Impact Assessment (EqIA) at Appendix D, the Authority concludes that the establishment of a Mayoral Combined Authority for Norfolk and Suffolk is the option which most fully permits the effective discharge of the functions that Government is prepared to devolve to this area.
- 2.3 That the Authority endorses and supports the publication of the draft Scheme for a Norfolk and Suffolk Mayoral Combined Authority as at Appendix C to this report for consultation purposes, subject to such final revisions as may be approved by the Chief Executive in consultation with the Leader, and prior to the commencement of the formal consultation exercise. Such formal consultation, on the Scheme, to commence once all Norfolk and Suffolk Councils have considered the matters in this report and, in any event, no later than the 4 July 2016. In the event that a Constituent Authority named in the attached Scheme does not agree to endorse the Deal Agreement and/or the Scheme, the Authority authorises, through its Chief Executive, the relevant/any necessary changes to be made to the Deal Agreement, the Scheme and the Governance Review to reflect that Authority’s non-participation.

- 2.4 That the outcome of the consultation exercise is submitted to the Secretary of the State by the Chief Executive in consultation with the Leader, by early September.
- 2.5 That Council meets no later than the 28 October 2016 to consider giving consent to an Order establishing a Mayoral Combined Authority for Norfolk and Suffolk.
- 2.6 That, insofar as any of the matters referred to in this report concern the discharge of functions related to the endorsing and signing of the Norfolk and Suffolk Devolution Agreement and the publication of the Scheme, authority is delegated to the Chief Executive in consultation with the Leader, to take all necessary steps and actions to progress the recommendations detailed in this report.
- 2.7 In the event that any technical changes are required to reflect legislative requirements and the contents of the Deal Agreement, authority is delegated to the Chief Executive, in agreement with the other Chief Executives and Managing Directors across Norfolk and Suffolk to make the necessary changes to the Scheme.
- 2.8 That further reports are presented to the Authority as appropriate as the Devolution process develops.

3. Reason for recommendation

- 3.1 If the Authority withdraws at this stage it will lose the opportunity to develop the benefits of the devolution process and may lose access to future government resources and the local determination of policy and spending priorities. It will also deny its residents the opportunity to have their say.

4. Options for consideration

- 4.1 That the Authority supports the recommendations in the report and approves continued working towards the implementation of the Norfolk and Suffolk Devolution Agreement.
- 4.2 That the Authority does not agree to the development proposed and work ceases.

5. The Decision

- 5.1 In taking its decision on the matters in this report there will be an opportunity for all members to debate the Deal Agreement, Review and Scheme. However there will not be an opportunity to move amendments (other than minor typographical or corrective changes) to the Deal Agreement, Review or Scheme. The timetable for publication of the Scheme, being no later than 4 July 2016, and the fact that the documents must pass through all 16 councils in Norfolk and Suffolk for agreement or otherwise, does not give a window for further negotiation. Members will need to decide whether to endorse the Deal Agreement and support publication of the Scheme or reject it. However, they can feed in any comments on the Scheme as part of the consultation process.
- 5.2 If a council decides to reject the Scheme, appropriate changes will need to be made to the Deal Agreement and Scheme prior to publication.

6. Who will be affected by this decision?

6.1 Councils, organisations, residents and businesses in Suffolk and Norfolk.

7. Resource Implications (Finances, Staffing, Property, IT)

7.1 The resource implications are dependent on the next stages of the development of the devolution process. Most will involve the use of existing officer time and resources.

7.2 All council leaders have agreed that the administration costs of setting up the Mayoral Combined Authority will be kept to a minimum, using existing resources within their councils.

7.3 We will be seeking to ensure that the total cost of the delivery of public services in Norfolk and Suffolk is no more than is currently the case and we will be looking to take advantages of the opportunities presented by working together across this area.

7.4 As mentioned in section 30, the Scheme enshrines principles about the costs of the Mayor and Combined Authority, with the aim that the gain or benefit leveraged from the Single Pot (£25m a year) will be far in excess of the Mayoral costs for the Combined Authority.

8. Legal Implications

8.1 Appropriate legal implications and statutory frameworks including processes and statutory tests have been referred to within the body of this report, which includes the appendices attached.

8.2 There are clear statutory processes that need to be followed in accordance with the Cities and Local Devolution Act 2016 to establish a Mayoral Combined Authority and devolving appropriate powers from central government for May 2017.

8.3 The governance arrangements are set out in the Governance Scheme attached at Appendix C and will be contained in a Constitution for the new Mayoral Combined Authority to be created before the Combined Authority comes into being and the Mayor is elected. All participating Authorities must agree to the Constitution unanimously.

9. Equality Impact Assessment

9.1 An initial equality impact assessment has been carried out for the two counties and is attached at Appendix D. It is the start of a process and will be further developed by officers across the two counties assuming the Deal goes ahead. It is worth noting that three of the core initiatives proposed as part of the Deal – digital connectivity, infrastructure and transport – have particular potential to enhance access for disabled and older people, who form a large and increasing percentage of Norfolk and Suffolk's population.

10. Impact upon the Joint Strategic Plan

10.1 The deal contains very significant new powers and funding for Norfolk and Suffolk and represents an opportunity to gain greater control and influence across a range of issues that directly affect our residents, but are currently decided in Whitehall. It creates a Combined Authority of a size and impact capable of negotiating directly with Government Departments so that our local priorities are recognised and acted upon rather than being side-lined. Devolution will enable both Councils to more readily influence, both at a strategic Norfolk and Suffolk level as well as more locally, the use of resources and exercise of powers that will support the delivery of their Joint Strategic Plan.

11. Risk Management

Risk Description	Likelihood	Impact	Mitigating Measures
Not agreeing to the devolution deal and losing out on new combined authority powers, and substantial funding across Norfolk and Suffolk	Moderate	High	Consult with and work closely with all councils across the Norfolk and Suffolk sub-region.

12. Main body of report

Introduction

12.1 This report updates the Authority on the progress made in the Devolution proposal by the sixteen local authorities in the Norfolk and Suffolk area and details the process for the next stages in the devolution programme. It includes the latest elements of the devolution proposal and requires council to consider and set direction for the next stages of the devolution process.

13. Context

13.1 The Scottish independence referendum in September 2014 and publication of the Smith Commission report in November 2014 on further devolution to Scotland, promoted wide-ranging debate about similar devolutionary measures in England, at both national and sub-national levels. After the General Election in May 2015, the new Government emphasised its commitment to devolution by swiftly introducing Cities and Local Government Devolution Bill to Parliament on 28 May 2015.

13.2 Initially, the government's focus was on continuing the devolution of powers and/or funding to large urban areas, particularly to the five existing combined authorities. This included a devolution Deal for the Sheffield City Region and the Greater Manchester Health and Care Deal that sees Greater Manchester Combined Authority take control of £6 billion of health and social care spending overseen by a new statutory body from April 2016.

13.3 As support for devolution grew, the government announced that all areas were encouraged to come forward with proposals for a devolution Deal. As a result,

many areas across England submitted proposals to the government and have been subject to negotiation. As part of his Summer Budget on 8 July 2015, the Chancellor announced that 'significant' devolution Deals would need to be submitted to the government by 4 September 2015 if they were to inform the Spending Review in November.

13.4 At their respective September 2015 Council meetings (Babergh District Council on 22nd September 2015; and Mid Suffolk District Council on 24th September 2015), both Councils agreed to:

- a. Suffolk's ambition and approach to devolution.
- b. Note and endorse the Expression of Interest (attached as Appendix A to the September 2015 report) submitted to Central Government on 4 September 2015 and agreed that it will provide a strong democratic mandate for future negotiation with Government.
- c. The Expression of Interest (Appendix A of the September 2015 report) being adopted as the basis for future detailed negotiation with Government throughout the autumn.
- d. The Chief Executive, in consultation with the Leader of the Council(s), being given delegated authority to agree to any future changes to the Devolution Proposal.

13.5 In East Anglia, Suffolk and Norfolk submitted Expressions of Interest and a commitment to work together to develop a Deal. The first expressions of interest focused on shared ambition to drive economic growth exploring how devolution could help accelerate this through greater local autonomy and a re-set relationship between local and central government.

13.6 Further to Ministerial feedback, including a 'Challenge Session' with Lord Heseltine in November 2015 and a further meeting with Lord Heseltine and Secretary of State, Greg Clark in February 2016, Leaders agreed that Cambridgeshire, Norfolk, Peterborough and Suffolk should jointly develop their collective asks of Government, in recognition of the economic links between the four areas. A devolution Deal for East Anglia was agreed at a very accelerated pace and announced by the Chancellor in the Budget (March 2016).

13.7 Following further consideration of the most effective way to drive growth through an East Anglia Deal, discussion with Ministers and reflection on what would be best for local people, it was decided to pursue two distinct devolution Deals. One for Norfolk and Suffolk and one for Cambridgeshire and Peterborough. This approach provides opportunity for strategic join up between the two Deals for example, on infrastructure, transport and skills but retains local economic geographies.

13.8 After extensive negotiations, the sum on offer for the two distinct Deals is greater than the sum offered in the original Deal.

14. The Devolution Process

14.1 There are clear statutory processes that need to be followed in accordance with the Cities and Local Government Devolution Act 2016 to establish a Mayoral

Combined Authority and devolving appropriate powers from central government for May 2017. The Norfolk and Suffolk Deal is one of the first to be progressed under this legislation.

14.2 The councils covered by the proposal need to undertake a governance review, publish a draft governance scheme that explains how a Mayoral Combined Authority would work, undertake a statutory public consultation on the scheme and provide a summary of the consultation responses to the Secretary of State. The primary purpose of a governance review is to set out the rationale for creating a Norfolk and Suffolk geographic/economic footprint, to propose the powers that would be required from Government to deliver effectively across that footprint, and to propose options for governance. The governance review and the consultation on the draft scheme will enable the Secretary of State to decide whether the statutory tests on improving the exercise of statutory functions are met and whether it is appropriate to make the order (if parliament approves) establishing the Mayoral Combined Authority. Before making such an order, consent needs to be sought from all of the constituent councils.

14.3 This report sets out the terms of the governance review (Appendix B) and the draft scheme (Appendix C) on which we will consult.

15. The Norfolk and Suffolk Devolution Deal Agreement

15.1 The Norfolk and Suffolk Devolution Deal Agreement is set out at Appendix A to this report. It is based on the East Anglia Devolution Agreement signed by the Chancellor, Secretary of State and Leaders from the Councils across Norfolk, Suffolk Peterborough and Cambridgeshire (except Cambridge City Council), but only applies to all councils in Norfolk and Suffolk.

15.2 Devolution offers a generational opportunity to accelerate growth in the local and national economy whilst improving the life chances and quality of life for every resident in Norfolk and Suffolk. We are a diverse and dynamic area including cities, rural and coastal communities with a globally significant economic offer. The Deal provides for the transfer of significant resources and powers from central government to the region including for infrastructure, housing, economic development, and employment and skills, which will positively impact on the lives of residents by helping create more jobs, improving the skills and employment prospects of residents and boosting the productivity of Norfolk and Suffolk. With devolved powers we can make sure that the housing needed to support this growth is connected to the right infrastructure: roads, rail and digital and means that local communities can thrive.

15.3 For Norfolk and Suffolk the Deal offers the opportunity for a step change in our relationship with government. Devolution means having the power and resources to tackle our challenges and make the most of the opportunities. This is the beginning of the Devolution process. If Council agrees to proceed with the Deal it opens the way to future negotiations. For example the Greater Manchester Deal announced in November 2014 has seen the Combined Authority use its Deal to negotiate on a further four occasions to enhance its powers to deliver economic growth.

15.4 The Deal contains very significant new powers and funding for Norfolk and Suffolk and represents an opportunity to gain greater control and influence across a range

of issues that directly affect our residents, but are currently decided in Whitehall. It creates a Combined Authority of a size and impact capable of negotiating directly with Government Departments so that our local priorities are recognised and acted upon rather than being side-lined. Specifically the Deal includes:

- £25m a year of new money for the next 30 years (£750m) to support economic growth, development of local infrastructure & jobs. 40% of the 'single pot' will be revenue, which can support capital borrowing
- £100m over five years of new money to support the building of new homes across Norfolk and Suffolk. Recognising the housing market conditions in Norwich and Ipswich, Government will also provide the Combined Authority with an additional £30m over five years, split equally for Norwich City and Ipswich Borough, to meet its housing needs
- A guaranteed £225m annual transport budget for the next five years
- Control of an existing c£20m a year Adult skills funding to ensure the training offer match the needs of local businesses and the local labour market
- Control of an existing c£2m Apprenticeship Grant for Employers (AGE grant) to enable funding to better meet the needs of local Norfolk and Suffolk employers
- Greater control over who delivers transport services in Norfolk and Suffolk, and how, rather than it being imposed on us by Central Government
- More control and influence over investment in key roads across Norfolk and Suffolk, so that local priorities and concerns can be met
- A commitment that relevant authorities and partners take a Norfolk and Suffolk wide approach to flood & coastal risk management to get more for our money and ensure problems aren't just shifted from one area to another
- A commitment that local authorities work to improve the planning process for residents and businesses

16. The Norfolk and Suffolk Governance Review

16.1 The Norfolk and Suffolk Governance Review is set out at Appendix B to this report In accordance with the statutory framework, the purpose of the Governance Review has been to:

- review the exercise of statutory functions in relation to the review area with a view to deciding whether to prepare and publish a scheme under section 108 of the Local Government, Economic Development and Construction Act 2009 and section 6 of the Cities and Local Government Devolution Act 2016
- consider the options available for making changes to existing governance structures and arrangements with a view to improving the exercise of statutory functions
- determine which option is likely to be most beneficial to the area of Norfolk and Suffolk as well as strengthening the overall governance arrangements and delivery of statutory functions

In doing so, the Review has also taken into account the following local priorities:

- The most effective way to deliver economic growth and public service reform through functions such as: transport, infrastructure, spatial planning and skills
- What constitutes functional economic market areas
- Accountability
- Enabling effective joint working between existing statutory and non-statutory bodies
- The principle that decisions should be taken closest to the level where they will have most impact (subsidiarity/double devolution)

16.2 The Governance Review has found that Norfolk and Suffolk function as an integrated economic area. There is significant connectivity across Councils in the area as well as strong relationships with neighbouring areas, particularly Cambridgeshire. Strong collaboration is not only a feature of local government but also evident in the NHS' Sustainability and Transformation Plans. Key economic sectors within and beyond the area have encouraged successful economic join up between the two Local Enterprise Partnerships.

16.3 There is a shared ambition across Norfolk and Suffolk to drive growth which is already being demonstrated through successful joint working on: the Growth Deals, City Deals and Enterprise Zones. However, the case for change is compelling:

- Existing arrangements are fragmented and not fit for driving forward Norfolk and Suffolk's shared ambition to: drive growth, fulfil global economic potential, integrate public services and deliver the best for local people
- Norfolk and Suffolk's commitment to unlocking growth and housing and invest in infrastructure needs greater devolved powers and funding, which requires formal robust and accountable joint decision making
- Robust strategic governance is needed to drive public service reform, deliver more integrated services and re-set the relationship between central and local government paving the way for future devolution Deals
- Creating a single strategic voice and champion for Norfolk and Suffolk would enable strategic join up supported by appropriate local delivery

16.4 The conclusion of this Governance Review is to recommend that the functional economic area of Norfolk and Suffolk will be best served by the establishment of a Mayoral Combined Authority. It also maximises opportunities to negotiate for devolved budgets, powers and responsibilities with Government and therefore, is consistent with the ambition to re-set the relationship with Government.

16.5 Government have been clear that without a democratically elected Mayor, any devolution Deal would be much smaller in range and value and this would not deliver Norfolk and Suffolk's ambition.

16.6 Combining strategic strength and coherence with connections to local functional economies, it is considered that this model will improve the exercise of statutory functions and, more importantly, provide robust but flexible integrated and locally accountable decision making.

17. The Norfolk and Suffolk Scheme of Governance

17.1 The Norfolk and Suffolk Scheme of Governance is set out at Appendix C to this report.

17.2 The Scheme establishes the functions and powers that the Governance Review identifies as necessary to be devolved from Government, in order to meet the Secretary of State's statutory tests. It reflects the new Mayoral and Combined Authority functions and powers as proposed under the Deal Agreement.

These include:

- The Mayor's responsibility for a multi-year, consolidated and devolved local transport budget
- Responsibility for a Key Route Network which will be managed and maintained on behalf of the Mayor
- Powers over strategic planning and housing including £130m ring-fenced funding over 5 years to deliver new homes
- The Combined Authority's receipt of an additional £25m a year funding allocation over 30 years to boost growth
- The Combined Authority's review of 16+ skills provision and devolved 19+ adult skills funding

17.3 In addition to powers and functions the Scheme also sets out, at high level, how the Mayor and the Combined Authority will operate. However the detailed governance of the Combined Authority will be established in the Combined Authority's Constitution.

17.4 The Constitution will contain details of how the new powers and functions will be delivered and enshrine the principles of double devolution. The Scheme recognises that the Combined Authority will operate through thematic, geographic and/or district clusters, to ensure that delivery is exercised at the appropriate local geographies primarily based on functional economic area and travel to work areas.

17.5 The Scheme also enshrines principles about the costs of the Mayor and Combined Authority. Those principles are that:

- The Combined Authority costs will be met as far as possible from existing resources, with statutory officers and support provided by the Constituent Authorities; and
- Any levy on the Constituent Authorities for Mayoral costs will be treated as a loan and repaid to the Constituent Authorities by the 3rd anniversary of the Mayoral election.

17.6 The aim is that the gain or benefit leveraged from the Single Pot (£25m a year) will be far in excess of the Mayoral costs for the Combined Authority.

18. Consultation

- 18.1 Legislation requires devolution deal areas to publish a scheme of governance setting out plans for the scope of the combined authority, the arrangements for local representation, and decision making. The public must be consulted on these arrangements, and the Secretary of State will then take the outcome of consultation into account before further legislation can be taken forward.
- 18.2 The draft scheme will be the subject of a statutory consultation exercise which will commence no later than 4 July 2016. The results of the consultation exercise will be reported back to council and the Secretary of State.
- 18.3 Key elements of the consultation will be based on an online consultation that is accessible and open to all so the requirement to formally consult with residents on the proposed governance scheme is met. Evidence from other areas suggests that on-line alone will not reach the number of people we would like to reach, and those who do will be self-selecting and unrepresentative of the population as a whole. Therefore, in order to fully consult residents and ensure we get more representative views there will be:
- 18.4 A booster telephone survey to ensure that we get representative consultation feedback that enables us to compare public opinion at district level and ensure that our elected members can base their decision on robust data. This will mean 5,320 individual telephone interviews across the two deal areas to give a robust sample (380 per district).
- 18.5 The telephone survey will also include 250 interviews with businesses across both counties.
- 18.6 During the consultation period each authority is also likely to receive direct representations from stakeholders in writing and email. Each participating authority will collect the responses they receive directly.
- 18.7 Upon completion of the consultation, we will submit an overall report with executive summary to the Secretary of State as a joint submission from all councils in Norfolk and Suffolk. Each participating authority will submit copies of all stakeholder representations they receive by hard copy or email along with their own representations.
- 18.8 The process requires the consultation to take place over the summer months. The maximum time we can have the consultation open is seven weeks. Whilst this is fewer weeks than standard consultations, it is balanced by the extensive telephone interviews which ensure the robustness of the exercise. The consultation will open on July 4th and run until August 19th. The submission of responses to the Secretary of State will be on September 9th.
- 18.9 Consultation during the pre-Scheme Submission stage of the Devolution Deal has been complicated by the need to ensure that negotiations with Central Government are kept as confidential as possible at their request. However, Suffolk Councils have commissioned some consultation and some headline findings are attached as Appendix E to this report. The results show the priorities and views on the key elements of the deal as the consultation has focused on the desirability of the elements of the Deal.

- 18.10 The survey also addressed the general feeling about devolution. It concluded that 61% of residents either strongly support or tend to support giving more decision making powers to East Anglia – with 15% actively against this proposal. Whilst the results are not directly comparable with the Ipsos MORI 2015 survey, because the question asked generically about *the local area* rather than *East Anglia* specifically, it is interesting to note that support within the East of England at the time was 42% ‘for’ and 18% ‘against’ – suggesting an increase in support over the last ten months.
- 18.11 Residents aged between 18 and 34 are significantly more likely than other age groups to support the concept (66% vs. 61% overall). Support is consistent across the County. “

19. Conclusion

- 19.1 After extensive negotiations between Government and the Norfolk and Suffolk Leaders a proposed Devolution Agreement has been developed. The council will need to assess whether to endorse the Devolution Agreement and authorise the Leader to sign it.
- 19.2 The Authority is asked to support the Governance Review and agree the publication of the Scheme of Governance. This will allow the council to report to the Secretary of State such views to inform his decision on the Devolution Deal and the Scheme for the Mayoral Combined Authority.
- 19.3 The Devolution Agreement attached is just the start of the Devolution process. Greater Manchester, the model for a number of the Devolution Deals, has now agreed the content of its 4th Deal, and in April 2016 took on responsibility for the Health budget in the area. There is a great deal of potential to extend the range of responsibilities, powers and funding in the coming months and years, should we be so minded. This report seeks to put into place the mechanisms to deliver increased local leadership for public services and greater autonomy over the levers for growth in our area.

Appendices attached to this report: (for clarifications these appendices form part of this report)

[Appendix A: The Norfolk and Suffolk Devolution Agreement June 2016](#)

[Appendix B: Governance Review](#)

[Appendix C: Governance Scheme](#)

Appendix D: Equality Impact Assessment (Phase 1 findings and recommendations)

Appendix E: Summary of Consultation Responses to Suffolk’s survey on Devolution (May-June 2016)

Sources of further information

- a) Report(s) to Council
- b) [Babergh District Council – 22 September 2015 – Report Number \[R48\]](#)
[Mid Suffolk District Council – 24 September 2015 – Report Number \[C/42/15\]](#)
- c) Cities and Local Government Devolution Act 2016

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Appendix A

The Norfolk and Suffolk Devolution Agreement

June 2016

Implementation of this agreement is subject to the completion of the statutory processes and approval of all local authorities which are party to the deal.



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The Norfolk and Suffolk Devolution Agreement

This document sets out the terms of an enabling document for a proposed agreement between: Government, the 16 local authorities covering Norfolk and Suffolk and the New Anglia Local Enterprise Partnership to devolve a range of funding, powers and responsibilities.

It should be considered as part of the Government's devolution to East Anglia.

This Devolution Agreement builds on, but is separate to the Greater Ipswich City Deal, Greater Norwich City Deal agreed in 2013 and the New Anglia Growth Deals agreed in 2014 and 2015. It marks an important next step in the transfer of resources, powers and accountability from central Government to local partners.

The agreement below sets out the current devolution proposal for Norfolk and Suffolk which it is agreed that leaders will take to each council for full debate and consultation with relevant local stakeholders. This process is to be completed by no later than the end of June. The consenting councils may include additional councils to those which are party to this agreement if such councils decide no later than the end of June (allowing the statutory process to be launched in early July) that they wish to become a party to the deal. In return for this level of devolution and local control Norfolk and Suffolk will establish a Combined Authority, with a directly Elected Mayor in place by 2017 with interim arrangements in place in 2016/17.

The Opportunity

Norfolk and Suffolk share a unique geography and a mix of urban, rural and coastal communities – close to but very distinct from London with a firm focus beyond our borders both within the UK and internationally, with our Europe facing world class energy coastline and the UK's largest container port.

The two counties represent a £34billion economy and one of the fastest growing areas of the UK. We also have the potential to grow our economy faster, with strengths in key sectors such as: agri-tech, food and health, energy and the digital economy. Our strengths are diverse and powerful including:

- National hubs for key business sectors that need to be nurtured to become magnets for global inward investment such as:
 - An all-energy coast at the centre of the world's largest market for offshore wind that is worth about £994 million per annum,
 - Globally-leading research in life sciences worth £1.3 billion across Norfolk and Suffolk
 - agri-tech – a fast growing sector with huge commercial potential worth £2.2 billion GVA per annum almost 10% of Norfolk-Suffolk GVA
 - Pioneering technical innovations in ICT research and development worth £1.3 billion with 1, 400 companies employing around 10 300 people
 - Felixstowe - the UK's busiest container port

- A fast-growing creative digital sector, recently recognised by Tech City UK
- Market-leading food and drink producers
- A first-class cultural heritage means tourism is worth £4.6bn annually across Norfolk and Suffolk
- the A11 corridor from Norwich to Cambridge – a world class destination for advanced manufacturing with already more than 100 automotive engineering and related advanced manufacturing companies in growing clusters
- the quality of place to attract significant inward investment
- City Deals for Norwich and Ipswich that are pioneering successful approaches to increase productivity reduce welfare dependency and deliver the Government's 'Youth Pledge' to support young people into employment such as Norwich for Jobs and MyGo in Ipswich
- An innovative, collaborative and mature public sector that is willing to be bold in transforming public services
- A wealth of local assets including our communities themselves and partners beyond the public sector such as, business and the VCS

Devolution offers a generational opportunity to accelerate growth in the local and national economy whilst improving the life chances and quality of life for every resident in Norfolk and Suffolk. It is a diverse and dynamic area including cities, rural and coastal communities with a globally significant economic offer.

Working with neighbouring partners, the Norfolk and Suffolk Combined Authority has a phenomenal opportunity to create a better connected region, spreading and retaining the wealth, building the rural economy and improving the digital and broadband offer in supporting SMEs. With dramatically improved connectivity and the scale and opportunity to exploit local global leadership, there is the opportunity to address the grand challenges facing long-term human, environmental and economic sustainability to make a step change in the local economy.

Delivering on this opportunity

There is much more to be done and this deal can only be the start. The deal represents an invitation to local councils and business to come together and set out a compelling Business Plan of connected growth for how this programme can be implemented and identify further reforms and mechanisms for unlocking new avenues of investment.

Norfolk and Suffolk will work with local Councils, New Anglia LEP, Government Departments and Agencies on their joint comprehensive business plan for Norfolk and Suffolk to be drawn up over the next six months. To avoid divergence this will build on the diversity of assets across the Norfolk and Suffolk economic area such as it's: ports, all energy coastline, world class universities and research; its leading role in advanced manufacturing and ICT and will identify ways to grow its economy. It will also build on areas of mutual benefit particularly with Cambridgeshire and

Peterborough Combined Authority to boost productivity for example, infrastructure and transport. Central to this model of connected growth Norfolk and Suffolk will set out a number of core initiatives:

- A step change in infrastructure delivery with an integrated approach to planning of road, rail and digital connectivity alongside land for new housing and business
- The principle of Double Devolution of powers to local areas working with the Mayor to take responsibility and accountability for housing and infrastructure delivery in their own areas
- Becoming the UK's truly connected region in respect of communications and transport connections. Linking research-based growth in the cities with even the most rural villages. Improvements to road & rail infrastructure and using smart ticketing will make it easier for residents to participate fully in the economy and travel across transport modes
- Devising new models of private/public infrastructure & housing funding to fund strategic capital infrastructure
- A new partnership between the universities and FE providers in the region to drive a programme of co-ordinated skills and educational improvement to deliver the knowledge based economy
- Areas of joint collaboration with Cambridgeshire and Peterborough – to include features such as transport, infrastructure and skills where solutions are required pan region
- Arrangements with other areas that represent the recognised economic growth opportunities. This will include: Essex, Bedfordshire, Hertfordshire, Lincolnshire, Northamptonshire, and Rutland

This Business Plan will form the basis of a single and co-ordinated second devolution proposal from Norfolk and Suffolk to Government in the Autumn with the ambition of empowering the directly elected Mayors for the two Combined Authorities with the powers, tools and resources to unleash the potential of the area with the main objective to build a successful and dynamic economy in the short term and make a substantial contribution to keeping the United Kingdom in the first economic rank of nations for generations to come. Exploiting these powers at a local level will make a substantial contribution to this.

This document provides for the transfer of significant resources and powers from central government to the region including for infrastructure, housing, economic development, and employment and skills, which will positively impact on the lives of residents by helping create more jobs, improving the skills and employment prospects of residents and boosting the productivity of Norfolk and Suffolk.

Summary of the proposed devolution agreement between government and the leaders of the 16 local authorities with the support of the New Anglia Local Enterprise Partnership.

A new, directly elected Mayor will act as Chair to the Norfolk and Suffolk Combined Authority and will exercise the following powers and functions devolved from central Government:

- Responsibility for a multi-year, consolidated and, devolved local transport budget
- Responsibility for a new Key Route Network of local authority roads that will be managed and maintained by the Combined Authority on behalf of the Mayor
- Powers over strategic planning and housing, including £100m (out to 20/21) ring-fenced funding to deliver an ambitious target of new homes, the responsibility to create a non-statutory spatial framework for Norfolk and Suffolk and to develop with government a Land Commission and to chair The Norfolk and Suffolk Joint Assets Board for economic assets

The new Norfolk and Suffolk Combined Authority, working with the Mayor, will receive the following powers:

- Control of a new additional £25m a year funding allocation over 30 years, to be invested to The Norfolk and Suffolk Single Investment Fund, to boost growth. Recognising the housing market conditions in Norwich and Ipswich, Government will provide the Combined Authority with an additional £30m over five years split equally for Norwich City and Ipswich Borough to meet their housing needs.
- Responsibility for chairing an area-based review of 16+ skills provision, the outcomes of which will be taken forward in line with the principles of the devolved arrangements, and devolved 19+ adult skills funding from 2018/19
- Joint responsibility with the government and the single Employment and Skills Board covering the Norfolk and Suffolk Combined Authority and the Cambridgeshire and Peterborough Combined Authority to co-design the new National Work and Health Programme designed to focus on those with a health condition or disability and the very long term unemployed

Further powers may be agreed over time and included in future legislation.

GOVERNANCE

1. Strengthened governance is an essential pre-requisite to any further devolution of powers to any local area. Through this deal Norfolk and Suffolk will establish a Combined Authority and introduce a directly elected Mayor over the Combined Authority's area, with the first elections in May 2017. This takes the next step in transferring resources and powers from central Government to Norfolk and Suffolk. There is no intention for the Combined Authority to take existing powers from local authorities or existing city deal governance structures or funding without agreement.
2. The local authorities of Norfolk and Suffolk recognise and have agreed that the principle of subsidiarity should apply to the discharge of functions by the Mayor and Combined Authority and governance of this devolution deal. Norfolk and Suffolk and the Government agree to work on a model of devolution that aligns the regional strategic ambition expressed by the Mayor and the Combined Authority with local accountability and incentives for delivery at a local level based on functional economic geographies.
3. The directly elected Mayor for the Norfolk and Suffolk Combined Authority will autonomously exercise new powers. The Mayor will chair the Combined Authority, the members of which will serve as the Mayor's Cabinet (unless determined otherwise as part of the Authority's constitution). The Mayor and the Combined Authority will be scrutinised and held to account by the Overview and Scrutiny committees. The Mayor will also be required to consult the Combined Authority Cabinet on his/her strategies and his/her spending plans, which it may reject if a two-thirds majority vote to do so. The nature of voting arrangements for particular decisions within the two-thirds majority will be determined unanimously through the Authority's Constitution.
4. The Norfolk and Suffolk Mayor will be required to consult the Norfolk and Suffolk Combined Authority on his/her transport plan, which it may reject if a two-thirds majority vote to do so, subject to that majority including the votes of Norfolk and Suffolk County Councils.
5. Proposals for decision by the Combined Authority may be put forward by the Mayor or any Cabinet Member. The Mayor will have one vote as will other voting members. Any questions that are to be decided by the Combined Authority are to be decided by a majority of the members present and voting, subject to that majority including the vote of the Mayor, unless otherwise set out in legislation, or specifically delegated through the Authority's Constitution.
6. The Mayor and the other members of the Combined Authority will be required to work closely together. Specifically:
 - a. the Mayor will provide overall leadership and chair Combined Authority meetings;
 - b. the Cabinet Model, where the leaders have a clear portfolio of responsibilities, will act as a supporting and advisory function to the Mayor and Combined

Authority in respective policy areas; and

- c. the Mayor will also be a member of New Anglia LEP, alongside the other members of the Combined Authority, recognising the importance of New Anglia LEP's role and the private sector in any growth strategies or delivery.
7. The Norfolk and Suffolk Combined Authority will work with the Cambridgeshire and Peterborough Combined Authority on a range of strategic issues that deliver economic growth to East Anglia. The areas of strategic economic importance for joint working will include Transport, Infrastructure, Higher Education and Skills. This will be recognised through the governance arrangements for both Combined Authorities, and specifically through the establishment of the Cambridgeshire, Norfolk, Peterborough and Suffolk Joint Committee.
8. The Combined Authority will seek to develop arrangements with other Combined Authorities and other areas in order to progress strategic regional issues and to accelerate growth in recognised areas of economic geography.

FINANCE AND FUNDING

9. The Combined Authority will create and manage a single pot which will be used by the Combined Authority to invest in economic growth, helping to accelerate housing delivery and job creation. The Government will work with the Combined Authority to agree specific funding flexibilities which will be pooled into the Single Pot. This will comprise a flexible, multi-year settlement providing the freedom to deliver its growth priorities, including the ability to re-direct funding to reflect changing priorities, whilst upholding statutory duties. Government expects to disburse this agreed settlement to the Combined Authority annually in advance.
10. The Government agrees to allocate an additional £25million per annum of 60% capital and 40% revenue for 30 years, which will form part of and capitalise the Combined Authority single pot. This will be invested in Norfolk and Suffolk. The Combined Authority will use this fund to unlock investment in infrastructure and deliver economic growth. Recognising the housing market conditions in Norwich and Ipswich, Government will supplement this with an additional £30m capital over the first five year period split equally for Norwich City and Ipswich Borough to meet its housing needs. The fund will be subject to 5-yearly gateway assessments to evaluate whether spend has contributed to national growth. The fund will also be delivered in line with a local single pot assurance framework, based upon the guidance and agreed with the Government.
11. Following the implementation of the necessary primary legislation, the Mayor will be given the power to place a supplement on business rates to fund infrastructure, with the agreement of the local business community through the business members of the New Anglia Local Enterprise Partnership, up to a cap.
12. Through devolution, the area is seeking greater influence and decision making in respect of the European Structural Investment Funds 2014-2020 (European Regional Development Fund (ERDF), European Social Funds (ESF) and the EU Growth

Programme element of the European Agricultural Fund for Rural Development (EAFRD)). This will allow the area to integrate and align investments with other aspects of the devolution deal and local economic priorities, to improve performance and maximise economic impact. In order to deliver these objectives the Combined Authority is seeking Intermediate Body Status for ERDF, ESF and the EU Growth Programme part of EAFRD funding. Government will work with the Combined Authority to test whether it will be possible to implement and if so, Government and the Combined Authority will work together to agree a timescale to put this in place and develop an agreement between each Managing Authority and the Intermediate Body that will contain details of delegated responsibilities and accountabilities, performance management, resources, their funding and payment arrangements and other relevant details.

13. The Government and local partners will explore how funding for infrastructure can be raised through Community Infrastructure Levy, taking account of the outcomes of the CIL Review.
14. The Combined Authority and Government will extend the existing pilot allowing some authorities to retain 100% of any additional business rate growth beyond an agreed baseline to apply across Norfolk and Suffolk.
15. Government will work with local authorities in Norfolk and Suffolk to shape and influence the design of the new Local Government Finance system based on the localisation of business rates in advance of its universal introduction in 2020.

HOUSING AND PLANNING

16. The Combined Authority, with its partner authorities, will use the powers and infrastructure resources devolved from central government, alongside local public and private investment, to substantially increase housing delivery.
17. They will support an ambitious target for increasing new homes delivery, jointly agreed with the Department for Communities and Local Government, which reflects latest assessments of housing need, and will report annually on progress against this target.
18. They will bring forward proposals as an integral part of the business plan by the summer on how they will do this. This will include proposals to deliver the immediate 40,000 homes needed over the period 2016-2021 and 200,000 homes over the longer period of Local Plans.
19. In addition to gain share funding as part of this, local authorities will bring forward within six months a non-statutory strategic infrastructure delivery plan which identifies infrastructure needed to support the increased funding of new homes, and proposals to fund this through devolved infrastructure funds, through national programmes and through local funding.
20. The Combined Authority will work with Government and its agencies to co-invest in new homes, unlock barriers to growth, and plan and prioritise investment in

associated infrastructure (including transport, schools and healthcare).

21. All planning authorities in Norfolk and Suffolk commit to have adopted or published Local Plans by 2017 which reflect overall assessments of housing need.
22. Government will ringfence £100 million of capital grant (out to 20/21) for Norfolk and Suffolk to deliver an ambitious target of new homes in line with national targets. This will primarily be to deliver Shared Ownership, but Norfolk and Suffolk will have flexibility over 15% of the funding to achieve the right tenure mix for the area. This 15% could include rental products as well as affordable homeownership. Norfolk and Suffolk will need to agree specific proposals for all of these funds with the Government to ensure value for money and sufficient housing outputs. Norfolk and Suffolk will be free to recycle receipts from any resulting sales to reinvest in new housing. The fund would be subject to a business case, targeted at areas with the most significant affordability challenges, and would be delivered in line with the single pot assurance framework guidance and via section 31 grant agreement.
23. Subject to the Housing and Planning Bill, local authorities in Norfolk and Suffolk will by agreement with the Secretary of State retain a proportion of the receipts from the sale of high value assets to fund additional homes. The proportion will be agreed with the Secretary of State for Communities and Local Government.
24. The Mayor will exercise strategic planning powers to support and accelerate these ambitions. These will include the power to:
 - a. Create a non-statutory spatial framework, which will act as the framework for planning across the Combined Authority area, and for the future development of Local Plans. The spatial framework will need to be approved by unanimous vote of the members appointed by constituent councils of the Norfolk and Suffolk mayoral Combined Authority. This approach must not delay the production of Local Plans.
 - b. Create non-statutory supplementary planning documents subject to the approval process above.
 - c. Be consulted on planning applications of strategic importance in the Combined Authority area.
 - d. Create Mayoral Development Corporations or similar delivery vehicles, with planning and land assembly powers, which will support delivery of strategic sites in the Combined Authority area. This power will be exercised with the consent of the cabinet member in which the development corporation is to be used.
25. To support delivery of these commitments the Combined Authority and Government agree to:
 - a. Establish a Joint Investment and Assets Board to review all land and property (including surplus property and land) held by the public sector (including central Government departments, Local Authorities, the NHS, HCA and MoD land), building on the success of the One Public Estate Programme and to work together to invest in our strategic infrastructure priorities. The Board will

include senior representatives from Government. Only assets which are agreed by local authorities and other members will be in scope for review.

- b. The Board will ensure there is a sufficient, balanced supply of readily available sites for commercial and residential development to meet the demands of a growing economy. It will create a Land Commission to develop a comprehensive database of available public and private sector land (prioritising large sites), identify barriers to its disposal/development, and develop solutions to address those barriers to help the Combined Authority meet its housing goals and to unlock more land for employment use.
 - c. Strong partnership to support key large housing sites (1,500 homes +) with brokerage at the local (through Homes and Communities Agency support) and central government level to help resolve barriers, with utility companies, or government agencies, which are holding up the development process. There will be continued discussions to secure longer term frameworks for funding of key sites, subject to the development of a business case, value for money and other funding criteria.
 - d. Work with local areas' ambitions for new housing settlements, including a new settlement in West Norfolk based on garden town principles. Subject to Parliament, the Government intends to strengthen legislation to make it easier to set up new town style vehicles.
 - e. Stronger partnership and strategic decision-making arrangements with the Homes and Communities Agency to ensure that the strategic housing objectives are delivered, and that centrally and locally managed investment is in strategic alignment.
 - f. Support the development of proposals for ambitious reforms in the way that planning services are delivered, and which can enable greater flexibility in the way that fees are set, with a particular focus on proposals which can streamline the process for applicants and accelerate decision making.
 - g. Government will work with the Combined Authority and LEP to support local regeneration by helping the Combined Authority to create a strong portfolio of investment opportunities.
26. Government will support the work of the Ipswich Vision partnership to deliver their ambitions to regenerate the town; supporting town centre redevelopment by improving the retail offer and introducing more leisure, commercial and residential provision and, as a significant economic lever, Government will consider the Combined Authority's development of a business case for the Ipswich Northern Relief Road in the context of any application made by the LEP to the Local Growth Fund. Government will explore opportunities around transport led regeneration in Ipswich and will support improvements to Ipswich's retail offer, diversification of the night time economy and improvements to the public realm by offering Ipswich the opportunity to undertake a Digital High Street pilot and identifying opportunities to fund public realm improvements, such as through the Coastal Communities Fund.

27. Greater Norwich is one of the fastest growing parts of the country and establishing itself as a leader in science, technology and manufacturing. The Combined Authority will work with Government and the Greater Norwich Growth Board to support the delivery of the Broadland, Norwich and South Norfolk Joint Core Strategy. Building on the Greater Norwich City Deal to fulfil the area's economic potential with particular focus on turning world class knowledge and ideas into world class jobs, building on existing opportunities such as: the Norwich Research Park, City Centre digital creative cluster, Norwich International Airport aviation cluster and proposed Food Hub.

THE CONNECTED ECONOMY- TRANSPORT AND DIGITAL

28. Norfolk and Suffolk recognise that to meet and exceed their ambitious targets for growth and wealth creation they need to connect people and places to enable them both physically and digitally, transform into a powerful connected region.

29. The Government commits to engaging with the Mayor and Combined Authority on a number of specific initiatives to improve the physical and digital connections within the area with the ambition of making Norfolk and Suffolk a truly connected region with two principle themes.

- a. Transport and the physical connections between communities, which is the key to unlocking sustainable growth
- b. Digital infrastructure and the connected economy with the objective of becoming a truly digitally connected region of the UK.

30. A new, directly elected Mayor of the proposed Norfolk and Suffolk Combined Authority will:

- a. Take responsibility for a devolved and consolidated multi-year local transport budget for the area of the Combined Authority (i.e. the areas of the constituent councils). This will form part of the single pot to be controlled by the directly elected Mayor. Functions will be devolved to the proposed Combined Authority accordingly, to be exercised by the Mayor. The devolved budget will not form part of the Investment fund's gateway reviews.
- b. Take responsibility for a new Key Route Network of local authority roads; the management and maintenance of which will be undertaken by the proposed Combined Authority on behalf of the Mayor. To support this all relevant local roads maintenance funding will be devolved as part of the Mayor's consolidated multi-year local transport budget. This will support the delivery of a single asset management plan, working towards shared procurement frameworks and operational delivery for road maintenance amongst all partners across the Key Route Network and local authority network in the Combined Authority area.
- c. Have the ability to franchise bus services in the region, subject to necessary legislation and local consultation and agreement. This will be enabled through a specific Buses Bill which will provide for the necessary functions to be devolved. This will support the Combined Authority's ambitions in delivering a high

quality bus network and in enhancing the local bus offer, although the Combined Authority will also be exploring the use of an 'Enhanced Partnership' model for local bus services in the constituent local authorities subject to local consultation. This includes the delivery of smart and integrated ticketing, local branding and provision of minimum standards across the network.

31. In addition and as part of the deal:

- a. In order to meet the needs of local communities, the Combined Authority seeks to adopt an integrated approach to local buses, community based transport, the local network of car clubs and, in partnership with rail operators and Network Rail, rail services.
- b. The Combined Authority will build on existing smart ticketing knowledge and expertise developed locally through schemes including the Managed Service Smart Ticketing Pilot in Norfolk, funded by the Department for Transport and the Endeavour Card funded and delivered by Suffolk County Council to determine the best method for a smart and integrated ticketing system across its area.
- c. In establishing the Combined Authority, appropriate local transport functions will be conferred to the Combined Authority and exercised by the Mayor. In addition, a single policy and delivery body will be created covering the same area in order to determine, manage and deliver the Mayor's transport plans and the delivery of integrated public transport networks for the region.

32. Norfolk and Suffolk will work with local partners to consider how best to establish a Sub-national Transport Body (STB) to ensure that Norfolk and Suffolk and its neighbouring areas, notably Cambridgeshire, Peterborough, Lincolnshire, Northamptonshire, Rutland, Essex, Hertfordshire, Bedfordshire and the Cambridge-to-Oxford arc, can best work together to influence strategic national transport investment. This includes making the case for East-West Rail, in line with the STBs being progressed in other parts of the country, such as Transport for the North (TfN) and Midlands Connect. It could also accelerate and support local partners in making the case to reopen Soham Railway Station and for double tracking and for reinstating the loop known as the Newmarket Curve, in the context of a potential bid to the Local Growth Fund. The Government recognises that Ely North Junction area capacity improvements provide a key opportunity to open up East Anglia and deliver significant economic value and improve connectivity. Government will work with local stakeholders and Network Rail to deliver the required upgrade commencing work in Control Period 6 (2019-24).

33. The Government reaffirms commitment to help unlock the £4.5bn economic benefits and 50,000 new jobs from rail improvements, identified by the work of the Great Eastern Main Line Taskforce. This includes replacement rolling stock as part of the new East Anglia franchise and infrastructure upgrades. The Government will also continue to assist the West Anglia Main Line Task Force as it develops a business case for improving the rail corridor between Kings Lynn and London Kings Cross via Cambridge.

34. The Combined Authority recognises the significance of the dualling of the A47

including Acle Straight and the third river crossing for Great Yarmouth. Government has received a bid for development funding for the Great Yarmouth crossing scheme and will give full consideration to the bid and proposed timetable for delivery.

FLOOD DEFENCE AND COASTAL MANAGEMENT

35. Government recognises that Norfolk and Suffolk are subject to significant strategic and local flood risk. To manage and mitigate these risks the Combined Authority will work with Government and relevant bodies to create a fully integrated approach to flood and coastal risk management. This is required in order to secure timely decisions and funding that maximise our ability to reduce risk and to deliver additional economic growth. This will be achieved through:
- a. Alignment of investment plans in using resources to unlock new business development opportunities and attract additional funding including private contributions, whilst maintaining and, where possible, enhancing national and local commitments to protect people, property and land from flooding
 - b. Pre-emptive action to deliver solutions to reduce risk and increase resilience during severe weather events, preventing blight and increasing economic confidence
 - c. A consistent approach to assessing flood and coastal risk, benefits across schemes and maintenance plans to maximise economic and social impact
 - d. Simplification and alignment of funding mechanisms in order to make processes transparent, locally accountable, efficient and deliver targeted local investment needs
 - e. Integrating local understanding of needs and benefits into the flood and coastal erosion risk management economic assessment approach
36. Following the scoping report currently underway, the government will work with local partners in Bacton and Walcott, which will help protect local communities from coastal erosion. The Environment Agency will contribute £1.8m towards the cost of a project to better protect Bacton and Walcott, and will keep this further investment under review alongside other partners including the LEP. At the same time the EA will continue to work with the terminal operators and local partners to develop the scheme and help secure the additional contributions required.

LEARNING AND SKILLS

37. To ensure continued collaboration the Combined Authority will, with the Regional Schools Commissioner and other key local education stakeholders establish an Education Committee. The Regional Schools Commissioner will work with the committee to provide strategic direction on education across the Combined Authority area.
38. The Government commits to an Area Review of post-16 education and training,

currently expected to start in November 2016, excluding Great Yarmouth and Lowestoft where a Review has already been conducted during 2015. As part of the Area Based Reviews, the Combined Authority will gather data to feed into the development of a potential proposal for an Institute of Technology (IoT) for regionally significant sectors, and will discuss with Government the extent to which this meets the criteria which are being developed for IoTs nationally. The outcome of the Area Review will be taken forward in line with the principles of the devolved arrangements. The review will include all post-16 education and training provision in the initial scoping phase and school sixth forms will be included in the detailed review if the school decides to be involved in the process. Recommendations will be focused on General FE and Sixth Form Colleges, however the Regional School Commissioner and the relevant local authorities will consider any specific issues arising from the reviews for school sixth form provision.

39. Government recognises the progress the LEP, local colleges and providers and the private sector have made in improving skills provision across Norfolk and Suffolk. The New Anglia Employment and Skills Board will consider if further refinement of their local skills strategies will be required after the conclusion of the Area Reviews to ensure that post-16 providers are delivering the skills that local employers require. It is expected that the LEP Skills Board will continue to collaborate with colleges and providers, with appropriate support from the Education Funding Agency to work towards delivering this plan.
40. The Government will enable local commissioning of outcomes to be achieved from 19+ Adult Education Budget starting in academic year 17/18; and will fully devolve budgets to the Combined Authority from academic year 2018/19 (subject to readiness conditions). These arrangements will not cover apprenticeships.
41. The Combined Authority will focus a greater proportion of its devolved Adult Education Budget on learning that delivers sustained job outcomes, productivity and economic growth.
42. Devolution will proceed in two stages, across the next three academic years:
 - a. Starting now the Norfolk and Suffolk Combined Authority will begin to prepare for local commissioning. For the 2017/18 academic year, and following the area review, government will work with The Norfolk and Suffolk Combined Authority to vary the block grant allocations made to providers, within an agreed framework.
 - b. From 2018/19, there will be full devolution of funding. The Norfolk and Suffolk Combined Authority will be responsible for allocations to providers and the outcomes to be achieved, consistent with statutory entitlements. Government will not seek to second guess these decisions, but it will set proportionate requirements about outcome information to be collected in order to allow students to make informed choices. A funding formula for calculating the size of the grant to local/combined authorities will need to take into account a range of demographic, educational and labour market factors; it will also need to take account of costs of implementing devolution and continuing operational expenditure.

43. The readiness conditions for full devolution are that:
- a. Parliament has legislated to enable transfer to local authorities of the current statutory duties on the Secretary of State to secure appropriate facilities for further education for adults from this budget and for provision to be free in certain circumstances.
 - b. Completion of the Area Review process leading to a sustainable provider base.
 - c. After Area Reviews are completed, agreed arrangements are in place between central government and the Combined Authority to ensure that devolved funding decisions take account of the need to maintain a sustainable and financially viable 16+ provider base.
 - d. Clear principles and arrangements have been agreed between central government and the Combined Authority for sharing financial risk and managing failure of 16+ providers, reflecting the balance of devolved and national interest and protecting the taxpayer from unnecessary expenditure and liabilities.
 - e. Learner protection and minimum standards arrangements are in agreed.
 - f. Funding and provider management arrangements, including securing financial assurance, are agreed in a way that minimises costs and maximises consistency and transparency.
44. Government recognises that Norfolk and Suffolk have a wealth of higher education strengths such as the University of East Anglia, University Campus Suffolk and Norwich University of the Arts. This higher education offer has a vital role in enhancing the innovation and productivity of the area's economy. Local partners want to work with Government to build on this, including local investment in the institutions to develop their academic and research offer, such as, University Campus Suffolk which has obtained independent university status and will become the University of Suffolk in August 2016. Other proposals include plans in Ipswich by BT, Cambridge University and University Campus Suffolk focused on future developments in ICT and the Internet of Things.

APPRENTICESHIPS

45. Government recognises Norfolk and Suffolk's commitment to delivering more apprenticeships. The Norfolk and Suffolk Combined Authority will assume responsibility for the Apprenticeship Grant for Employers (AGE). The AGE funding must be used alongside mainstream apprenticeship participation funding to incentivise employers to offer apprenticeships, but The Norfolk and Suffolk Combined Authority is free to vary the criteria associated with the grant (e.g. size and sector of business) to meet local needs. The Skills Funding Agency will work with The Norfolk and Suffolk Combined Authority to identify an appropriate share.
46. The Norfolk and Suffolk Combined Authority and the government will collaborate to maximise the opportunities presented by the introduction of the apprenticeship

reforms, including the levy, and to work together on promoting the benefits of apprenticeships to employers in order to engage more small businesses in the apprenticeship programme. The Combined Authority will explore the potential of introducing an Apprenticeship Training Agency to the area, funded through local resources.

EMPLOYMENT

47. The Combined Authorities of Cambridgeshire and Peterborough and Norfolk and Suffolk will work together in jointly delivering the following commitments with Government, through a single Employment and Skills board covering both of the Combined Authorities.
48. The Combined Authorities will work with the Department for Work and Pensions (DWP) to establish a locally integrated employment service which joins together the elements of the employment system to achieve better outcomes. This includes:
49. The Combined Authorities commit to working with Government to ensure all young people are either earning or learning including supporting Jobcentre Plus in the delivery of the Youth Obligation from April 2017.
50. Government commits to ensuring all young people are either earning or learning and to exploring opportunities for links with local employment services to support this aim, including building in good practice from the present local MyGo service and other local provision. The Combined Authorities commits to supporting the Youth Obligation by utilising its strong local links to business to create work-related training and labour market opportunities for young people including encouraging the provision of apprenticeships and work placements in the local community. It will also work with Government to investigate the potential for social investment, in particular Social Impact Bonds, for disadvantaged young people not in education, employment or training who may not be in receipt of support from Jobcentre Plus.
51. The Combined Authorities will work with DWP to co-design the new National Work and Health Programme designed to focus on those with a health condition or disability and the very long term unemployed.
52. The respective roles of DWP and the Combined Authorities in the co-design will include:
 - a. DWP sets the funding envelope, the Combined Authorities can top up if they wish to, but are not required to.
 - b. The Combined Authorities will set out how they will join up local public services in order to improve outcomes for this group, particularly how they will work with the Clinical Commissioning Groups/third sector to enable timely health-based support. There will be a particular focus on ensuring the integration of the new programme with local services, in order to ensure that national and local provision works well together, and opportunities for greater integration are identified and levered.

- c. DWP set the high-level performance framework and will ensure the support appropriately reflects labour market issues. The primary outcomes will be to reduce unemployment and move people into sustained employment. The Combined Authorities will have some flexibility to determine specific local outcomes that reflect local labour market priorities, these outcomes should be complementary to the ultimate employment outcome. In determining the local outcome(s) the Combined Authorities should work with DWP to take account of the labour market evidence base and articulate how the additional outcome(s) will fit within the wider strategic and economic context and deliver value for money.
 - d. Before delivery commences, DWP and the Combined Authorities will set out an agreement covering the respective roles of each party in the delivery and monitoring of the support, including a mechanism by which each party can raise and resolve any concern that arise.
 - e. DWP to facilitate protocols for data sharing and transparency by tackling some of the obstacles and developing solutions to enable the Combined Authorities to develop a strategic needs assessment for the area.
53. The Combined Authorities will co-commission the Work and Health programme with DWP. The respective roles of DWP and the Combined Authorities will include:
- a. DWP sets the contracting arrangements, including contract package areas, but should consider any proposals from the Combined Authorities on contract package area geography.
 - b. The Combined Authorities will be involved in tender evaluation.
 - c. Providers will be solely accountable to DWP, but DWP and the Combined Authorities' above-mentioned agreement will include a mechanism by which the Combined Authorities can escalate to DWP any concerns about provider performance/breaching local agreements and require DWP to take formal contract action where appropriate.

Further activity to Improve Life Chances

54. The Combined Authorities will set out how they will join up local public services across health, skills and employment in order to improve outcomes, particularly how they will work with local Clinical Commissioning Groups/third sector organisations and NHS England / the Health and Work Unit nationally to enable timely health-based support.
55. DWP will work with the Combined Authorities and other partners to put in place workable data sharing arrangements which enable the integration of services and reduce duplication in order to support more people into work.

Career and pay progression

56. The Government will work with the Combined Authorities to ensure that local priorities are fed into the provision of career advice, through direct involvement and collaboration with the government in the design of local careers and enterprise provision for all ages, including continued collaboration with the Careers and Enterprise Company and the National Careers Service.
57. The Combined Authorities will develop a business case for an innovative pilot to support career and pay progression for those claiming Universal Credit. The business case will set out the evidence to support the proposed pilot, cost and benefits and robust evaluation plans to enable the proposal to be taken forward, subject to Ministerial approval and an agreed investment plan.

BUSINESS SUPPORT

58. Government will participate in and support the work of Norfolk and Suffolk's Productivity Commission as a National Pilot Project to improve the productivity of the local economy by:
- a. Examining the productivity challenges facing local key sectors and the definition of productivity in each sector
 - b. Examining best practice locally, nationally and globally, at tackling these challenges
 - c. Building on the government's 10-point plan for rural productivity
 - d. Assessing how central and local policies are assisting with the productivity challenges and how they can be made to work better
 - e. Developing a Productivity Plan bringing together best practice and policy recommendations
 - f. Overseeing implementation of the plan and evaluate its impact
 - g. Making available findings and actions for roll-out in other parts of the country
59. Norfolk and Suffolk's Productivity Commission will be chaired by a senior business figure, co-ordinated by the LEP, funded by local partners and able to capitalise on business-led sector group structures established by the LEP.
60. Local partners will successfully deliver the New Anglia Enterprise Zones and the extension to the Great Yarmouth and Lowestoft Enterprise Zone as announced on 25 November following the 2015 application round. DCLG will agree with the LEP memoranda of understanding about the high level management and delivery of both the new EZs and the extension. Government commits to supporting local partners in promoting and supporting the delivery of the Enterprise Zones as well as considering any further proposals subject to future funding rounds.

61. The LEP will continue to deliver strong Growth Hubs, providing business support tailored to meet local needs across Norfolk and Suffolk. Government will provide funding to help embed the Growth Hubs in 2016/17 and 2017/18.
62. The Combined Authority, Local Authorities and LEP commit to greater alignment of economic development resources to maximise impact of support for businesses and ensure the most efficient and effective use of public funding. This will include agreeing joint objectives to support the delivery of the Strategic Economic Plans and local plans and explore the pooling of staffing and resources.
63. Government recognises the work of the New Anglia Oil and Gas Task Force, established to support the businesses and employees who are being affected by the recent downturn in the oil and gas sector. The New Anglia Task Force will provide intelligence on the state of the local sector to Government's Inter Ministerial Group, to help shape national policy to support for the sector. Government will engage with the Task Force to ensure that UK Oil and Gas workforce plan which is currently under development aligns with and enhances measures being taken locally.
64. New Anglia LEP and the Combined Authority commit to working with UKTI, strengthen joint working to increase inward investment and exporting. Local partners will invest in a concerted campaign to help more businesses, particularly smaller companies, export.
65. New Anglia LEP, the Growth Hubs and Local Authorities will work with Government to develop a strategic approach to regulatory delivery, building on the Better Business for All national programme which will remove regulatory barriers to growth for businesses.
66. Government supports the vision for innovation set out by Norfolk and Suffolk and recognises the importance of the delivery of this vision for the region's future economic growth. The government will offer Norfolk and Suffolk expert advice and support through the Smart Specialisation Advisory Hub, and associated workshops, to support activities part-funded by the European Regional Development Fund. Government also recognises Norwich's growing capability in the area of food and health research, as evidence by the announcement of the Quadram Institute in Budget 2016, and would be interested in the area's views on how Norfolk and Suffolk can capitalise on this strength.

HEALTH AND SOCIAL CARE

67. Norfolk and Suffolk face significant demographic challenges that are putting pressure on resources now and in future years. For example, the population of the area contains more residents over the age of 75 than the average for England and this group is expected to continue to grow significantly.
68. Local progress has already been made towards greater integration of health and social care in Norfolk and Suffolk where they have developed local integrated services that support and improve the delivery of health and social care for people

in their areas.

69. There is appetite to build on these foundations and make further progress on health and social care integration in order to deliver the Spending Review commitment to integrate health and social care by 2020, and to make the most efficient and effective use of public resources to meet the demographic challenges that lie ahead. Integrating such complex services will require re-shaping the whole system, which can only be achieved through careful planning, a shared vision and strong co-operation between local partners. This Devolution Deal signals a commitment to take forward the goal of improving local services and building resilience for future generations.
70. To deliver this shared vision, partnerships between local authorities, clinical commissioning groups, service providers and other local partners will need to be strengthened significantly. Therefore, these parties will work together, with support from Government, NHS England and other national partners as appropriate, to support each of the counties through their Sustainability and Transformation Planning process to set out plans for moving progressively towards integration of health and social care, bringing together local health and social care resources to improve outcomes for residents and reduce pressure on Accident and Emergency and avoidable hospital admissions.
71. NHS England and local organisations will remain accountable for meeting the full range of their statutory duties.

PUBLIC SERVICE REFORM

72. The Government and the Combined Authority will work with relevant central and local statutory and non-statutory sector partners to explore innovative and integrated approaches to redesigning sustainable public services across Norfolk and Suffolk with a focus on prevention and early help.

THE NORFOLK AND SUFFOLK COMBINED AUTHORITY COMMITMENTS

73. The Combined Authority is accountable to local people for the successful implementation of the Devolution Deal; consequently, HM Government expects the Combined Authority to monitor and evaluate their Deal in order to demonstrate and report on progress. The Cities and Local Growth Unit will work with the shadow / proposed Combined Authority to agree a locally resourced monitoring and evaluation framework that meets local needs and helps to support future learning. This framework must be approved to the DCLG Accounting Officer prior to delivery.
74. The Combined Authority will be required to evaluate the additional £25 million per annum of funding for 30 years, which will form part of and capitalise the Combined Authority single pot. The £25 million per annum fund will be subject to:
- a. Gateway assessments for the £25 million per annum scheme, including the supplementary £30 million in the first five year period, ring fenced for (and split equally between) Norwich City and Ipswich Borough.. The Combined Authority and Government will jointly commission an independent assessment of the economic

benefits and economic impact of the investments made under the scheme, including whether the projects have been delivered on time and to budget. This assessment will be funded by the Combined Authority, but agreed at the outset with Government, and will take place every five years. Subsequent five year tranches of funding will be unlocked if Government is satisfied that independent assessments demonstrate that the investments have met the objectives and contributed to national growth;

- b. The gateway assessment should be consistent with the HM Treasury Green Book, which sets out the framework for evaluation of all policies and programmes, and where relevant with the more detailed transport cost-benefit analysis guidance issued by the Department for Transport (DfT). The assessment should also take into account the latest developments in economic evaluation methodology; and
- c. The government would expect the assessment to show the activity funded through the scheme represents better value for money than comparable projects, defined in terms of a Benefit to Cost ratio.

75. The Combined Authority will write a single local assurance framework for the Single Pot, based on guidance produced by DCLG, to outline decision-making processes to allocate funding, and project appraisal. This local assurance framework will be signed off by the Government.

76. The constituent local authorities of the proposed Combined Authority, and the Combined Authority when formed, will work with government to develop a full implementation plan, covering each policy agreed in this Deal, to be completed ahead of implementation. This plan will include the timing and proposed approach for monitoring and evaluation of each policy which will take into account the latest developments in economic evaluation methodology and help supports future learning. This implementation plan must be approved by the DCLG Accounting Officer prior to delivery.

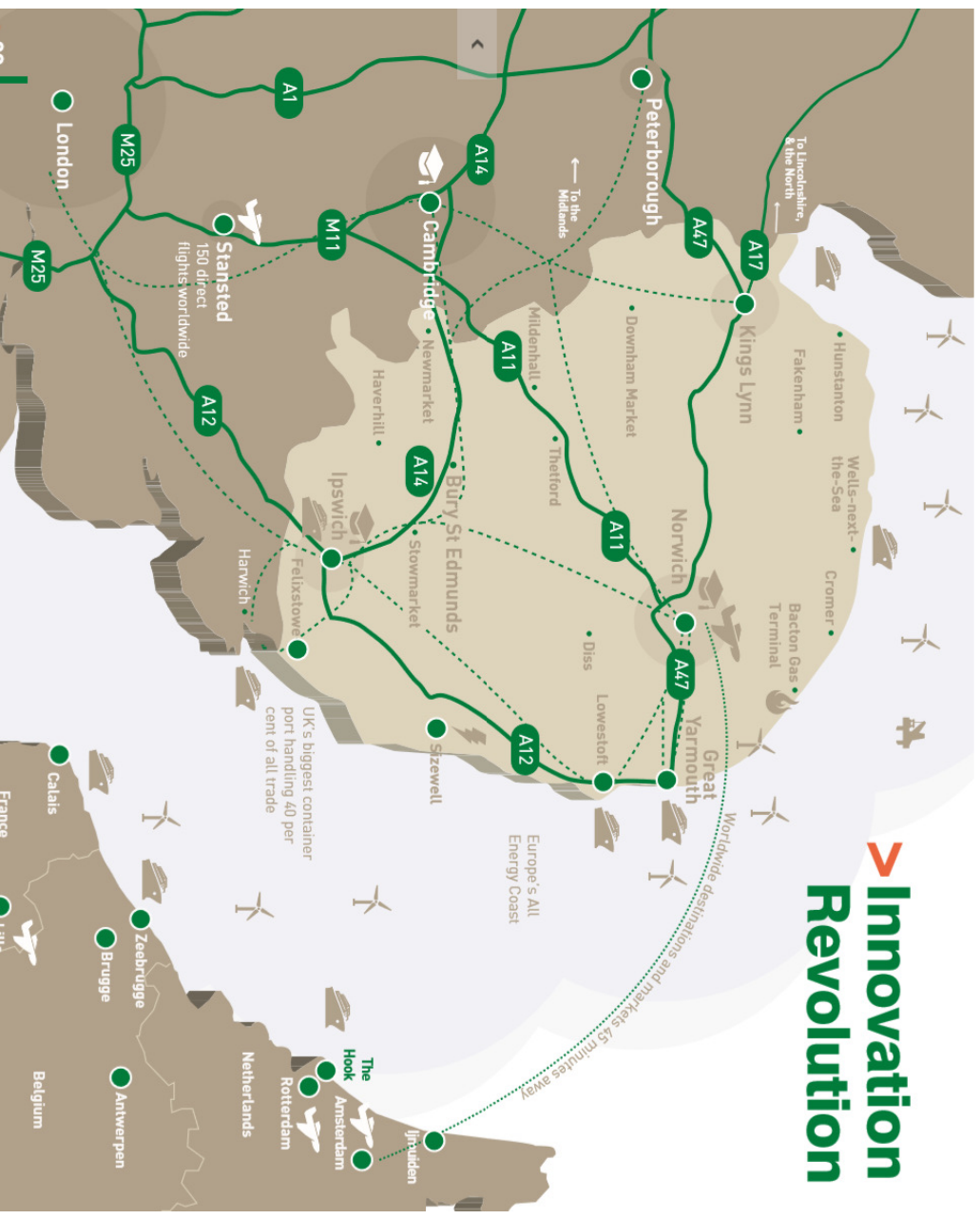
77. The Combined Authority and government will agree a process to manage local financial risk relevant to these proposals and will jointly develop written agreements on every devolved power or fund to agree accountability between local and national bodies on the basis of the principles set out in this document.

78. The Combined Authority will continue to set out their proposals to HM Government for how local resources and funding will be pooled across the region.

79. The Combined Authority will agree overall borrowing and capitalisation limits with the Government and have formal agreement to engage on forecasting. The Combined Authority will also provide information, explanation and assistance to the Office for Budget Responsibility where such information would assist in meeting their duty to produce economic and fiscal forecasts for the UK economy.

80. The Combined Authority will continue to progress programmes of transformation amongst authorities to streamline back office functions and share more services and data, including on assets and property.

81. The Combined Authority will continue to adhere to its duties under section 149 Equality Act 2010 for both existing and newly devolved responsibilities.
82. The government will support the constituent members of the proposed Combined Authority by leveraging existing monitoring and evaluation frameworks and, where applicable, by providing assistance to ensure consistency and coordination of metrics and methodologies with other areas receiving a devolution agreement. As part of this commitment, government will work with the constituent members of the proposed Combined Authority to explore options for the coordinated application of high quality impact evaluation methods in relation to certain policies, which may include: i) local commissioning of 19+ skills; and ii) employment support.



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Executive Summary

In accordance with the statutory framework, the purpose of this Governance Review has been to:

- review the exercise of statutory functions in relation to the review area with a view to deciding whether to prepare and publish a scheme under section 108 of the Local Government, Economic Development and Construction Act 2009 and section 6 of the Cities and Local Government Devolution Act 2016
- consider the options available for making changes to existing governance structures and arrangements with a view to improving the exercise of statutory functions
- determine which option is likely to be most beneficial to the area of Norfolk and Suffolk as well as strengthening the overall governance arrangements and delivery of statutory functions

In doing so, the Review has also taken into account the following local priorities:

- The most effective way to deliver economic growth and public service reform through functions such as: transport, infrastructure, spatial planning
- What constitutes functional economic market areas
- Accountability
- Enabling effective joint working between existing statutory and non-statutory bodies
- The principle that decisions should be taken closest to the level where they will have most impact (subsidiarity)

The review has operated on the principle that devolution is not about taking away powers from constituent councils, but about drawing down powers from central government or government agencies. Norfolk and Suffolk recognise and have agreed to the double devolution of powers to local areas working with the Mayor and Combined Authority to take responsibility and accountability for delivery in their own areas to align with the regional strategic ambition. This will ensure that local need is reflected in the delivery of the strategic decisions.

The Governance Review has found that Norfolk and Suffolk function as an integrated economic area. There is significant connectivity across Councils in the area as well as strong relationships with neighbouring areas, particularly Cambridgeshire. Strong collaboration is not only a feature of local government but also evident in the NHS's Sustainability and Transformation Plans. Key economic sectors within and beyond the area have encouraged successful economic join up between the two Local Enterprise Partnerships.

There is a shared ambition across Norfolk and Suffolk to drive growth which is already being demonstrated through successful joint working on: the Growth Deals, City Deals and Enterprise Zones. However, the case for change is compelling:

- Existing arrangements are fragmented and not fit for driving forward Norfolk and Suffolk's shared ambition to: generate growth, fulfil its global economic potential, integrate public services and deliver the best for local people
- Norfolk and Suffolk's commitment to unlocking growth and housing and invest in infrastructure needs greater devolved powers and funding, which requires formal robust and accountable joint decision making

- Robust strategic governance is needed to drive public service reform, deliver more integrated services and re-set the relationship between central and local government paving the way for future devolution deals
- Creating a single strategic voice and champion for Norfolk and Suffolk would enable strategic join up supported by appropriate local delivery

The review highlights that Norfolk and Suffolk is a functional economic area based on key sectors; commuting patterns; housing migration and industry. It highlights the area's significance in connecting the east to key economic hubs in the UK through vital growth corridors. However, it is also clear that there are flows across that boundary (particularly to Cambridgeshire and Essex) and economic clusters within it.

The conclusion of this Governance Review is to recommend that the functional economic area of Norfolk and Suffolk will be best served by the establishment of a Mayoral Combined Authority.

Combining strategic strength and coherence with connections to local functional economies, this model will improve the exercise of statutory functions but more importantly provide robust but flexible integrated and locally accountable decision making.

This model of governance also provides a mechanism for the transfer of significant resources and powers from central government to the region including for infrastructure, housing, economic development, and employment and skills. This will positively impact on the lives of residents by helping create more jobs, improving the skills and employment prospects of residents and boosting productivity across Norfolk and Suffolk

DRAFT GOVERNANCE REVIEW for NORFOLK and SUFFOLK

1. Introduction

1.1 Local Context:

1. Norfolk and Suffolk share a unique geography and a mix of urban, rural and coastal communities – close to but very distinct from London with a firm focus beyond our borders both within the UK and internationally, with our Europe facing world class energy coastline and the UK's largest container port.
2. With a population of around 1.6 million, Norfolk and Suffolk represent a £32 billion economy and one of the fastest growing areas of the UK. We also have the potential to grow our economy faster, with strengths in key sectors such as: agri-tech, food and health, energy and the digital economy. Our strengths are diverse and powerful including:
 - National hubs for key business sectors that need to be nurtured to become magnets for global inward investment such as:
 - An all-energy coast at the centre of the world's largest market for offshore wind that is worth about £994 million per annum
 - Globally-leading research in life sciences worth £1.3 billion across Norfolk and Suffolk
 - agri-tech – a fast growing sector with huge commercial potential worth £2.2 billion GVA per annum almost 10% of Norfolk-Suffolk GVA
 - Pioneering technical innovations in ICT research and development worth £1.3 billion with 1,400 companies employing around 10,300 people
 - Felixstowe - the UK's busiest container port
 - A fast-growing creative digital sector, recently recognised by Tech City UK
 - Market-leading food and drink producers
 - Our first-class cultural heritage mean tourism is worth £4.6bn annually across Norfolk and Suffolk
 - the A11 corridor from Norwich to Cambridge – a world class destination for advanced manufacturing with already more than 100 automotive engineering and related advanced manufacturing companies in growing clusters
 - the quality of place to attract significant inward investment
3. We are determined to exploit our strengths to increase our contribution to UK growth and establish our position as a global leader in the 3rd industrial revolution with a unique contribution to:
 - feed the world's population through our expertise and cutting edge agri-tech sector;
 - City Deals for Norwich and Ipswich that are pioneering successful approaches to increase productivity, reduce welfare dependency and deliver the Government's 'Youth Pledge' to support young people into employment such as Norwich for Jobs and MyGo in Ipswich
 - The Great Yarmouth and Lowestoft and 'Space to Innovate' Enterprise Zones across Norfolk and Suffolk
 - An innovative, collaborative and mature public sector that is willing to be bold in transforming public services
 - A wealth of local assets including our communities themselves and partners beyond the public sector such as, business and the VCS

- help the world connect, building on our established leadership of and track record in research and innovation in technology; and
 - ensure sustainable global energy supply through the exploitation of our natural assets and a leadership role in the country's energy future.
4. Connectivity is critical to delivering this ambition. There is clear recognition that there are significant areas of mutual strategic interest across Norfolk/Suffolk, East Anglia and beyond but also that delivery should be at the appropriate local geographies, based on functional economic areas. That is how we will deliver our ambition; increase productivity and economic growth; build more housing to meet local needs and deliver the infrastructure needed to improve connectivity.
 5. Our shared assets and distinct geography mean that we are uniquely placed as a non-metropolitan, eastern area to offer a devolution proposal that will unlock productivity and provide a model of devolved arrangements for other non-metropolitan areas.
 6. Consequently, all councils across Norfolk and Suffolk have agreed to conduct a review of governance arrangements to test whether alternative arrangements would be more suited to delivering their ambition, drive economic growth and public service reform and improve outcomes for local people.

1.2 Governance Review purpose and process:

7. Councils across Norfolk and Suffolk have agreed to conduct a Governance Review in order to improve delivery of the shared ambition for driving economic growth and public service reform in a way that most benefits local people. This Governance Review is therefore, the evidence base for the draft Scheme of Governance that will be considered by councils at the end of June, along with proposals for devolution.

8. The Governance Review will:
 - review the exercise of statutory functions in relation to the review area with a view to deciding whether to prepare and publish a scheme under section 108 of the Local Government, Economic Development and Construction Act 2009 and section 6 of the Cities and Local Government Devolution Act 2016
 - consider the options available for making changes to existing governance structures and arrangements with a view to improving the exercise of statutory functions
 - determine which option is likely to be most beneficial to the Norfolk/Suffolk area and strengthen the overall governance arrangements and exercise of statutory functions.

In addition, to reflect local priorities it will also take into account:

- The most effective way to deliver economic growth and public service reform through functions such as: transport, infrastructure, spatial planning
- What constitutes functional economic market areas
- Accountability
- Enabling effective joint working between existing statutory and non-statutory bodies
- The principle that decisions should be taken closest to the level where they will have most impact (subsidiarity)

9. The Governance Review presented in this report forms part of a statutory process outlined below that is required to establish a Combined Authority. It therefore, considers the following alternative models of governance:
 1. Status quo
 2. Establish an Economic Prosperity Board
 3. Establish a Combined Authority
 4. Establish a Mayoral Combined Authority

10. In considering these governance models, the evidence will also be used to recommend the most logical geography in order to determine whether it would meet the statutory test and “improve the exercise of statutory functions in the area”. The following diagram outlines the process:

Outline Process for Establishing a Combined Authority or Economic Prosperity Board



11. This Governance Review has been commissioned by and will be considered at all councils across Norfolk and Suffolk which are:

Babergh District Council	Breckland District Council	Broadland District Council
Forest Heath District Council	Great Yarmouth Borough Council	Ipswich Borough Council
King’s Lynn and West Norfolk Borough Council	Mid Suffolk District Council	Norfolk County Council
North Norfolk District Council	Norwich City Council	South Norfolk District Council
St Edmundsbury Borough Council	Suffolk Coastal District Council	Suffolk County Council
Waveney District Council		

1.3 Legal Context:

12. This report presents the findings of the governance review conducted in accordance with section 108 of the Local Government, Economic Development and Construction Act 2009 and section 6 of the Cities and Local Government Devolution Act 2016.

13. The Localism Act 2011 contains powers for the Secretary of State to transfer certain powers between authorities (including Combined Authorities) and also to transfer ministerial functions to such authorities. Property, assets and liabilities relating to those functions can also be transferred. Notably, transfers and delegations of additional functions under this legislation can be made at any time and independently from the procedure to create Economic Prosperity Boards (EPBs) or Combined Authorities.

14. As a consequence, the Secretary of State must consider whether governance arrangements would: “**improve the exercise of statutory functions in the area**” before concluding on the preferred governance proposal. The Cities and Local Government Devolution Act 2016 amends section 105 of the 2009 Act so that a Combined Authority’s constitution and functions may include: “*local authority functions generally*”¹ as opposed to the previous focus of economic development and regeneration.

¹ Section 6 (2) Cities and Local Government Devolution Act 2016

2. Norfolk and Suffolk: Opportunities and Challenges – the Case for Change

2.1 Norfolk and Suffolk's Ambition:



15. Norfolk and Suffolk share a unique geography – close to but very distinct from London with a firm focus beyond our borders both within the UK - to Cambridgeshire and Lincolnshire westwards; Essex to our south and internationally, with our Europe facing world class energy coastline and the UK's largest container port. We have a mix of urban, rural and coastal communities, which means a diversity of opportunities and challenges that emphasise the need to tailor to local circumstances – a demographic best suited to devolved arrangements.

16. We have economic scale and clout on a similar scale to City Regions such as Liverpool and Sheffield, with a much faster growing population. We also have the potential to grow our economy faster, with strengths in key sectors such as: agri-tech, food and health, energy and the digital economy.

17. Connectivity is vital to making Norfolk and Suffolk and, more widely, East Anglia the UK's truly Connected Region. To achieve this we need a step change in infrastructure delivery with an integrated approach to planning of road, rail and digital connectivity alongside land for new housing and business.

18. In addition, linking research-based growth in the largest towns with our rural villages through improvements to road & rail infrastructure and using smart ticketing will make it easier for residents to participate fully in the economy across transport modes. We are also working with the Universities and Further Education providers across the area to

drive a programme of co-ordinated Skills and Educational improvement and deliver the Knowledge Based Economy.

19. To maximise its potential, Norfolk and Suffolk need to be better connected. Both as part of East Anglia (with Cambridgeshire and Peterborough) and more widely, it is important to work closely on areas of strategic scale and mutual interest such as transport, infrastructure and skills as there are a number of challenges that we need to improve:
- **Better connectivity:** improving transport and accessibility but also digitally through better and faster broadband and mobile coverage
 - **Improving skills and employability:** so that employers are able to recruit to skilled jobs but also, that local people are helped to fulfil their potential
 - **Improving infrastructure:** to unblock development of housing and employment sites and improve connectivity to secure improved economic growth
 - **Housing:** Providing the right amount and mix of new homes that meet the needs of the whole population
 - **Public Service reform:** taking a place-based approach to public services to create sustainable 21st century public services that offer the best possible outcomes for local people. This is particularly significant given the ageing population and need to prevent and manage down demand for public services.

20. These challenges are compounded by the complex set of governance arrangements that currently exist. For local government alone there are: 14 district/borough/city councils and 2 county councils. In addition the area is served by partnerships; 7 Clinical Commissioning Groups; 2 constabularies and 2 Police and Crime Commissioners and 2 Local Enterprise Partnerships.

2.2 Norfolk and Suffolk's Economy:

21. Norfolk and Suffolk is a diverse and dynamic area including urban, rural and coastal communities with a globally significant economic offer. It connects the Northern Powerhouse, Midlands Engine and England's heartland to: the UK's largest container port in Felixstowe; Europe's largest single site hub of research, training, education and enterprise in health, food and environmental sciences at Norwich Research Park, BT's global research hub at Adastral Park and the all energy coast including development of the world's largest off-shore wind farm and Sizewell nuclear power plant. These world class sites are connected by key growth corridors such as the M11, A11, A47 and A14.

22. Growth sectors account for 37% of total employment in Norfolk and Suffolk combined and 36% of the area's business base. This equates to over 236,916 jobs and 19,988 businesses in growth sectors. There are five high impact sectors across Norfolk and Suffolk that offer the opportunity for rapid growth in absolute terms and productivity. These are sectors in which we already have national or international leadership, link with the Government's Industrial Strategy and would benefit from focused support:
- Advanced Manufacturing and Engineering - employing over 24,500 people in more than 1,000 businesses and is worth £1.5 billion pa in GVA to the New Anglia economy. We have several clusters, including automotive, civil and military aviation and pharmaceuticals
 - Agri-tech (using technology to add value to the agriculture, food and drink sector) - Whereas the UK economy only grew by 4% in GVA terms between 2007 and 2010, food processing grew by 13% and agriculture by 25%
 - Energy - employing around 7,700 people directly in New Anglia, and thousands more indirectly, and is worth about £994 million pa with a GVA per job of £129, 000. We

- have a long standing North Sea oil and gas industry offshore wind; nuclear and several biomass plants providing one of the most complete energy offers in the UK
- ICT/Digital Culture - worth £1.3 billion, with over 1,400 companies employing 10,300 people and GVA of £131,000 per head pa. BT's global research centre based at Adastral Park, has a cluster of other businesses around it, as do our universities – including digital cultural expertise at Norwich University of the Arts.
- Life Sciences - worth £132 million pa and employs over 3,000 people in 200 businesses, with GVA of £122k per head. We have a world class research cluster at Norwich Research Park, with other research and business activity across the area covering everything from humans to horses, fish and plants.

There are also four underpinning sectors which are the largest employers in our economy and which we will continue to support in order to improve their productivity and competitiveness:

- Agriculture and food and drink production employs over 10% of the workforce generating £2.2bn pa GVA.
- Financial and insurance services - contributing £3.1 billion GVA or 13.4% of New Anglia's total and employs almost 21,000 people (3.2% of employment). As well as regional businesses, Norwich and Ipswich host a concentration of national and international insurance companies.
- Ports and logistics - worth £1.3 billion to New Anglia and employs over 23,500 people. The Port of Felixstowe handles 40% of the country's container traffic and its continued expansion needs good transport links. Ipswich is the country's largest port for grain export; Great Yarmouth and Lowestoft and smaller ports serve the North Sea energy sector.
- Tourism and culture - employing about 74,000 people and worth £1.3 billion in GVA to New Anglia.

23. Central to the model of connected growth there are a number of core initiatives for Norfolk and Suffolk:

- A step change in infrastructure delivery with an integrated approach to planning of roads, rail and digital connectivity alongside land for new housing and business;
- the double devolution of powers to local areas working with the Mayor and the Combined Authority to take responsibility and accountability for delivery in their own areas to align with the regional strategic ambition;
- Making Norfolk and Suffolk a truly connected area in respect of communications and transport connections, linking research-based growth in the major towns with even the most rural villages;
- Devising new models of private/public infrastructure and housing funding to fund strategic capital infrastructure; and,
- Working with Universities and Further Education providers in the region to drive a programme of co-ordinated skills and educational improvement to deliver the knowledge based economy.

3. Economic Analysis and Review

3.1 Analysis

24. Given the scale of the geography and ambition shared between Norfolk and Suffolk, it is important to consider where natural geographies exist and, from the evidence, how to define where there are functional economic market areas. Independent analysis was commissioned to help build this evidence base and more detail is contained in appendix A.
25. Three key markets were considered in order to help identify functional economic geographies:
- What is the functional labour market?
Travel to work areas² and commuting flow are used as a proxy.
 - What is the housing market?
Migration patterns are used as a proxy for the housing market
 - What are the industrial clusters?
Location quotients are used to understand areas of economic specialisation.³
26. In addition to analysing travel to work areas (see appendix A), commuting flows for five local authority areas have also been analysed (based around larger towns and cities). They help highlight how the multiple local labour markets work. By considering the self-containment levels and the functional labour market together, it is possible to identify where clustering is already in evidence and where greater policy alignment has the potential to be most effective in driving economic growth.
27. Understanding the scope of the functional labour markets enables policy makers to consider how to improve connectivity and integrated transport, as well as the effective alignment of skills training with economic demand and growth areas.
28. Norfolk and Suffolk compares well to existing Combined Authorities as a contained travel to work area. The analysis reveals a number of distinct functional labour market areas. This suggests that Norfolk and Suffolk is a functional labour market supported by more local economic clusters. Recognising that Travel to Work areas do not precisely match local authority boundaries, identifying Travel to Work Areas, Commuting Patterns and Location Quotients is useful in identifying where to form clusters that reflect the reality of how the majority of residents and businesses lead their lives. Local authorities of Norfolk and Suffolk recognise this and have agreed to the double devolution of powers to local areas enabling alignment with strategic ambition and local responsibility and accountability for delivery.
29. Similar analysis to that undertaken for Travel to Work Areas was mirrored for patterns of internal migration between areas. This examined the volume of individuals that moved home between areas in the year preceding the 2011 Census.
30. The housing and labour markets demonstrate that markets aren't constrained by local authority boundaries – with people commuting from, into or out of Norfolk and Suffolk to further afield for work. The housing market shows people moving into and away from

² The Office for National Statistics defines a travel-to-work area as one where 75% of the resident workforce actually works in the area, and at least 75% of the people who work in the area also live in it. This is known as the self-containment percentage

³ Industrial specialisation was examined using Location Quotients which provide a local measure of geographical concentration of industries. A location quotient of >1 shows a degree of specialisation. A location quotient of 2 suggests there is twice the amount of employees in a sector than we would expect from a GB average.

the area. Once again this highlights the importance of clustering within the Norfolk/Suffolk strategic geography as well as working across boundaries with neighbours especially Cambridgeshire and Essex.

31. Industrial specialisation was examined using Location Quotients which provide a local measure of geographical concentration of industries. A location quotient of > 1 shows a degree of specialisation. A location quotient of 2 suggests there is twice the amount of employees in a sector than we would expect from a GB average. There is evidence of clusters – and there are likely to be supply chain connections.

3.2 Key Findings:

32. Functional labour markets are where the majority of people live and work in the same area - they do not sit neatly on local authority area. However, there are clusters around key towns within Norfolk and Suffolk. Therefore, the economic geography of Norfolk and Suffolk is multi-centred. This looks like a fluid, flexible and very connected labour market, which is a strength and highlights that markets don't stop at local authority borders (particularly those with Cambridgeshire and Essex). These multi-centred clusters define the Norfolk/Suffolk economy.

33. Connections are important to the Norfolk/Suffolk economy with strong connections between east and west as well as north/south. Boundaries exist; however, data demonstrates flows across them. In the three market areas explored these flows exist not only within Norfolk/Suffolk but beyond that geography and include Growth Corridors between Cambridge, Stansted and London.

3.3 Conclusion:

34. In comparison to existing Combined Authorities Norfolk and Suffolk compares favourably as a self-contained Area (at 84% self-containment).

35. Economic geography should inform and be consistent with the decision making processes put in place. Governance will need to be pragmatic and sufficiently flexible to enable the strategic connections across boundaries to be made and maximise opportunities to improve infrastructure, transport and skills in driving economic growth as well as enabling joined up local delivery through clusters and double devolution.

36. The totality of data measuring: labour market, housing market and industrial specialisation, highlights that within Norfolk and Suffolk there are multiple functioning economic areas, which are also supported by significant growth corridors that connect across East Anglia and beyond to the heart of England, the Midland Engine, London and the Northern Powerhouse.

37. Therefore, the evidence suggests that a Combined Authority for Norfolk and Suffolk would be based on multi-centric, functional economic market areas and benefit from joint working with neighbouring counties to ensure connectivity across a wider economic area particularly on areas of strategic scale (such as transport, infrastructure, planning and skills).

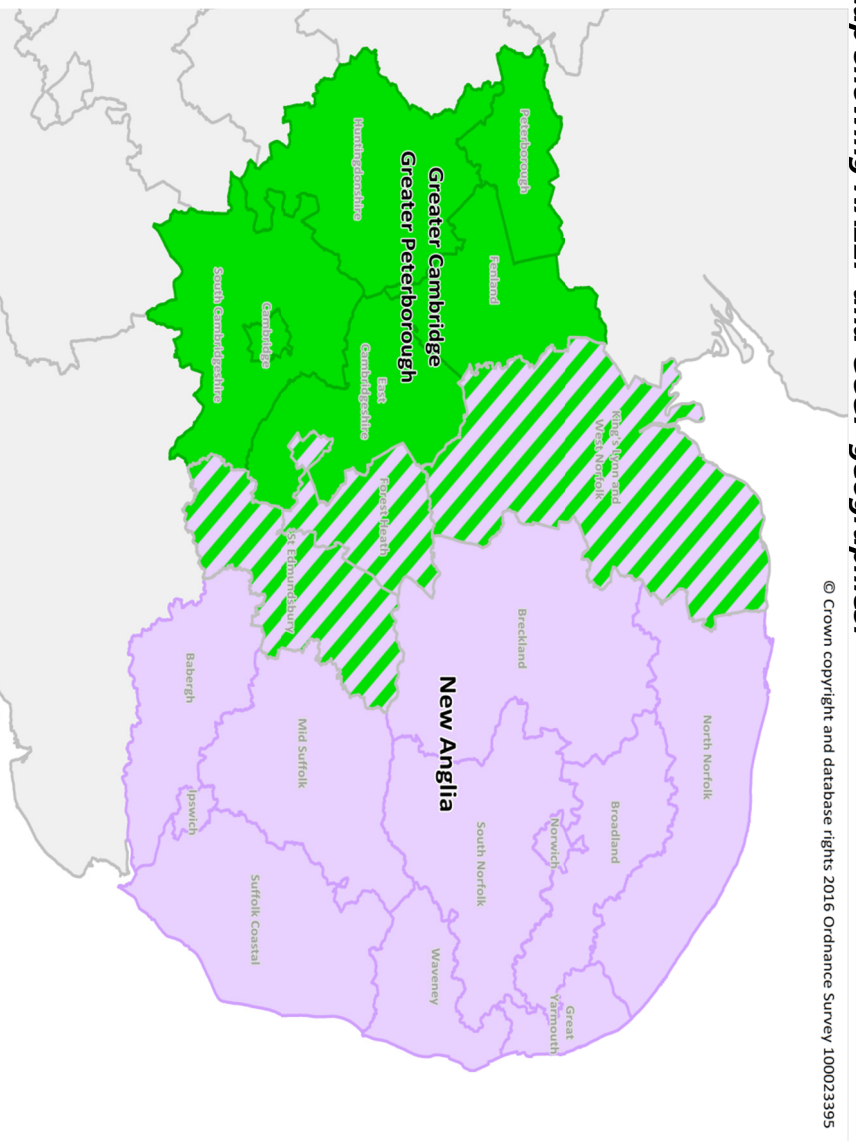
4. Current Governance

4.1 Current Governance for Economic Growth:

38. Norfolk and Suffolk is covered by two local enterprise partnerships (LEPs). New Anglia LEP (NALEP) represents one of the fastest growing regions in the country, with 1.6 million people, around 55,000 businesses and economy of £27.5 billion. Greater Cambridge, Greater Peterborough LEP (GCCGP LEP) covers areas in the west of Norfolk and Suffolk and has a population of 1.3 million people (estimated to grow to 1.5 million by 2031). The GCCGP LEP area has around 60,000 enterprises and generates £30 billion per annum.

39. The LEPs are business-led collaborations between the private, public and education sectors, with the intention to drive economic growth. Both LEPs have successfully secured City Deals (for Cambridge, Norwich and Ipswich) as well as a number of Enterprise Zones and Growth Deal investment. The two LEPs collaborate on a range of projects such as the Eastern Agri-tech programme, Venturefest East and have a joined up approach to investment in their shared area. Mindful of the connectivity across the wider East Anglia geography, the LEPs have a history of working beyond their boundaries in the interests of driving growth.

Map showing NALEP and GCCP geographies:



4.2 Current Governance for Public Services

40. Within Norfolk and Suffolk local authority leaders regularly meet to discuss issues of mutual and strategic interest. These are informal but provide an important forum for Leaders to work together as well as to work with other public sector leaders (for example, Clinical Commissioning Group Chief Officers/Chairman, Police and Crime Commissioners and Chief Constables).

41. In addition Norfolk and Suffolk each have a countywide Health and Wellbeing Board. These are statutory bodies with the duty to encourage integrated working to improve

the health and wellbeing of their local populations. One of the main priorities for integrated health and care working is the development of Sustainability and Transformation Plans (STPs). These are on slightly different 'footprints' to existing Health and Wellbeing Boards, often crossing county boundaries as highlighted in the following map:



4.3 Options Analysis:

42. There are four governance models to consider in analysing what would create the most effective governance, based on: the data; current governance; known challenges and how best to drive economic growth and public service reform and improve outcomes for local people:

1. Status quo
2. Establish an Economic Prosperity Board
3. Establish a Combined Authority without a Mayor
4. Establish a Mayoral Combined Authority

Status quo:

43. This would see continuation of informal collaboration and may enable some cross border working; however, there would be no statutory body able to take decisions over strategic issues for economic growth, such as: transport, infrastructure and skills.

44. Connectivity has been an underpinning driver for Norfolk and Suffolk's approach to devolution and the existing governance is too fragmented and informal (without a decision making mandate) to be able to maximise the opportunities for increasing growth. Nor does it enable more integrated public services through joined up strategic decision making supported by integrated local delivery (enabling the principle of subsidiarity to be delivered).

Establish an Economic Prosperity Board:

45. An Economic Prosperity Board would be a statutory body and share many of the features of a Combined Authority. It would be a basis for taking on devolved powers and funding relating to economic development and regeneration.

46. However, it does not align with the aspiration held across the region to fully exploit the potential to join up across highly interrelated policy areas essential to growth, for

example, economic development/regeneration, infrastructure, strategic spatial planning, transport and skills. It would not provide a vehicle to maximise the opportunities for wider join up across public services and consequently, would not maximise the opportunities afforded by devolution for improving the way public services are currently delivered.

Establish a Combined Authority:

47. Norfolk and Suffolk's existing governance structures whilst productive are too informal and fragmented to deliver the ambition set out in this document and in re-setting the relationship with Government – particularly taking the opportunities presented by greater devolution to local areas.

48. Current governance is not adequate to support a coherent approach to strategic planning that is locally sensitive but able to unlock sites for development and improving connectivity for example, through better roads, rail and digital infrastructure. These benefits would be best realised through the creation of a Combined Authority.

49. The relevant legislation also allows a Combined Authority to take on devolved powers from Government. Therefore, a Combined Authority governance model would ensure long-term, effective engagement with the business and other sectors as well as a stronger local voice in negotiating with Government.

Establish a Mayoral Combined Authority:

50. This provides the same opportunities as outlined above for the merits of establishing a Combined Authority in that more joined up local decision making would be facilitated. However, under the Cities and Local Government Devolution Act 2016 Mayoral Combined Authorities are afforded additional flexibility, providing the opportunity to levy (subject to statutory conditions⁴).

51. It would provide visible, strategic leadership across Norfolk and Suffolk. It also maximises opportunities to negotiate for devolved budgets, powers and responsibilities with Government and therefore, is consistent with the ambition to re-set the relationship with Government.

52. This has been demonstrated in the devolution deals recently negotiated with Combined Authorities that have decided to become Mayoral Combined Authorities, for example, Greater Manchester Combined Authority has secured devolution of significant powers across a range of public services through numerous deals⁵. In that and other Combined Authority devolution deals where the Authority has agreed to adopt a Mayor (eg: Sheffield City Region⁶ and North East Combined Authority⁷) significant powers have been devolved such as: a single pot investment fund; devolved transport budgets, responsibility for franchised bus services and Key Route Networks; powers over strategic planning and adult skills. Government have been clear that without a Mayor any devolution deal would be much smaller in range and value and this would not deliver Norfolk and Suffolk's ambition.

⁴ Section 5 Cities and Local Government Act 2016

⁵ HM Treasury updated report on devolution to Greater Manchester Combined Authority and transition to Mayor (16th March 2016): <https://www.gov.uk/government/publications/devolution-to-the-greater-manchester-combined-authority-and-transition-to-a-directly-elected-mayor>





⁶ Sheffield City Region Devolution Deal (October 2015): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/466616/Sheffield_devolution_deal_October_2015_with_signatures.pdf

⁷ North East Combined Authority Devolution Deal (October 2015): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/466616/Sheffield_devolution_deal_October_2015_with_signatures.pdf

53. A Mayoral Combined Authority provides a stronger voice for the area in championing Norfolk and Suffolk's assets but also in joining up with other areas, for example, if establishing a sub national transport body to enhance the benefits of a connected approach to transport.
54. The additional powers that come with a Mayoral Combined Authority will help to enhance the multi-centred nature of the economies within Norfolk and Suffolk. The economic analysis in section 3 highlighted clustering within the Norfolk/Suffolk area for travel to work and housing migration. As such, the flexibility to be able to establish Mayoral Development Companies would be consistent with this geography and assist in ensuring the coherent strategy is aligned with local delivery. A fuller explanation of how the Mayoral Combined Authority would improve the exercise of statutory functions and particularly the delivery of devolved funding and powers is contained in appendix B.
55. It is acknowledged that establishing a Mayoral Combined Authority would mean a cost. However, the flexibility it brings to negotiate significant devolution of powers and funding from central Government mean that any cost would be far outweighed by the envelope of resource and local flexibilities it would secure.
56. It is intended that the local authority members of the Mayoral Combined Authority will meet its costs as far as possible from existing resources. As such, the statutory officers and support to the Mayoral Combined Authority would be provided by the Constituent Authorities.
57. From existing Combined Authorities that will become Mayoral and have secured a devolution deal, the net added value is significant. For example, Sheffield City Region and the North East secured a single investment pot of £30 million per year for 30 years. This combined with additional powers and flexibility to grow the economy, invest and use different financial mechanisms (e.g. Mayoral Community Infrastructure Levy and borrowing) means the £900 million has the potential to expand. It also means that any set up and running costs of the Combined Authority are significantly overshadowed leaving a net increase in resource available to the local area.

4.4 Summary:

58. The following table provides a summary analysis of governance options for Norfolk and Suffolk:

	Evaluation	Rationale
Status quo		<ul style="list-style-type: none"> • No statutory body able to take decisions over strategic growth issues, such as: transport, infrastructure and skills • doesn't adequately address Connectivity • doesn't maximise opportunity for wider public service reform
Establish an Economic Prosperity Board		<ul style="list-style-type: none"> • Improved but not optimum opportunity to join up decision making • Would not maximise the opportunities afforded by devolution for improving the way public services are currently delivered • Less join up across highly interrelated policy areas essential to growth, egi: regeneration, infrastructure, strategic spatial planning, transport and skills
Establish a Combined Authority without a Mayor		<ul style="list-style-type: none"> • Supports a coherent approach to strategic planning that is locally sensitive but able to unlock sites for development and improving connectivity for example, through better roads, rail and digital infrastructure • Able to take on devolved powers from Government • No additional opportunity to levy • Limited opportunity to negotiate future devolved budgets and powers with Government
Establish a Mayoral Combined Authority		<ul style="list-style-type: none"> • Supports a coherent approach to strategic planning that is locally sensitive but able to unlock sites for development and improving connectivity for example, through better roads, rail and digital infrastructure • Able to take on more devolved powers from Government • Additional flexibility, providing the opportunity to levy • A model that maximises opportunities to negotiate for devolved budgets, powers and responsibilities with Government now and in the future

5. Conclusions

59. The conclusion of this Governance Review is to recommend that the functional economic area of Norfolk and Suffolk will be best served by the establishment of a Mayoral Combined Authority.
60. Combining strategic strength and coherence with connections to local functional economies, this model will improve the exercise of statutory functions but more importantly provide robust but flexible integrated and locally accountable decision making.
61. This model of governance also provides a mechanism for the transfer of significant resources and powers from central government to the region including for infrastructure, housing, economic development, and employment and skills. This will positively impact on the lives of residents by helping create more jobs, improving the skills and employment prospects of residents and boosting productivity across Norfolk and Suffolk.
62. For existing Combined Authorities that have secured a devolution deal and agreed to become Mayoral the net added value is significant (e.g. £30 million for 30 years in Sheffield City Region and the North East). In establishing a Mayoral Combined Authority, Norfolk and Suffolk will be founding the governance that can secure similar sized additional funding and associated powers. Once established, the Mayoral Combined Authority will be well placed to secure future additional devolution of powers and funding (following the example of Greater Manchester) and therefore, achieve its ambition to re-set the relationship with Government, generate economic growth and deliver the best possible outcomes for local people and places.
63. It offers the connectivity that is vital in underpinning the global opportunities presented by Norfolk and Suffolk's unique economic offer. It also firmly connects local people and places to the opportunities for economic and public service reform as well as building leadership of place through individual and community resilience and ensuring Norfolk and Suffolk fulfils its potential as a global economic power.
64. The local authorities of Norfolk and Suffolk recognise and have agreed to the double devolution of powers to local areas working with the Mayor and Combined Authority to take responsibility and accountability for delivery in their own areas to align with the regional strategic ambition. This will ensure that local need is reflected in the delivery of the strategic decisions.
65. It is important that the delivery of functions exercisable by the Mayor and/or Combined Authority happens at the appropriate local geographies primarily based on functional economic areas and travel to work areas. There are already successful models working in this way, such as the Greater Norwich Growth Board and Greater Norwich and Greater Ipswich City Deals that will be utilised rather than create new bodies. Various functions, for example: planning and housing delivery and skills could be doubly-devolved to these areas. Where there are no relevant existing structures, Mayoral Development Corporations could be formed.
66. Consequently, a Mayoral Combined Authority would deliver both coherent strategic and locally responsive delivery over the Norfolk and Suffolk economic geography enabling us to 'improve the exercise of statutory functions in the area'. This is how we will ensure Norfolk and Suffolk fulfils its economic potential, reforms its public services and in turn delivers the best possible outcomes for local people and places.

Appendix A

Wider Economic Geography

Independent analysis was commissioned from Metro Dynamics to test evidence for natural geographies within and across Norfolk and Suffolk. This appendix provides the detailed analysis that supports section 3 - Economic Analysis and Review. Travel to Work Areas have been used along with commuting patterns and industry quotients as proxy measures to identifying economic geographies.

The Office for National Statistics defines the concept of Travel to Work Areas (TTWA) as being to: "to approximate self-contained local labour market areas, where the majority of an area's resident workforce work, and where the majority of the workforce live. TTWAs help to make local labour market data more meaningful. In their absence, comparing data for different parts of the country risks distortion if there are mismatches between where the workforce work and where the workforce live, so that very different types of areas would then be compared. To avoid this problem, TTWAs have been defined so that relatively few commuters cross a TTWA boundary on their way to work, which makes them de facto local labour market areas."⁸

The ONS criteria used for defining TTWAs is that generally at least 75% of an area's resident workforce work in the area and at least 75% of the people who work in the area also live in the area. The area must also have a working population of at least 3,500. However, for areas with a working population in excess of 25,000, self-containment rates as low as 66.7% are accepted.

For the wider Norfolk and Suffolk geography, the clusters of economic areas aggregate to a level of self-containment that is 84%, which compares well with existing Combined Authority areas. This could be influenced by the cross boundary flows from neighbouring counties (particularly Cambridgeshire, Essex and Lincolnshire) outside of the area as demonstrated in the commuting flows.

Norfolk and Suffolk

*Resident in work population working within area OF	Total resident in work population	Self containment
634,419	754,663	84.07%

** Resident in work population includes those working at home, but excludes those who work offshore, outside of the UK or have no fixed place of work*

The following table sets out self-containment percentages in existing Combined Authority areas, for comparison:

Combined Authority	Self containment
West Midlands	80.32%
Greater Manchester	82.04%
Sheffield City Region	79.93%
Liverpool City Region	77.62%

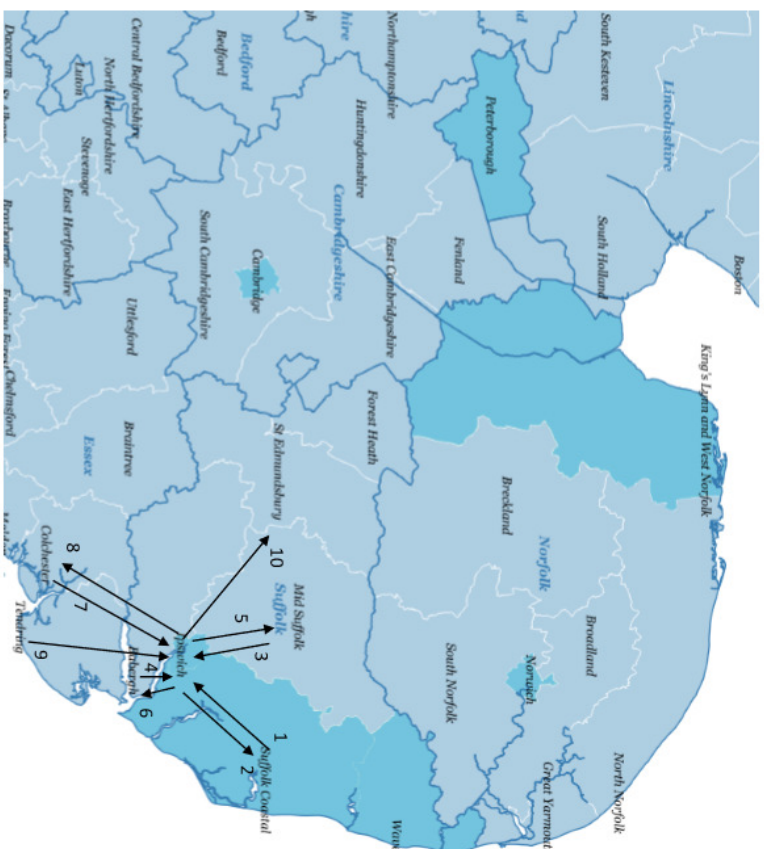
⁸ ONS Article: Commuting to Work: Changes to Travel to Work Areas 2001-2011:

<http://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/commutingtoworkchangesotraveltoworkareas/2001to2011>

The following series of maps provide examples of commuting flows around some of the larger towns in Norfolk and Suffolk.

Ipswich

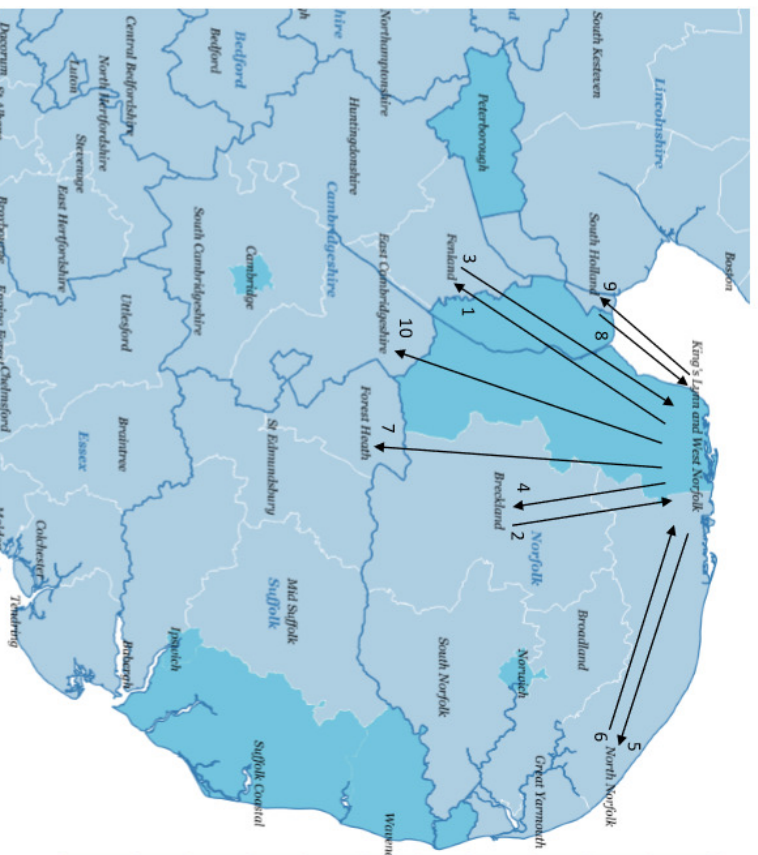
31



Number of commuters	
1	from Suffolk Coastal 11,036
2	to Suffolk Coastal 7,268
3	from Mid Suffolk 5,217
4	from Babergh 5,006
5	to Mid Suffolk 3,857
6	to Babergh 3,633
7	from Colchester 1,434
8	to Colchester 1,315
9	from Tendring 1,071
10	to St Edmundsbury 746

Kings Lynn and West Norfolk

32

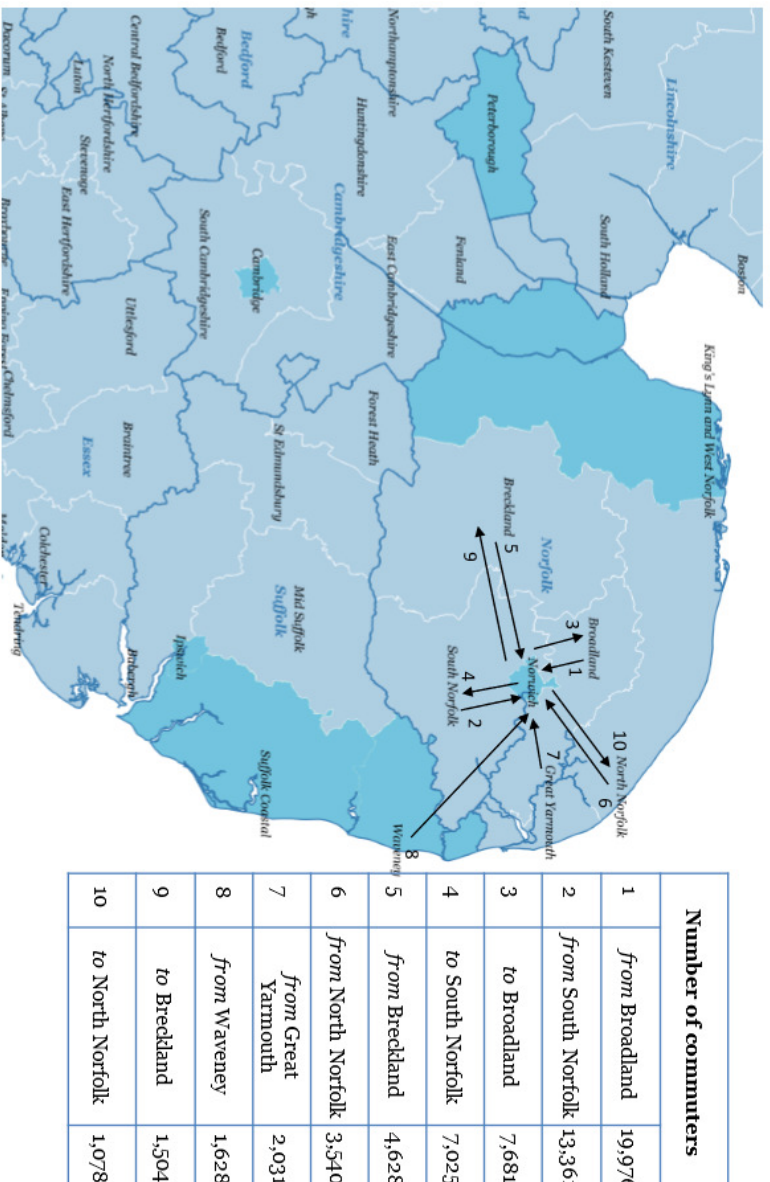


Number of commuters	
1	to Fenland 3,509
2	from Breckland 2,549
3	from Fenland 2,032
4	to Breckland 1,661
5	to North Norfolk 1,327
6	from North Norfolk 1,273
7	to Forest Heath 1,203
8	from South Holland 1,059
9	to South Holland 901
10	to East Cambridgeshire 713

Commuting Flows around key towns and cities in Norfolk and Suffolk

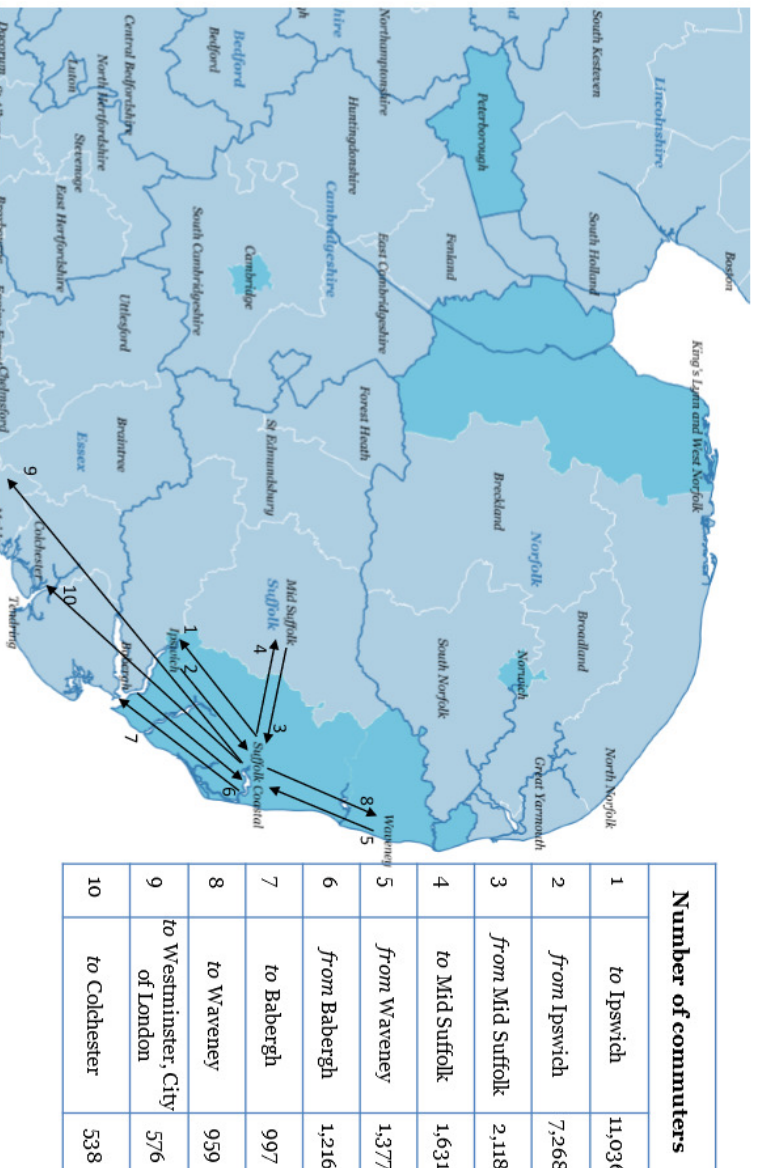
Norwich

33

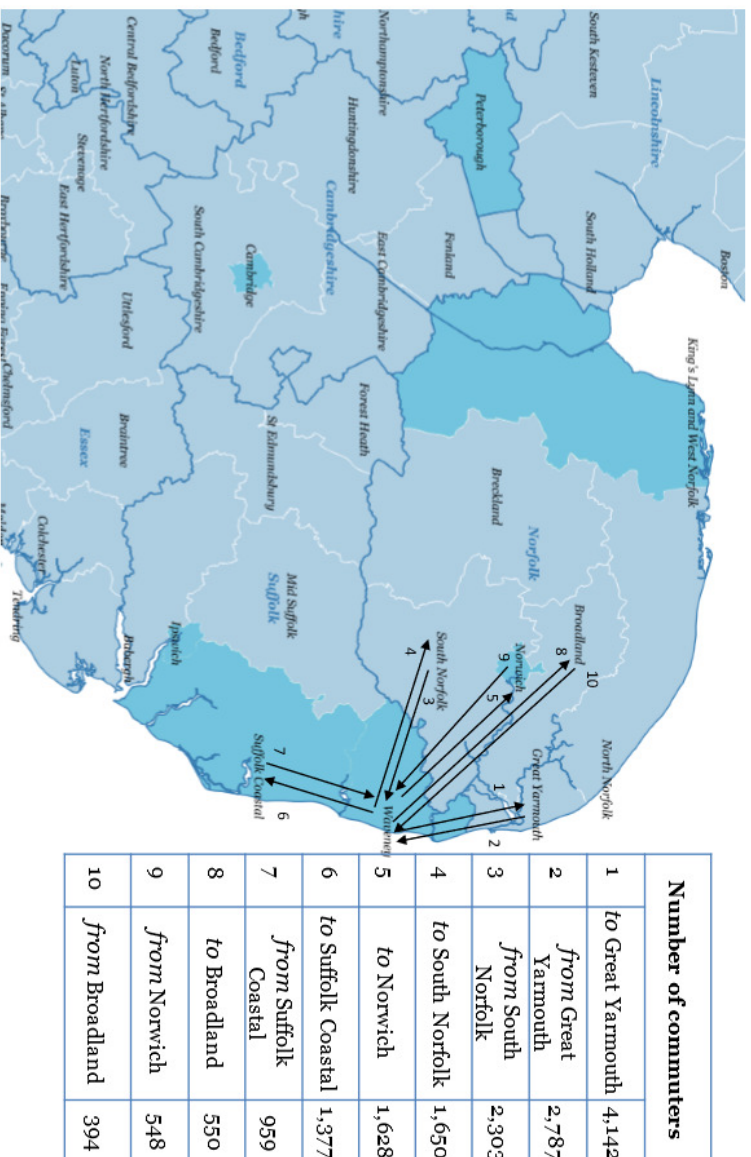


Suffolk Coastal

34



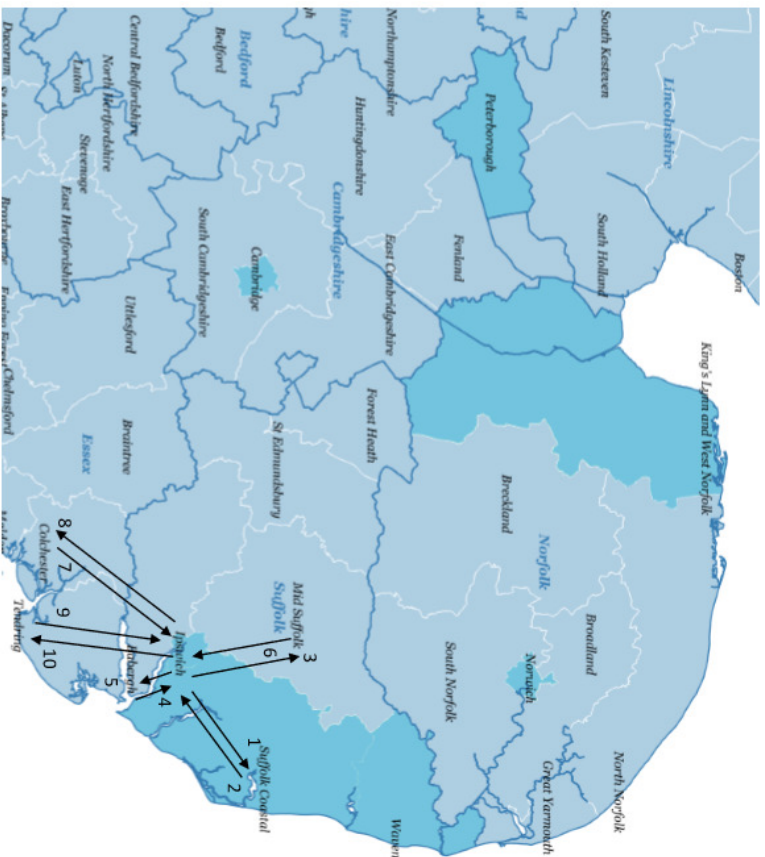
Waveney



Housing Migration based around major towns and cities across Norfolk and Suffolk

Ipswich

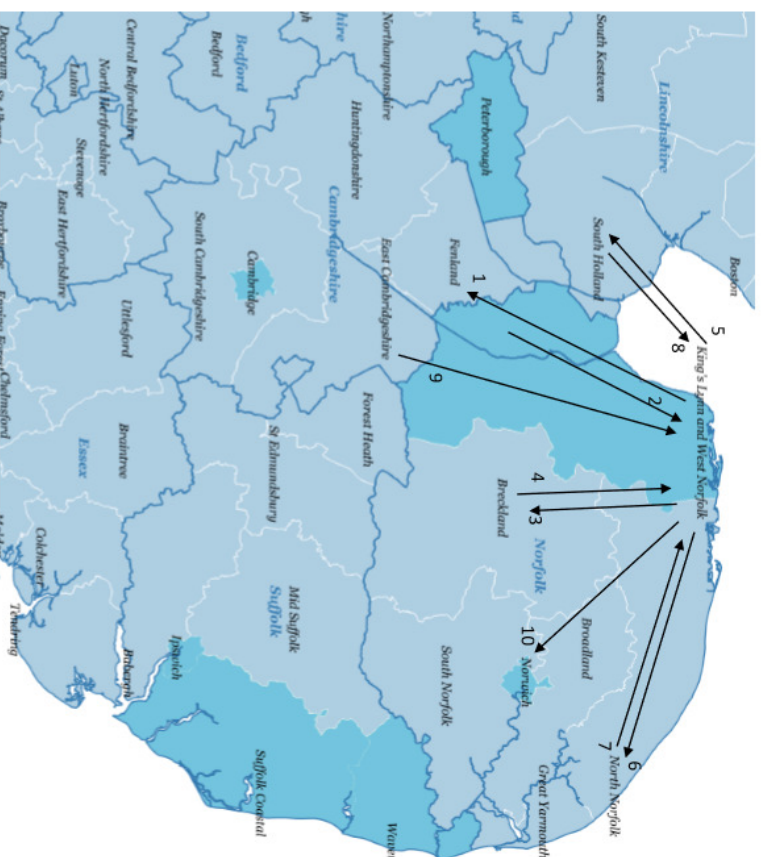
39



Housing moves		
1	to Suffolk Coastal	1,540
2	from Suffolk Coastal	1,270
3	to Mid Suffolk	770
4	from Babergh	750
5	to Babergh	750
6	from Mid Suffolk	540
7	from Colchester	310
8	to Colchester	280
9	from Tendring	210
10	to Tendring	140

Kings Lynn and West Norfolk

40

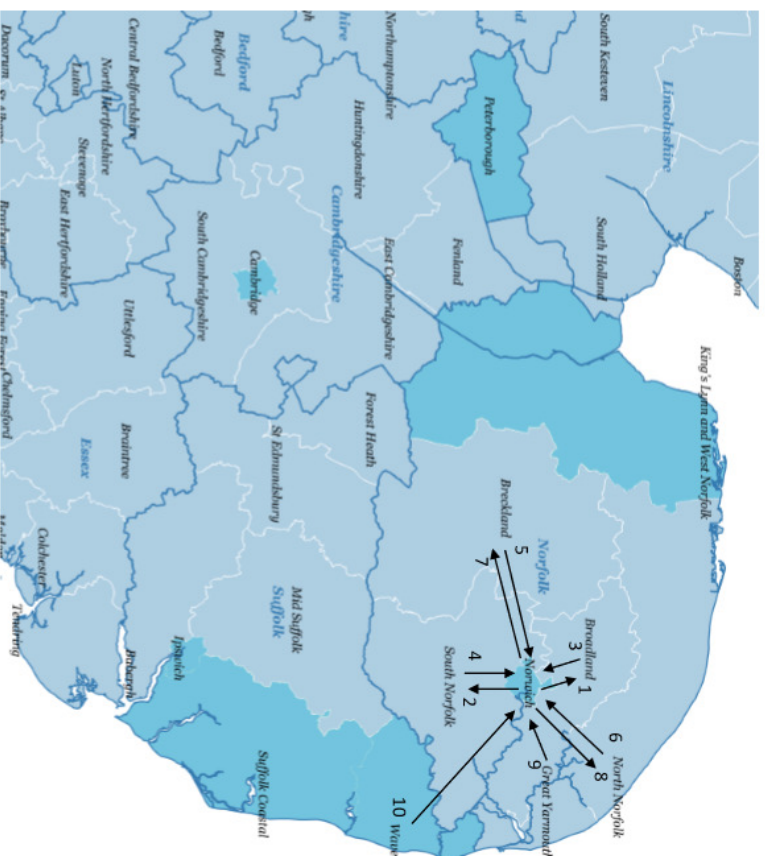


Housing moves		
1	to Fenland	740
2	from Fenland	710
3	to Breckland	500
4	from Breckland	450
5	to South Holland	320
6	to North Norfolk	310
7	from North Norfolk	260
8	from South Holland	210
9	from East Camps.	200
10	to Norwich	200

Housing Migration based around major towns and cities across Norfolk and Suffolk

Norwich

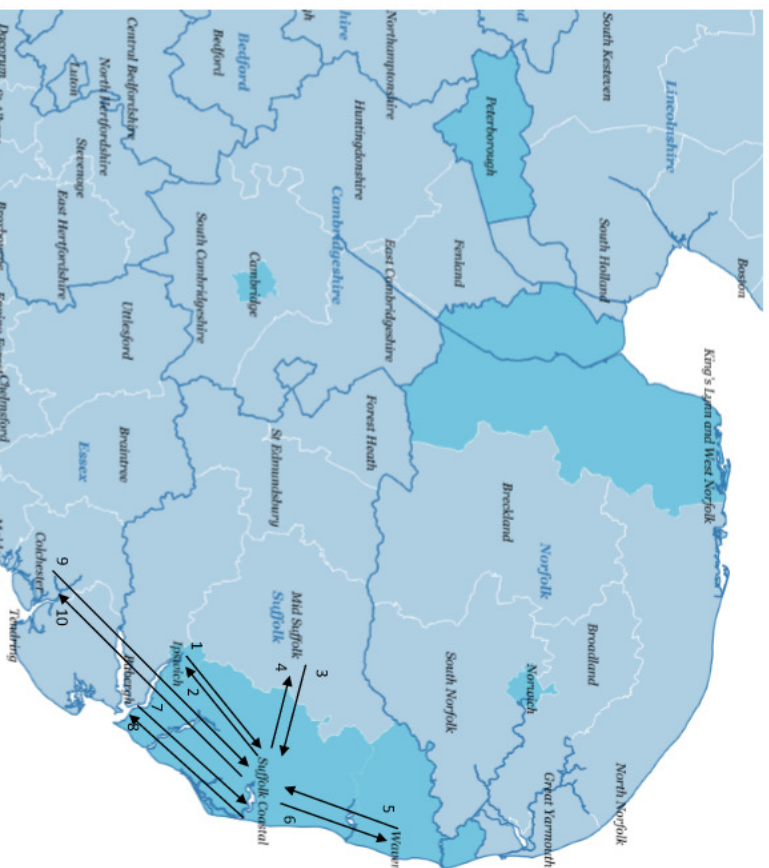
41



Housing Moves	
1	to Broadland 2,320
2	to South Norfolk 1,900
3	from Broadland 1,540
4	from South Norfolk 1,240
5	from Breckland 560
6	from North Norfolk 500
7	to Breckland 470
8	to North Norfolk 440
9	from Great Yarmouth 340
10	from Waveney 260

Suffolk Coastal

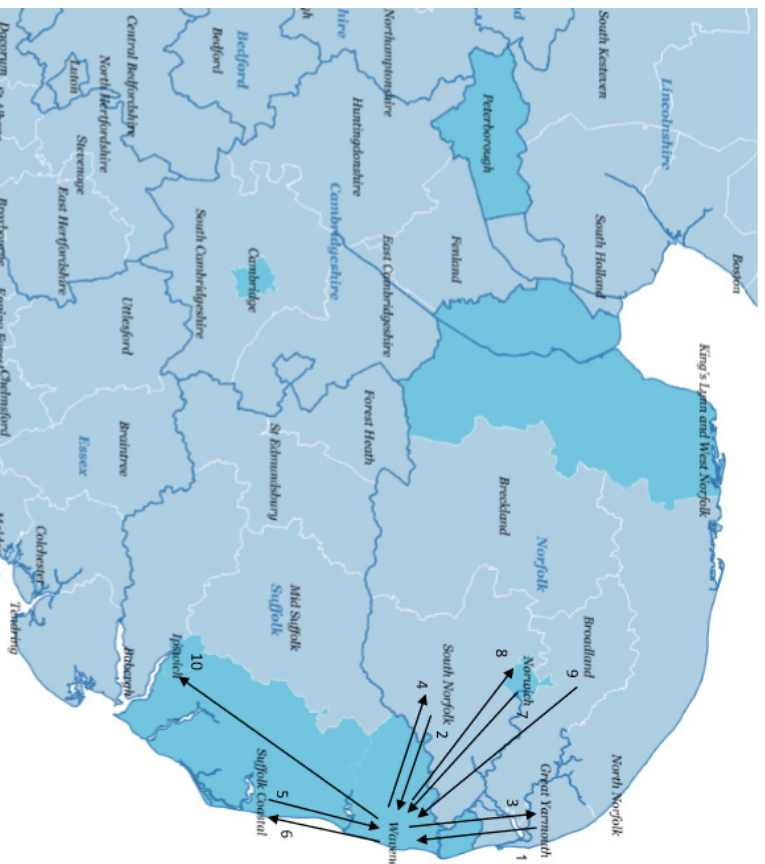
43



Housing Moves	
1	from Ipswich 1,540
2	to Ipswich 1270
3	from Mid Suffolk 450
4	to Mid Suffolk 400
5	from Waveney 300
6	to Waveney 290
7	from Babergh 270
8	to Babergh 200
9	from Colchester 140
10	to Colchester 140

Housing Migration based around major towns and cities across Norfolk and Suffolk

Waveney



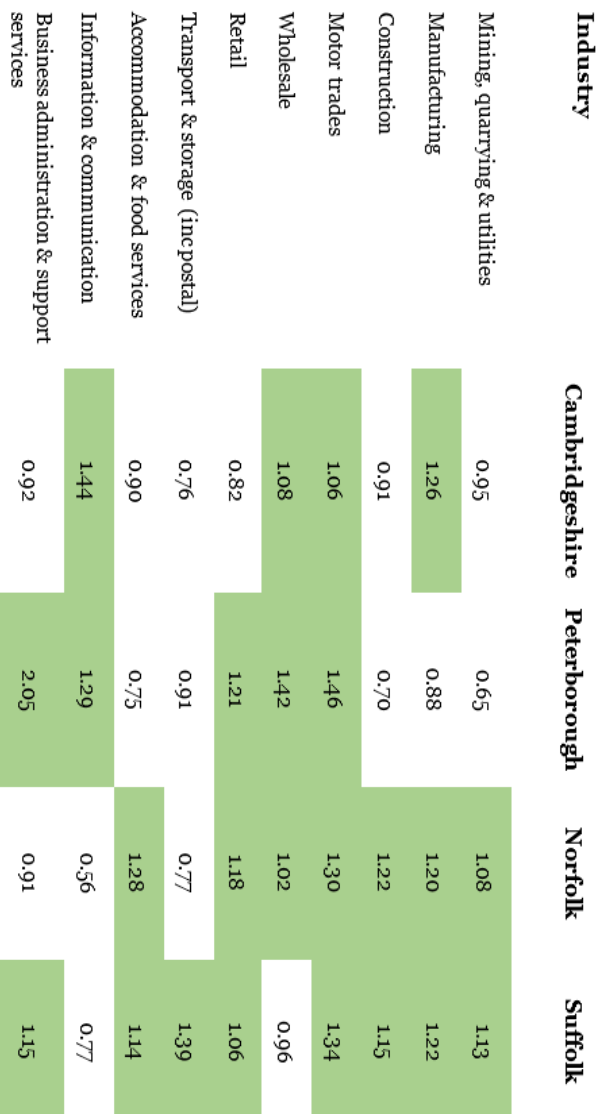
Housing moves		
1	from Great Yarmouth	620
2	to South Norfolk	510
3	to Great Yarmouth	460
4	from South Norfolk	430
5	to Suffolk Coastal	300
6	from Suffolk Coastal	290
7	from Norwich	260
8	to Norwich	230
9	from Broadland	130
10	to Ipswich	120

Location Quotients of industry across Norfolk and Suffolk

Location Quotients – Broad Categories

47

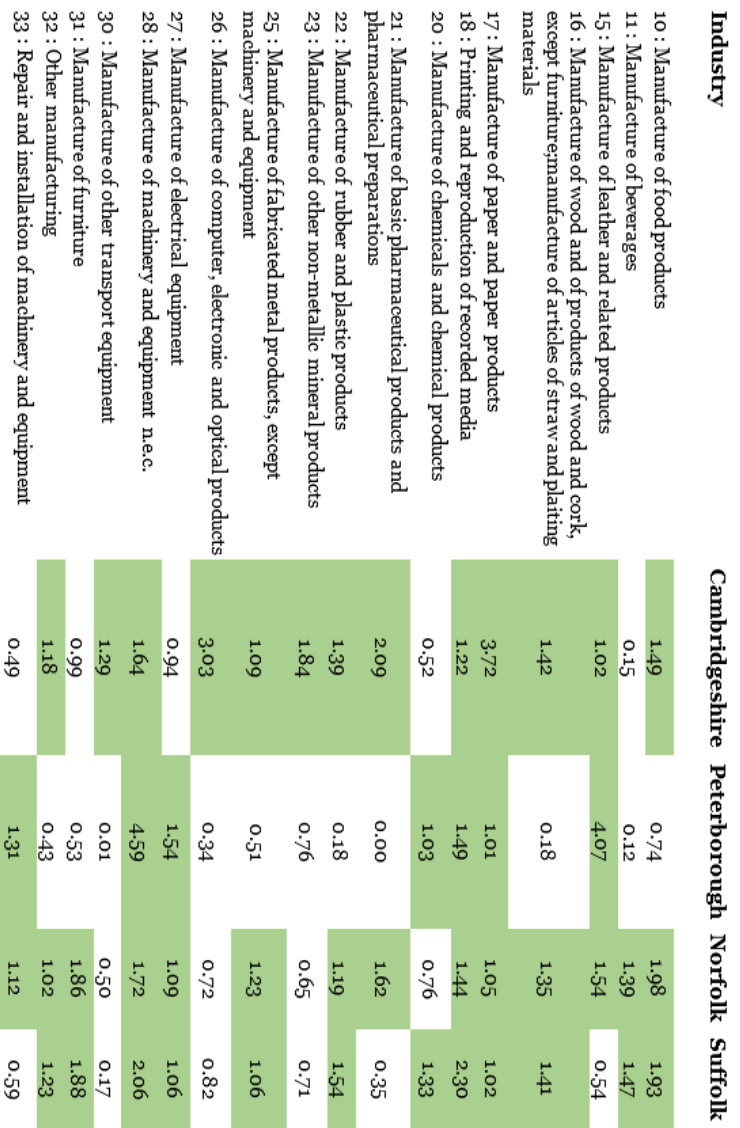
Areas where supply chain relationships may already exist, or could be fostered:



Metro — Dynamics

48

Specialisation: Manufacturing



Metro — Dynamics

Appendix B

Summary Rationale for Devolution Deal Proposals

Function	Rationale
<p><i>Appendix A in draft governance scheme</i></p>	<p>Transport and Electronic Communications – Better Connected</p>
<p>To be responsible for a consolidated, multi-year local transport budget for the area of the Combined Authority devolved from the Government consisting of the Integrated Transport Block or any equivalent or replacement funding for the same or similar functions as those covered by that funding.</p> <p>In each financial year in which the amounts devolved by the Government are identified as allocated to individual Constituent Authorities, the Mayor shall pass that funding to the relevant Constituent Authorities.</p> <p>In any financial year in which the amounts devolved by the Government are not identified as allocated to individual Constituent Authorities, the Mayor shall consult with the Combined Authority as to his spending plans in relation to the devolved amounts and approval of such spending plans shall be subject to the voting arrangements specified in the Scheme of Governance.</p> <p>The Mayor shall transfer to the relevant Constituent Authority any amount identified as allocated to that Constituent Authority in the approved spending plans.</p>	<p>This funding will help unlock the development of stalled employment and housing sites across the counties. It will also support increased productivity within growth sectors and existing businesses and enable the development of a modern, integrated transport system.</p> <p>It will allow flexible use for bringing forward priority based investment that has maximum impact. This will: enable the development of employment and housing sites across the counties, support increased productivity within growth sectors and existing businesses to enable the development of a modern, integrated transport system with a secure future.</p> <p>We already have a successful Local Transport Body bringing together Norfolk and Suffolk County Councils and New Anglia LEP to make decisions on and manage the transport infrastructure programme funded through Growth Deal. A Local Transport Board brings together wider stakeholders including Highways England and Network Rail. The Mayoral Combined Authority (MCA) would build on this and provide a democratic decision-making body allowing the LTBs to continue to manage the delivery and work together with partners.</p>
<p>To produce and publish a Local Transport Plan for the Combined Authority area without prejudice to Constituent</p>	<p>The Local Transport Plan will provide a strategic framework for developing transport links across Norfolk and Suffolk, enabling the vital connectivity that supports the economy. The MCA will also work with neighbouring counties to ensure Norfolk and Suffolk embed links with rest of the country.</p>

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Function	Rationale
<p>Authority duties to publish Local Transport Plans under section 9 of the Transport Act 2000.</p>	
<p>Jointly with the other Authorities, to take responsibility for delivering a new Key Route Network of local authority roads; the management and maintenance of which shall be undertaken by the Combined Authority and through this work towards shared procurement frameworks and operational delivery of road maintenance across the Constituent Authorities. In turn this will unlock key sites, along with rail developments and support the delivery of an asset management plan.</p>	<p>The MCA will provide a strategic framework for transport enabling join up with other authorities where relevant. However, its local knowledge and accountability means that, in taking control of the key route network, it will be more effective in maximising opportunities to improve road maintenance and unlock sites for development.</p>
<p>To exercise, concurrently with the relevant Constituent Authority to the extent that they have equivalent powers, such powers to franchise bus services in the Combined Authority area as shall be contained in future legislation to support delivery of smart and integrated ticketing across the East Anglia region in conjunction with the other Combined Authority and Constituent Authorities.</p>	<p>As significant rural counties, public transport is important for Norfolk and Suffolk in ensuring communities and businesses are connected. The MCA provides the opportunity to strategically plan transport in a coherent way that will improve economic growth.</p> <p>Linking research-based growth in the largest towns with our rural villages through improvements to road & rail infrastructure and using smart ticketing will make it easier for residents to participate fully in the economy across transport modes.</p>
<p>Develop in partnership with others an integrated approach to local buses, community based transport, the local network of car clubs and in particular rail services with rail operators and Network Rail.</p>	
<p>To explore the creation of a statutory Transport body to influence strategic national transport initiatives and work with Essex and the Midlands through the Cambridge-to-Oxford arc.</p>	<p>There is significant connectivity across Councils in the area as well as strong relationships with neighbouring areas, particularly Cambridgeshire.</p> <p>We have a track record of prioritising outcomes over organisational boundaries, including where this means going beyond our county borders. We have worked flexibly with partners in the Greater Cambridge economic region with its strong influence on the west of the counties, for example in developing the A11 Corridor between Norwich and Cambridge.</p>

Function	Rationale
	A strategic transport body would offer a joined up approach to infrastructure, improve connectivity, develop key growth sectors and build on existing growth corridors such as the A11, A14 and A47.
Housing and Planning	
Creation of a non-statutory spatial framework and supplementary planning documents to act as a framework for managing strategic planning across the Combined Authority area with which all Local Development Plans will, where reasonably practicable and without resubmission for approval, generally conform.	Local Plans are not joined up nor aligned with investment in infrastructure. Consequently, infrastructure to support new homes and employment sites is fragmented and often follows development rather than enabling it. Currently there is no mechanism to properly consider and plan for big strategic issues, such as the ongoing expansion of Greater London, which will continue to impact on housing price and availability in Suffolk.
To develop a non-statutory strategic infrastructure delivery plan across Norfolk and Suffolk.	The MCA offers the opportunity to develop a joined up, longer term strategic plan to drive growth and improve the effectiveness of public services.
To have functions corresponding to those of the Mayor of London under Part 8 of the Localism Act 2011 to designate any area of land in the Combined Authority area as a Mayoral Development Area leading to the establishment by Order of a Mayoral Development Corporation subject to the consent of all Constituent Authority in which the Development Corporation is intended to be based.	The economic analysis of Norfolk and Suffolk in the governance review, highlighted clustering within the Norfolk/Suffolk area for travel to work and housing migration. As such, the flexibility to be able to establish Mayoral Development Companies would be consistent with this geography and assist in the ensuring the coherent strategy is aligned with local delivery. The additional powers that come with a MCA will enhance the multi-centred nature of the economies within Norfolk and Suffolk.
The Combined Authority, with its partner authorities, will use the powers and infrastructure resources devolved from the Government, alongside local public and private investment, to substantially increase housing delivery through ambitious targets based on housing need, seeking to deliver 40,000 homes to 2021 and 200,000 homes over the longer period of Local Plans across Norfolk and Suffolk of different types and tenures.	Sufficient and appropriate housing is vital to ensure people can live healthy and prosperous lives as well as having a major impact on developing our economy. An undersupply of homes reduces the mobility of the workforce, increases pressure on public services and fails to meet people's aspirations. However, while many planning permissions are being granted, the homes are not being built. Over the past 15 years, across Norfolk and Suffolk, the annual average completion rate has been below 6,000. More recently, housebuilding has been severely affected by the downturn in the property market and, although it is picking up, delivery is still below 4,500 per annum (compared to a need for 7,600). We have plenty of allocated or permitted sites but need to build capacity in the industry and other sectors to deliver; this will be achieved through a package of measures.

Function	Rationale
	<p>To deliver sustainable development, a significant proportion of committed growth is formed by major sites, which require upfront infrastructure provision and are planned to be built out over a number of years. We need to continue to invest in delivering these commitments as fast as possible, as well as ensuring that there are a wide range of opportunities at various scales to encourage SMEs to build and to stimulate supply.</p> <p>Norfolk and Suffolk have specific pressures providing appropriate housing for all, such as ensuring sufficient affordable housing in a relatively low wage economy, and shaping the market to meet the needs of an ageing population at the same time as developing new models of care. As well as sites, we need to stimulate markets for different types of housing provision including the private rented sector and age appropriate housing that will enable people to stay in their own homes for as long as possible.</p>
<p>To make proposals for the creation of other emerging vehicles to help take forward large development or new settlements subject to the consent of any Constituent Authority in which area the vehicle is intended to be used.</p>	<p>A beginning of new ways to raise Norfolk and Suffolk's global ambition and create more accountable, efficient public services - the proposed devolution deal is good foundation. However, there is more to do.</p> <p>The MCA will use this Deal as a basis for identifying further reforms to unlock investment and create a step change in improving the economic contribution and sustainability of Norfolk and Suffolk's people and places.</p>
<p>To exercise strategic planning powers to support and accelerate these ambitions. These will include the power to:</p> <ul style="list-style-type: none"> • Create non-statutory supplementary planning documents subject to the approval process above. • Be consulted on planning applications of strategic importance in the Combined Authority area and to work with local areas to achieve ambitious plans for new housing development. • Create Mayoral Development Corporations or similar delivery vehicles, with planning and land assembly powers, which will support delivery of strategic sites in the Combined Authority area. This power will be exercised with the consent of the Constituent Authority member in which the development corporation is to be used. To be consulted on and/or 	<p>Currently, there is no clear and systematic description of growth across the two county area so that investment decisions can be programmed and targeted to priorities. Local Plans are fragmented and there is currently no spatial plan for the strategic functional economic area of Norfolk and Suffolk, to reflect priorities, including delivery of national energy infrastructure, or respond to the economic opportunities beyond our boundary to the west (working with Cambridgeshire and GCGP LEP), the south (working with Essex) and offshore.</p> <p>There is no mechanism to properly consider and plan for strategic scale growth and wider strategic issues, such as the ongoing growth of Greater London and Cambridge which will continue to impact on the local economy, transport infrastructure, and housing.</p> <p>The MCA provides the opportunity to set a strategic plan for Norfolk and Suffolk, enabling a more proactive, longer term approach to delivering economic growth, unlocking housing delivery and investing in infrastructure. This will include working with partners within Norfolk and Suffolk and beyond – particularly Cambridgeshire.</p>

Function	Rationale
<p>call in planning applications of potential strategic importance to the Combined Authority area.</p> <ul style="list-style-type: none"> • Ensure there is a sufficient supply of commercial and housing sites available, to support a growing economy. • Develop closer working with the Homes and Communities Agency. 	
Finance	
<p>To exercise the power under paragraph 21.8 of the Scheme: <i>(the Mayor shall have power to place a supplement of 2p per pound of rateable value on business rates to fund infrastructure [and mayoral costs] with the agreement of the local business community through the LEP).</i></p> <p>To exercise the function of issuing a precept under Chapter 4 of Part 1 of the Local Government Finance Act 1992 in respect of mayoral functions.</p>	<p>The MCA offers the opportunity to set local levies. This additional autonomy over funding means the MCA can adjust its approaches depending on local need/conditions and choose funding strategies that will unlock the greatest possibilities for growth.</p>
Flood Defence and Coastal Management	
<p><i>Appendix B in draft Governance Scheme</i></p> <p>The Combined Authority will work with the Government, drainage boards, the Environment Agency and other relevant bodies to create a fully integrated approach to flood and coastal risk management.</p>	<p>Norfolk and Suffolk have a considerable coastline at risk of erosion and flooding risk that is also an issue for some inland areas too.</p> <p>A MCA would provide a coherent approach enabling more: timely decision making; pre-emptive action to deliver solutions and simplified funding that maximises the ability to reduce risk and deliver additional economic growth across Norfolk and Suffolk.</p>
Learning and Skills, Education, Apprentices and Employment	
<p>To ensure continued collaboration the Combined Authority will, with the Regional Schools Commissioner and other key local education stakeholders establish an Education Committee. The Regional Schools Commissioner will work</p>	<p>Enabling the MCA to work in partnership with the Regional Schools Commissioner (RSC) and the Headteacher Board will bring together our capacity and expertise in schools improvement, local infrastructure planning and the provision of new school places to discharge our duty to secure a good education for every child.</p>

Function	Rationale
<p>with the Committee to provide strategic direction on education across the Combined Authority area.</p>	<p>Ensuring join up across the different responsibilities for education and schools is important in ensuring schools and their pupils fulfil their potential. Norfolk and Suffolk results are improving. It will establish mutually agreed local arrangements for the purposes of the Regional Schools Commissioner and the Local Authorities to jointly discharge their respective responsibilities for place planning and school improvement.</p> <p>Therefore, the MCA will provide greater consistency of approach but with understanding of local circumstances.</p>
<p>Government commits to an Area Review of post-16 education and training, currently expected to start in November 2016, excluding Great Yarmouth and Lowestoft where a Review has already been conducted during 2015.</p>	<p>The demand for skills is already outstripping supply at all levels in our economy, including in skilled technical trades such as engineering, logistics and construction, and in the professional fields of computing, creative digital, agri-tech, and health. The stability of our post-16 education and skills sector is critical to raising productivity and the creation of a more dynamic economy. The Government wants to see strong local areas and employers taking a lead role in establishing a post-16 skills system that is responsive to local economic priorities. We share this ambition and the MCA with devolved responsibilities provides the right governance, levers and partnerships in place to deliver.</p> <p>As part of the Area Based Reviews, the Mayoral Combined Authority (MCA) will conduct a comprehensive and joined up review of post 16 education. The MCA scale means a consistent approach to improving education and training provision across the functional economic area of Norfolk and Suffolk but with an understanding of local need and economic geographies.</p>
<p>The Government recognises the progress the LEP, local colleges and providers and the private sector have made in improving skills provision across Norfolk and Suffolk. The New Anglia Employment and Skills Board will consider if further refinement of their local skills strategies will be required after the conclusion of the Area Reviews to ensure that post-16 providers are delivering the skills that local employers require. It is expected that the LEP Skills Board will continue to collaborate with colleges and providers, with appropriate support from the Education Funding Agency to work towards delivering this plan.</p>	<p>We have a strong network of colleges and university partners who are already working together in a unique way alongside the LEP Skills Board. We are excited by the potential to take the next steps through devolution and are all fully committed to using this opportunity to achieve the step change we need in workforce productivity and skills.</p> <p>The MCA presents the opportunity to rationalise existing governance arrangements to make them simpler, more integrated and cost effective where locally appropriate. The scale of the MCA, along with its strategic approach will facilitate this where and when appropriate.</p>

Function	Rationale
<p>The Government will enable local commissioning of outcomes to be achieved from 19+ Adult Education Budget starting in academic year 17/18; and will fully devolve budgets to the Combined Authorities from academic year 2018/19 subject to readiness conditions). These arrangements will not cover apprenticeships.</p>	<p>The MCA will ensure that the Adult Skills Budget (is more closely aligned to local economic priorities. This will enable a locally tailored approach that best meets the needs of local people and employers with the benefit of a consistent, strategic overview through the MCA.</p>
<p>The Combined Authority will focus a greater proportion of its devolved Adult Education Budget on learning that delivers sustained job outcomes, productivity and economic growth.</p>	<p>GVA across Norfolk and Suffolk is lower than the national average. Economic growth is a key driver for Norfolk and Suffolk's devolution ambition. Economic growth is vital to a thriving society; however, it cannot be separated from the people and places that will drive and benefit from that growth</p> <p>Devolving this budget enables a more locally appropriate response across the MCA area</p>
<p>Devolution will proceed in two stages, across the next three academic years:</p> <p>a) The Combined Authority will begin to prepare for local commissioning. For the 2017/18 academic year, and following the area review, the Government will work with the Combined Authority to vary the block grant allocations made to providers, within an agreed framework.</p> <p>b) From 2018/19, there will be full devolution of funding. The Combined Authority will be responsible for allocations to providers and the outcomes to be achieved, consistent with statutory entitlements. The Government will not seek to second guess these decisions, but it will set proportionate requirements about outcome information to be collected in order to allow students to make informed choices. A funding formula for calculating the size of the grant to Constituent Authorities and the Combined Authority will need to take into account a range of demographic, educational and labour market factors; it will also need</p>	<p>The MCA will be well placed to ensure the necessary preparations for full devolution of the Adult Education Budget. It will have the strategic leadership and decision making in place that will be able to assure Government that the budget will be managed and distributed appropriately.</p> <p>In relation to the costs of the Combined Authority the Constituent Authorities have agreed the principle that the Mayoral Combined Authority's costs will be met as far as possible from existing resources. The statutory officers and support to the Combined Authority will be provided by the Constituent Authorities.</p> <p>In relation to Mayoral costs the agreed intention of the Constituent Authorities is that the single pot investment fund allocation will be invested so as to leverage additional financial benefit for the Combined Authority which will, after an initial investment period, exceed the Mayoral costs</p>

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Function	Rationale
to take account of costs of implementing devolution and continuing operational expenditure.	
<p>The readiness conditions for full devolution are that:</p> <ul style="list-style-type: none"> a) Parliament has legislated to enable transfer to local authorities of the current statutory duties on the Secretary of State to secure appropriate facilities for further education for adults from this budget and for provision to be free in certain circumstances. b) Completion of the Area Review process leading to a sustainable provider base. c) After Area Reviews are completed, agreed arrangements are in place between central government and the Combined Authority to ensure that devolved funding decisions take account of the need to maintain a sustainable and financially viable 16+ provider base. d) Clear principles and arrangements have been agreed between the Government and the Combined Authority for sharing financial risk and managing failure of 16+ providers, reflecting the balance of devolved and national interest and protecting the taxpayer from unnecessary expenditure and liabilities. e) Learner protection and minimum standards arrangements are agreed. f) Funding and provider management arrangements, including securing financial assurance, are agreed in a way that minimises costs and maximises consistency and transparency. 	<p>Re-setting the relationship with Government is part of the Norfolk and Suffolk approach to devolution. As such it will be important to continue to work constructively with Government on provisions within the existing deal as well as exploring the opportunities for future devolved arrangements. Therefore, the MCA would be keen to work with Government to ensure the readiness conditions are fully met.</p>
Government recognises that Norfolk and Suffolk have a wealth of higher education strengths such as the University of East Anglia, University Campus Suffolk and Norwich	A new partnership between the Universities and Further Education providers in the region to drive a programme of co-ordinated skills and educational improvement to deliver the knowledge based economy is central to Norfolk and Suffolk's model of connected growth (enhanced by a single strategic MCA for the area).

Function	Rationale
<p>University of the Arts. This higher education offer has a vital role in enhancing the innovation and productivity of the area's economy. Local partners want to work with Government to build on this, including investment in the institutions to develop their academic and research offer, such as, University Campus Suffolk which has obtained independent university status and will become the University of Suffolk in August 2016. Other proposals include plans in Ipswich by BT, Cambridge University and University Campus Suffolk focused on future developments in ICT and the Internet of Things.</p>	
<p>125 809 130</p> <p>Subject to the readiness conditions below, from the 2018/19 academic year onwards, to receive fully devolved Government budgets (calculated on a funding formula taking into account a range of demographic, educational and labour market factors) for 19+ education and training and to exercise within the Combined Authority area the functions of the Secretary of State under the following provisions of the Apprenticeship, Skills, Children and Learning Act 2009:</p> <ul style="list-style-type: none"> a) Section 86 except subsection (1)(b) b) Section 87 c) Section 88 (but not any power to make Regulations) d) Section 90 (but not any power to make Regulations) <p>Also relevant are the powers and duties under section 15ZA, 15ZB, 15ZC, 17A, 18A (1)(b), of the Education Act 1996 and the powers under sections 514A and 560A of that Act (duties and powers related to the provision of education and training for persons over compulsory school age). These powers shall be exercised by the Combined Authority concurrently.</p>	<p>The MCA would be ready to take on these additional powers and work with government to ensure their transfer is as efficient as possible. Following that it would be accountable (to central Government and locally) for the responsible allocation of funds to providers.</p>

Function	Rationale
<p>Pursuant to the functions referred to above, to be responsible for allocations to providers and the outcomes to be achieved, consistent with statutory entitlements and proportionate requirements set by the Government.</p>	
Apprenticeships	
<p>The Government recognises Norfolk and Suffolk's commitment to delivering more apprenticeships. The Combined Authority will assume responsibility for the Apprenticeship Grant for Employers (AGE). The AGE funding must be used alongside mainstream apprenticeship participation funding to incentivise employers to offer apprenticeships, but the Combined Authority is free to vary the criteria associated with the grant (e.g. size and sector of business) to meet local needs. The Skills Funding Agency will work with the Combined Authority to identify an appropriate share.</p>	<p>Development of a more responsive training offer and increase in the proportion of young people and adults that are completing the high level qualifications that employers need is important for Norfolk and Suffolk.</p> <p>Growing the market for apprenticeships will be central to this approach and we will build on our existing activity to assume responsibility over apprenticeship brokerage activities targeted at SMEs and raising the profile of apprenticeships amongst young people, parents and their advisers.</p>
<p>The Combined Authority and the Government will collaborate to maximise the opportunities presented by the introduction of the apprenticeship reforms, including the levy, and to work together on promoting the benefits of apprenticeships to employers in order to engage more small businesses in the apprenticeship programme. The Combined Authority will explore the potential of introducing an Apprenticeship Training Agency to the area, funded through local resources</p> <ul style="list-style-type: none"> a) Apprenticeships, Skills, Children and Learning Act 2009 s.122 b) Education and Skills Act 2008 c) Employment and Training Act 1973 s.2, s.10A 	

Function	Rationale
<p>The Combined Authority will work with the Department for Work and Pensions (DWP) to establish a locally integrated employment services which join together the elements of the employment system to achieve better outcomes. This includes:</p> <ul style="list-style-type: none"> a) The Combined Authority committing to work with the Government to ensure all young people are either earning or learning including supporting Jobcentre Plus in the delivery of the Youth Obligation from April 2017. b) The Government committing to ensuring all young people are either earning or learning and to exploring opportunities for links with local employment services to support this aim, including building in good practice from the present local MyGo service and other local provision. <p>The Combined Authority commits to supporting the Youth Obligation by utilising strong local links to business to create work-related training and labour market opportunities for young people including encouraging the provision of apprenticeships and work placements in the local community. It will also work with the Government to investigate the potential for social investment, in particular Social Impact Bonds, for disadvantaged young people not in education, employment or training who may not be in receipt of support from Jobcentre Plus.</p>	<p>Our vibrant economy has the potential to offer high value, secure and sustainable jobs to everyone who lives here. However, unless we unlock the potential of young people – their abilities, their ideas, their energy and their passion – we will not achieve that ambition.</p> <p>To do that we need to provide a system which supports every young person, proportionate to need, to make a successful transition from education to work and which prevents anyone from ‘falling through the net’.</p> <p>The MCA will build on existing successes, such as the MyGo Youth Employment Project in Ipswich, to deliver the Government’s Youth Obligation through a New Anglia Youth Pledge. The Pledge will ensure that every young person aged 16-24 is earning or learning.</p>
<p>The Combined Authority will work with DWP to co-design the new National Work and Health Programme designed to focus on those with a health condition or disability and the very long term unemployed.</p>	<p>Despite falling unemployment and a range of nationally commissioned employment programmes, many of our most vulnerable residents, including those suffering from mental health conditions, remain a long distance from the labour market.</p>

Function	Rationale
<p>The respective roles of DWP and the Combined Authority in the co-design will include:</p> <ul style="list-style-type: none"> a) DWP sets the funding envelope, the Combined Authority can top up if they wish to, but are not required to. b) The Combined Authority will set out how it will join up local public services in order to improve outcomes for this group, particularly how it will work with the Clinical Commissioning Groups/third sector to enable timely health-based support. There will be a particular focus on ensuring the integration of the new programme with local services, in order to ensure that national and local provision works well together, and opportunities for greater integration are identified and levered. <p>DWP set the high-level performance framework and will ensure the support appropriately reflects labour market issues. The primary outcomes will be to reduce unemployment and move people into sustained employment. The Combined Authority will have some flexibility to determine specific local outcomes that reflect local labour market priorities; these outcomes should be complementary to the ultimate employment outcome. In determining the local outcome(s) the Combined Authority should work with DWP to take account of the labour market evidence base and articulate how the additional outcome(s) will fit within the wider strategic and economic context and deliver value for money.</p> <ul style="list-style-type: none"> d) Before delivery commences, DWP and the Combined Authority will set out an agreement covering the respective roles of each party in the delivery and monitoring of the support, including a mechanism by 	<p>The MCA and relevant local partners will work with Government to improve outcomes for 'hard to help' groups, including claimants of Employment Support Allowance through a more effective, integrated employment support offer with health, housing and other partners.</p> <p>The MCA will make co-commissioning with Government simpler as it provides a strategic view and accountability across Norfolk and Suffolk.</p>

Function	Rationale
<p>which each party can raise and resolve any concern that arise.</p> <p>e) DWP will facilitate protocols for data sharing and transparency by tackling some of the obstacles and developing solutions to enable the Combined Authority to develop a strategic needs assessment for the area.</p>	
<p>The Combined Authority will co-commission the Work and Health programme with DWP. The respective roles of DWP and the Combined Authority will include:</p> <p>a) DWP sets the contracting arrangements, including contract package areas, but should consider any proposals from the Combined Authority on contract package area geography.</p> <p>b) The Combined Authority will be involved in tender evaluation.</p> <p>Providers will be solely accountable to DWP, but DWP and the Combined Authority's above-mentioned agreement will include a mechanism by which the Combined Authority can escalate to DWP any concerns about provider performance/breaching local agreements and require DWP to take formal contract action where appropriate</p> <p>The relevant powers in this regard include the:</p> <ul style="list-style-type: none"> • Apprenticeships, Skills, Children and Learning Act 2009 s.122 • Education and Skills Act 2008 • Employment and Training Act 1973 s.2, s.10A • Social Security (Claims and Information) Regulations 1999 (SI 1999/3108) • Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012 (SI 2012/1483) 	

Function	Rationale
<ul style="list-style-type: none"> Welfare Reform Act 2012 s.131 Welfare Reform and Pensions Act 1999 	
Further Activity to Improve Life Chances	
<p>The Combined Authority will set out how it will join up local public services across health, skills and employment in order to improve outcomes, particularly how it will work with local Clinical Commissioning Groups/third sector organisations and NHS England / the Health and Work Unit nationally to enable timely health-based support.</p>	<p>Having the MCA to coordinate this activity across Norfolk and Suffolk as well as consider implications for neighbouring areas (particularly Cambridgeshire and Essex, given the Sustainability and Transformation Plan footprints) will be make this work more efficient and effective. It also provides clarity for national agencies in terms of negotiating effective solutions.</p>
<p>DWP will work with the Combined Authority and other partners to put in place workable data sharing arrangements which enable the integration of services and reduce duplication in order to support more people into work.</p>	<p>Whilst there is a strong history of collaborative working across Norfolk and Suffolk, previous collaborations have indicated the importance of having workable data sharing in order to maximise the benefits of joined up working.</p>
Career and Pay Progression	
<p>The Government will work with the Combined Authority to ensure that local priorities are fed into the provision of career advice, through direct involvement and collaboration with the Government in the design of local careers and enterprise provision for all ages, including continued collaboration with the Careers and Enterprise Company and the National Careers Service.</p>	<p>Currently a significant proportion of people ending a claim for out of work benefits will reclaim within six months and many more within two years. We want to ensure that people are better off in work than claiming benefits and with Job Centre Plus to work with individuals to help them stay in employment and - where appropriate - support and encourage them to increase their earnings.</p>
<p>The Combined Authority will develop a business case for an innovative pilot to support career and pay progression for those claiming Universal Credit. The business case will set out the evidence to support the proposed pilot, cost and benefits and robust evaluation plans to enable the proposal to be taken forward, subject to Ministerial approval and an agreed investment plan.</p>	<p>Under devolution, the MCA will have established a new ongoing relationship with Government that will allow for exploration of future proposals such as business cases for pilots or additional devolution of powers. This is important to ensure it continues to drive growth, reform public services and deliver the best possible outcomes for local people and places.</p>
Business Support	

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Function	Rationale
<p>The Government will participate in and support the work of The Norfolk and Suffolk Productivity Commission, as a National Pilot Project to improve the productivity of the local economy by:</p> <ul style="list-style-type: none"> a) Examining the productivity challenges facing local key sectors and the definition of productivity in each sector b) Examining best practice locally, nationally and globally, at tackling these challenges c) Building on the Government’s 10-point plan for rural productivity d) Assessing how central and local policies are assisting with the productivity challenges and how they can be made to work better e) Developing a Productivity Plan bringing together best practice and policy recommendations f) Overseeing implementation of the plan and evaluate its impact g) Making available findings and actions for roll-out in other parts of the country h) The Norfolk and Suffolk Productivity Commission will be chaired by a senior business figure, co-ordinated by the LEP, funded by local partners and able to capitalise on business-led sector group structures established by the LEP. 	<p>One of the key barriers to Norfolk and Suffolk realising its potential and increasing growth is poor infrastructure. Norfolk and Suffolk’s infrastructure has been less of a priority for successive Governments. Improving connectivity is vital in realising the area’s economic potential and raising its economic contribution both nationally and internationally.</p> <p>We have developed an ambitious pipeline of transformative projects which can deliver more growth, create more jobs and unlock much more growth. Our main challenge is that many of these projects are large. They do not form part of the Highways England network and therefore cannot form part of their investment plan – but are too large to be funded by Growth Deals. This problem is compounded by annual funding settlements, making longer term investment very difficult.</p> <p>Therefore, working with senior local and national stakeholders, the Commission will look at improving productivity at the local level by understanding local root causes of poor productivity and implement a clear action plan of rapid change. This would be a national pilot, enabling Government and local partners to utilise the Norfolk and Suffolk economy to test and evaluate measures to improve productivity, which can then be transferred to other areas. It will ensure that the Productivity Fund proposed in the Assets and Infrastructure section is used to maximum benefit.</p>
<p>Local partners will successfully deliver the New Anglia Enterprise Zone (EZ) and the extension to the Great Yarmouth and Lowestoft Enterprise Zone as announced on 25 November following the 2015 application round. DCLG will agree with the LEP memoranda of understanding about the high level management and delivery of both the new EZs and the extension. The Government commits to supporting local</p>	<p>Suffolk and Norfolk is already home to a thriving Enterprise Zone in Great Yarmouth and Lowestoft at the heart of our all-energy coastline. The new Enterprise Zone announced in the Autumn Statement (November 2015) created ten new sites across the East giving businesses locally, nationally and internationally the tools to begin a new venture or move their ideas forward and help create even greater momentum, wealth and success. Key locations across Suffolk and Norfolk include King’s Lynn in the west and Wells-next-the-Sea in the north, along the A14 corridor with Stowmarket and Bury St Edmunds and helping us shape our Ipswich Vision</p>

Function	Rationale
<p>partners in promoting and supporting the delivery of the Enterprise Zone as well as considering any further proposals subject to future funding rounds.</p>	<p>in the south. They will be a magnet for inward investment helping create thousands of jobs, enterprise and prosperity for their communities and our wider economy.</p>
<p>The LEP will continue to deliver a strong Growth Hub, providing business support tailored to meet local needs across Norfolk and Suffolk. The Government will provide funding to help embed the Growth Hub in 2016/17 and 2017/18.</p>	<p>The New Anglia Growth Hub is a central point for businesses and individuals across Norfolk and Suffolk, and provides a simple and easy route to business support. New Anglia Local Enterprise Partnership secured funding for the Growth Hub as part of the Ipswich and Norwich City deals, that will drive growth and investment across Suffolk and Norfolk. The Growth Hub is operated by Suffolk Chamber of Commerce on behalf of New Anglia LEP.</p> <p>The New Anglia Growth Hub is supported by a range of partners, including the Federation of Small Businesses, Eastern Enterprise Hub and Norfolk and Suffolk Local Authorities, and was one of the first Growth Hubs in England.</p>
<p>The Combined Authority, Constituent Authorities and LEPs commit to greater alignment of economic development resources to maximise impact of support for businesses and ensure the most efficient and effective use of public funding. This will include agreeing joint objectives to support the delivery of the Strategic Economic Plans and local plans and explore the pooling of staffing and resources.</p>	<p>The MCA will provide coherent, strategic decision making and a framework for key issues of strategic significance and enable easier join up with neighbouring authorities where relevant, for example, transport, infrastructure and skills. In improving the exercise of statutory functions, it will, where appropriate, integrate existing resources.</p>
<p>The Government recognises the work of the New Anglia Oil and Gas Task Force, established to support the businesses and employees who are being affected by the recent downturn in the oil and gas sector. The New Anglia Task Force will provide intelligence on the state of the local sector to the Government's Inter Ministerial Group, to help shape national policy to support for the sector. The Government will engage with the Task Force to ensure that UK Oil and Gas workforce plan which is currently under development aligns with and enhances measures being taken locally.</p>	<p>The LEP's Oil and Gas Taskforce was set up last year in response to the significant challenges facing the sector in Suffolk and Norfolk. The dramatic drop in the oil price has impacted on the confidence and investment plans of major energy firms, resulting in job losses and cost-cutting across the industry. the Taskforce which includes local MPs, business leaders, Jobcentre Plus, and local authorities, has agreed a package of measures prioritising three key areas:</p> <ul style="list-style-type: none"> • Oil and gas businesses • Oil and gas employees and skills • Continuing to campaign to Government

Function	Rationale
<p>The LEP and the Combined Authority commit to working with UKTI, strengthen joint working to increase inward investment and exporting. Local partners will invest in a concerted campaign to help more businesses, particularly smaller companies, export.</p>	<p>To unlock the potential in our key sectors and to create new jobs and businesses requires focussed investment by local partners and Government to improve the area's infrastructure and ensure business has a supply of skilled workers and the right support to grow. This is key to delivering the shared ambition to make Norfolk and Suffolk fulfil its potential to increase our contribution to UK growth and establish our position as a global leader in the 3rd industrial revolution.</p>
<p>The LEP, the Growth Hubs and Constituent Authorities will work with the Government to develop a strategic approach to regulatory delivery, building on the "Better Business for All" national programme which will remove regulatory barriers to growth for businesses.</p>	
<p>The Government supports the vision for innovation set out by Norfolk and Suffolk and recognises the importance of the delivery of this vision for the region's future economic growth. The government will offer the Combined Authorities expert advice and support through the Smart Specialisation Advisory Hub, and associated workshops, to support activities part-funded by the European Regional Development Fund. The Government also recognises Norwich's growing capability in the area of food and health research, as evidence by the announcement of the Quadram Institute in Budget 2016, and would be interested in the area's views on how Norfolk and Suffolk can capitalise on this strength.</p>	
Health and Social Care	
<p>East Anglia faces significant demographic challenges that are putting pressure on resources now and in future years. For example, the population of the area contains more residents over the age of 75 than the average for England and this group is expected to continue to grow significantly.</p> <p>Local progress has already been made towards greater integration of health and social care in Norfolk and Suffolk</p>	<p>The current system does not adequately support people to live as positive and independent lives as possible. This is bad for our people and offers poor value for money. The current system is not financially sustainable both in terms of public service spending and demographic pressures facing Suffolk and Norfolk. We want to shift financial incentives and planning towards activities that maintain health rather than just treat ill health.</p> <p>If we succeed we will not only have stemmed the increasing demand for high end in patient services but actually reduced it. We are seeing significant increases in hospital activity this year, we think we can turn this trend around to a 3% reduction in 5 years, achieved through working on two fronts, preventing people from</p>

Function	Rationale
<p>where they have developed local integrated services that support and improve the delivery of health and social care for people in their areas.</p> <p>There is appetite to build on these foundations and make further progress on health and social care integration in order to deliver the Spending Review commitment to integrate health and social care by 2020, and to make the most efficient and effective use of public resources to meet the demographic challenges that lie ahead. Integrating such complex services will require re-shaping the whole system, which can only be achieved through careful planning, a shared vision and strong co-operation between local partners. This Devolution Deal signals a commitment to take forward the goal of improving local services and building resilience for future generations.</p> <p>to deliver this shared vision, partnerships between local authorities, clinical commissioning groups, service providers and other local partners will need to be strengthened significantly. Therefore, these parties will work together, with the Combined Authority and with support from the Government, NHS England and other national partners as appropriate, to support each of the counties through their Sustainability and Transformation Planning process to set out plans for moving progressively towards integration of health and social care, bringing together local health and social care resources to improve outcomes for residents and reduce pressure on Accident and Emergency and avoidable hospital admissions.</p>	<p>becoming ill as well as treating illness earlier and better, out of hospital. With proper join up we could crack delays for people who are ready to go home, designing sensible services that enable people to live as independently as they can having a significant positive impact on delayed transfers of care.</p> <p>We want to continue to develop an integrated system that is designed around our residents to keep them safe, healthy and cared for and through our economic ambition offer more opportunity to unlock their potential to live independently and well for as long as possible. Our residents don't care about traditional service boundaries, just that they are as independent as possible and get help when they need it and this remains our biggest priority to deliver.</p>

Function	Rationale
<p>NHS England and local organisations will remain accountable for meeting the full range of their statutory duties.</p>	
Public Service Reform	
<p>The Government and the Combined Authority will work with relevant central and local statutory and non-statutory sector partners to explore innovative and integrated approaches to redesigning sustainable public services across Norfolk and Suffolk with a focus on prevention and early help</p>	<p>Our Devolution Proposal is broad and ambitious. It makes the links between people, their health, wellbeing and safety; and Places, the infrastructure, housing and connectivity which is essential to Productivity. Achieving this requires a commitment to a new long-term relationship between central and local government and a joint approach to long-term investment which provides the confidence for local businesses to deliver the growth we need in Suffolk and Norfolk, and more generally for the benefit of UK plc. Our contribution to the devolution revolution can be characterised by:</p> <ul style="list-style-type: none"> • A new relationship between central and local government • Increased productivity in both the private and public sectors • Maximising the potential of our people and places • Helping the UK become a global economic powerhouse
<p>The Combined Authority is accountable to local people for the successful implementation of the Devolution Deal; consequently, the Government expects the Combined Authorities to monitor and evaluate their Deal in order to demonstrate and report on progress. The Cities and Local Growth Unit will work with the Combined Authorities to agree a locally resourced monitoring and evaluation framework that meets local needs and helps to support future learning. This framework must be approved to the DCLG Accounting Officer prior to delivery.</p>	<p>The MCA will be accountable to central Government but also local people. It will also be subject to its Overview and Scrutiny Committee and Audit Committee.</p>
<p>The Combined Authority will be required to evaluate the additional £25 million per annum of funding for 30 years, which will form part of and capitalise the Combined Authority single pot. The £25 million per annum fund will be subject to:</p> <p>a) Gateway assessments for the £25 million per annum scheme. The Combined Authorities and the Government will jointly commission an independent assessment of the economic benefits and economic impact of the</p>	<p>The single pot is vital to achieving Norfolk and Suffolk’s ambition to increase its contribution to UK growth and establish our position as a global leader.</p> <p>It will be the MCA’s responsibility to ensure that the single pot, along with its additional devolved powers and other funding are used in the most effective, transparent and appropriate way.</p>

Function	Rationale
<p>investments made under the scheme, including whether the projects have been delivered on time and to budget. This assessment will be funded by the Combined Authorities, but agreed at the outset with the Government, and will take place every five years. The next five year tranche of funding will be unlocked if the Government is satisfied that the independent assessment shows the investment to have met the objectives and contributed to national growth;</p> <p>b) The gateway assessment should be consistent with the HM Treasury Green Book, which sets out the framework for evaluation of all policies and programmes, and where relevant with the more detailed transport cost-benefit analysis guidance issued by the Department for Transport (DfT). The assessment should also take into account the latest developments in economic evaluation methodology; and</p> <p>The Government would expect the assessment to show the activity funded through the scheme represents better value for money than comparable projects, defined in terms of a Benefit to Cost ratio.</p>	

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Appendix C

Scheme for a Norfolk and Suffolk Combined Authority

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INTRODUCTION

The Norfolk and Suffolk Combined Authority will work with the Local Councils, LEPs, Government departments and agencies, ports, universities, third sector and business to grow the local and national economy whilst improving the life chances and quality of life of people across the region. This scheme sets out a number of core initiatives:

- A step change in infrastructure delivery with an integrated approach to planning of roads, rail and digital connectivity alongside land for new housing and business;
- The Constituent Authorities recognise and have agreed to the double devolution of powers to local areas working with the Mayor and the Combined Authority to take responsibility and accountability for delivery in their own areas to align with the regional strategic ambition;
- Making East Anglia the UK's truly connected region in respect of communications and transport connections, linking research-based growth in the major towns and cities with even the most rural villages. Improvements to road and rail infrastructure and using smart ticketing will make it easier for residents to participate fully in the economy across transport modes;
- Devising new models of private/public infrastructure and housing funding to fund strategic capital infrastructure;
- A new partnership between the Universities and Further Education providers in the region to drive a programme of co-ordinated skills and educational improvement to deliver the knowledge based economy.
- Areas of joint collaboration with Cambridgeshire and Peterborough, including strategic issues of scale, such as transport, skills and key sectors, eg agri-tech, as well as other areas that represent economic growth opportunities

The Combined Authority will comprise an elected Mayor and an elected member from each Constituent Authority appointed in accordance with the scheme set out below and shall include a representative from the New Anglia Local Enterprise Partnership for Norfolk and Suffolk "the LEP". The Mayor and the Combined Authority shall work closely together to deliver the vision and aims. The Mayor shall also be represented on the LEP.

The Combined Authority is a:

- Local authority for many purposes of the Local Government Act 1972, in particular sections 101 and 102 (arrangements for the discharge of functions by the local authorities) in conjunction with the powers of the Constituent Authorities to work jointly with the Combined Authority under sections 9EA and 9EB of the Local Government Act 2000; Part VA provisions on access to information; and for the purpose of the power of a Minister of the Crown to pay grants;
- Best value authority for the purpose of section 1 Local Government Act 1999; and
- Public body for the purpose of the Freedom of Information Act 2000.

The Combined Authority's responsibilities will include:

- A multi-year, consolidated and devolved local transport budget;
- A new Key Route Network of local authority roads to be managed and maintained by the Combined Authority;
- Strategic planning, creating a non-statutory spatial framework;
- Increasing new homes delivery;

- A £25 million a year funding allocation over 30 years, to boost growth;
- Through one of its Members, chairing an area-based review of 16+ skills provision and, from 2018/19, devolved 19+ adult skills funding;
- Jointly with government, co-designing the new National Work and Health Programme, to focus on those with a health condition or disability and the very long term unemployed; and
- Such further responsibilities and powers as may be agreed from time to time and included in future legislation.

The components of this Scheme will be reflected in a Mayoral Combined Authority Order to be laid before Parliament by the Secretary of State, provided the Scheme satisfies the tests of the Secretary of State for Communities and Local Government.

In relation to the costs of the Combined Authority the Constituent Authorities have agreed the principle that the Combined Authority's costs will be met as far as possible from existing resources. The statutory officers and support to the Combined Authority will be provided by the Constituent Authorities.

In relation to Mayoral costs the agreed intention of the Constituent Authorities is that the £25 million per annum funding allocation will be invested so as to leverage additional financial benefit for the Combined Authority which will, after an initial investment period, exceed the Mayoral costs arising from the creation of a Combined Authority.

Where there is any inconsistency between the nature of and responsibility for the functions set out in the Appendices to this Scheme and the Norfolk and Suffolk Devolution Agreement entered into between the Councils in Norfolk and Suffolk and Government Ministers, the Norfolk and Suffolk Devolution Agreement shall prevail.

1 ESTABLISHMENT OF THE COMBINED AUTHORITY

- 1.1 A Mayoral Combined Authority shall be established pursuant to section 103 of the Local Democracy, Economic Development and Construction Act 2009 ("LDEDCA"). It shall come into existence on 1 March 2017 or the day after the Order is made, whichever is the later.

2 AREA OF THE COMBINED AUTHORITY

- 2.1 Subject to the consent of the Councils, the Combined Authority's area shall cover the areas of the following Councils:

- (a) 7Babergh District Council
- (b) Breckland District Council
- (c) Broadland District Council
- (d) Forest Heath District Council
- (e) Great Yarmouth Borough Council
- (f) Ipswich Borough Council
- (g) King's Lynn and West Norfolk District Council
- (h) Mid-Suffolk District Council
- (i) Norfolk County Council
- (j) North Norfolk District Council
- (k) Norwich City Council
- (l) St Edmundsbury Borough Council
- (m) South Norfolk District Council
- (n) Suffolk Coastal District Council
- (o) Suffolk County Council
- (p) Waveney District Council.

Each of the above authorities shall be a "Constituent Authority" of the Combined Authority.

3 NAME OF THE COMBINED AUTHORITY

- 3.1 The name of the Combined Authority will be the Norfolk and Suffolk Combined Authority.

4 MEMBERSHIP

- 4.1 The Combined Authority shall consist of the Members as set out below:

- 4.1.1 The Mayor elected for the Combined Authority;
- 4.1.2 An elected member appointed by each of the Constituent Authorities;
- 4.1.3 A nominee of the New Anglia LEP; and

4.1.4 Such other non-voting Non-Constituent Members as may be admitted to the Combined Authority from time to time by the full Constituent Authority Membership.

4.2 The expression "Member" shall include all of the above.

4.3 Each organisation entitled to appoint a Member shall be entitled to appoint a Substitute Member, who shall have the same decision-making authority and voting rights as the person in whose place they are acting.

5 DIRECTLY ELECTED MAYOR

5.1 There shall be a directly elected Mayor for the area of the Combined Authority pursuant to section 107A of the LDEDCA ("the Mayor"). The Mayor will be elected in May 2017. The provisions of Schedule 5B of LDEDCA shall apply subject to paragraph 5.2 below.

5.2 The term of office of the Mayor elected in May 2017 shall be four years. Each subsequent election shall take place in each fourth year thereafter on the same day of ordinary election and the term of office of the elected Mayor shall be four years.

5.3 The Mayor shall appoint one of the Members of the Combined Authority to be the Deputy Mayor in accordance with section 107C of LDEDCA and the Deputy Mayor shall:

- a) hold office until the end of the term of office of the Mayor subject to paragraph b) below;
- b) cease to be Deputy Mayor if at any time the Mayor removes him or her from office, he or she resigns as Deputy Mayor or ceases to be a Member of the Combined Authority;
- c) act in the place of the Mayor if for any reason the Mayor is unable to act or the office of Mayor is vacant.

5.4 If a vacancy arises in the office of Deputy Mayor, the Mayor must appoint another Member of the Combined Authority to be the Deputy Mayor.

5.5 If for any reason the Mayor is unable to act or the office of Mayor is vacant; and the Deputy Mayor is unable to act or the office of Deputy Mayor is vacant, the other Members of the Combined Authority must act together in place of the Mayor, taking decisions by a simple majority.

6 MEMBER REPRESENTATIVES

6.1 Each Member representative will act in the best interests of the Combined Authority as a whole, taking into account all relevant matters.

6.2 Where a Member or Substitute Member ceases (for whatever reason) to be a Member of or otherwise represent the organisation that appointed or nominated them, then that Member representative will cease to be a Member of the Combined Authority and the organisation shall appoint a replacement Member as soon as possible.

6.3 A Member or Substitute Member may resign by giving written notice to the Proper Officer of the Constituent Authority that appointed them or the LEP as the case may be. The relevant Constituent Authority or LEP shall notify the Combined Authority forthwith of any such resignation.

6.4 Where a Constituent Authority's Member or Substitute Member appointment ceases, the relevant Constituent Authority shall give notice of the appointment of another of its elected members in that person's place as soon as possible. Where a LEP Member or Substitute Member's appointment ceases, the LEP shall nominate another of its Directors in that person's place as soon as possible. Such nominated Director shall become a Member or Substitute Member as the case may be from the date on which written notice of nomination by the LEP is received by the Combined Authority.

6.5 Each organisation shall at any time be entitled to terminate the appointment of a Member or Substitute Member appointed to the Combined Authority and replace that Member or Substitute Member at any

time by giving not less than 14 days written notice to the Combined Authority and the termination and replacement shall take effect on the expiry of such notice.

7 CONDUCT OF MEMBERS

7.1 Members will at all times observe the Code of Conduct for Members which will be set out in the Constitution of the Combined Authority.

8 CHAIR

8.1 Until the taking up of the office of directly elected Mayor, the Chair of the Combined Authority shall be appointed by the Combined Authority from among its Constituent Authority Members.

8.2 From the point at which he or she takes office, the Mayor will act as Chair of the Combined Authority.

8.3 The Mayor shall appoint the Deputy Mayor as vice chair of the Combined Authority.

9 CO-OPTTEES

9.1 The Combined Authority may co-opt additional non-voting representatives to the Combined Authority from time to time and shall determine their rights to participate.

10 EXPENSES

10.1 LEP and Constituent Authority Members of the Combined Authority shall not be entitled to remuneration but may be reimbursed for reasonable travel, subsistence and out of pocket expenses by the appointing organisation from time to time.

11 DECISION MAKING

11.1 The discharge of the functions of the Combined Authority will be subject to the constitutional arrangements and the overview and scrutiny arrangements set out below. The Combined Authority will operate through thematic, geographic and/or district clusters, to be determined by the Combined Authority through its Constitution in due course. The formation of such clusters is to ensure that the delivery of functions exercisable by the Mayor and/or Combined Authority will be exercised at the appropriate local geographies primarily based on functional economic areas and travel to work areas. Existing delivery bodies, for example relating to the Greater Norwich and Greater Ipswich City Deal areas, will be utilised rather than create new bodies.

11.2 The Combined Authority may delegate functions other than those reserved to it under paragraph 16.2 to a committee or sub-committee of the Combined Authority (or to officers or another authority) to be established under the Constitution, reflecting the clusters referred to in paragraph 11.1.

11.3 The Mayor and the other Members of the Combined Authority will be required to work closely together. Specifically:

- a) the Mayor will provide overall leadership and chair Combined Authority meetings;
- b) the committee chairs will act as a supporting and advisory function to the Mayor in respective policy areas;
- c) the Mayor will also be a member of the LEP recognising the importance of the LEP's role and the private sector in any growth strategies or delivery.

11.4 In establishing committees under the Constitution Constituent Authorities directly affected by matters in the terms of reference of any such committee or sub-committee shall be represented on such committee or sub-committee.

- 11.5 The Mayor and the Combined Authority may together, acting by simple majority, agree to establish and participate in Joint Committees with other Combined Authorities or Sub-National Transport bodies to promote the achievement of the Devolution Agreement, deliver benefits for the area and improved opportunities and services and may delegate highways and transport functions to such a Joint Committee; provided that the voting majority includes any Constituent Authority that may be directly affected by a decision of a proposed Joint Committee.

12 COMBINED AUTHORITY FUNCTIONS

- 12.1 The Combined Authority shall be permitted to exercise any of the functions of the Constituent Authorities concurrently. Any such functions shall only be exercised with the agreement of a simple majority of the Constituent Authorities, to include the Constituent Authority whose functions are to be exercised by the Combined Authority.

13 FUNCTIONS OF THE MAYOR

- 13.1 The functions devolved from Central Government set out in Appendix A to this Scheme shall be functions of the Mayoral Combined Authority that are exercisable only by the Mayor ("the Mayoral Functions") subject to the Combined Authority's ability to veto as set out in paragraph 14.
- 13.2 In exercising the Mayoral Functions the Mayor shall have the powers in section 113A of LDEDCA subject to the limitations that apply under section 113B of LDEDCA.
- 13.3 Chapter 1 of Part 1 of the Localism Act 2011 (which confers a general power of competence on local authorities) shall not be applied to the Mayor.
- 13.4 The Mayor shall not be given a power to direct under section 88 of the Local Transport Act 2008.
- 13.5 The Mayor shall exercise the Mayoral Functions concurrently with the Secretary of State (as regards transport functions) and the relevant public authority (as defined in section 105A(9) of LDEDCA) as regards other functions.

14 EXERCISE OF THE MAYORAL FUNCTIONS

- 14.1 The Mayor shall arrange for the exercise of the Mayoral Functions in accordance with section 107D(3)(a) and (b) of LDEDCA.
- 14.2 The development and approval of the Mayor's budget shall be governed by paragraph 21 of this Scheme.
- 14.3 Before a decision is taken by the Combined Authority on the approval of any strategy falling within the remit of the Mayor under the Mayoral Functions, whether that approval is to be given by the Mayor directly or otherwise, the Mayor shall consult the Combined Authority and:-
- a) The spatial framework and any supplementary planning documents referred to in paragraph 2.1 of Appendix A shall require the unanimous approval of the Constituent Authority Members of the Combined Authority;
 - b) the Transport Plan referred to in paragraph 1.6 of Appendix A and any spending plans or plans for the allocation of transport-related funding shall be treated as rejected if a two thirds majority of the Constituent Authority Members of the Combined Authority vote to modify or reject the Transport Plan and associated spending, provided that any decision to reject or modify the Transport Plan or budget includes the Combined Authority Members from each of Norfolk and Suffolk County Councils; and
 - c) any other strategy or spending plans shall be treated as rejected if a two thirds majority of the Constituent Authority Members of the Combined Authority vote to reject such a plan provided that any Constituent Authority directly affected by such a strategy or plan and present and able to vote at the meeting must be part of the deciding vote's majority for that rejection decision to carry (unless they abstain).

14.4 The Mayor may prepare a new plan or budget where any plan or budget is rejected in accordance with the provisions set out in paragraph 21.

14.5 A Constituent Authority shall be considered to be 'directly affected' by a strategy or plan if that Constituent Authority has statutory responsibilities in relation to the subject matter of the strategy or plan.

15 FUNCTIONS OF THE COMBINED AUTHORITY

15.1 The Combined Authority shall have the functions set out in Appendix B to this Scheme.

15.2 Chapter 1 of Part 1 of the Localism Act 2011 (which confers a general power of competence on local authorities) shall be applied to the Combined Authority by order of the Secretary of State pursuant to section 113D LDEDCA.

15.3 The Combined Authority shall have the wellbeing power contained in section 99 of the Local Transport Act 2008 by virtue of Section 102A of that Act which can be exercised in conjunction with the general powers granted to it by section 113D of the LDEDCA

15.4 The Combined Authority shall not be given a power to direct under section 88 of the Local Transport Act 2008.

15.5 The Combined Authority shall exercise the Combined Authority's functions concurrently with the Secretary of State (as regards transport functions) and the relevant public authority (as defined in section 105A(9) of LDEDCA) as regards other functions.

15.6 The Combined Authority shall have the power to borrow for a purpose relevant to any of its functions as contained in sections 1 and 23(5) of the Local Government Act 2003 as amended by section 9(3) of the Cities and Local Government Devolution Act 2016.

16 PROCEEDINGS OF THE COMBINED AUTHORITY

16.1 Sections 101 and 102 of the Local Government Act 1972 apply to the Combined Authority in the exercise of its functions so that the Combined Authority shall have the power to delegate its functions to a committee or sub-committee of the Combined Authority or to an officer or another authority.

16.2 Notwithstanding paragraphs 11.4, 11.5 and 16.1 the following decisions shall only be taken in a meeting of the full Combined Authority:

- a) approval of the borrowing limits, treasury management strategy including reserves, investment strategy, borrowing and budget of the Combined Authority including the amount of any expenses to be met by the Constituent Authorities under paragraph 20 of this Scheme;
- b) approval of the Combined Authority Standing Orders and any amendments to them (other than to reflect minor drafting improvements or legislative changes);
- c) appointing the Chair of the Combined Authority pending the Mayor taking office;
- d) approving the establishment of Committees, their terms of reference and composition, making and accepting appointments to them including the Overview and Scrutiny Committee referred to in paragraph 17 of this Scheme and the Audit Committee referred to in paragraph 18 of this Scheme made by Constituent Authorities;
- e) the making of any decision referred to in paragraph 14.3 of this Scheme;
- f) the making of proposals to the Secretary of State for the conferring on the Combined Authority of additional functions or powers;

- g) approval of the making of arrangements for the exercise of the functions of any Constituent Authority;
 - h) admission of any body to non-constituent participation in the Combined Authority;
 - i) the giving or not giving of consent to the making of any Order by the Secretary of State in relation to the Combined Authority under any legislation including LDEDCA;
 - j) appointment and dismissal of the Head of Paid Service, Monitoring Officer and the officer with responsibility for the proper administration of the Combined Authority's financial affairs.
- 16.3 All decisions of the Combined Authority shall be decided by a majority of those voting Members present and voting, subject to that majority including the vote of the Mayor, subject to paragraphs 16.4 to 16.8 below or unless otherwise set out in legislation or specifically delegated through the Authority's Constitution.
- 16.4 Questions on the matters referred to in paragraphs 16.2a), 16.2b), 16.2d) and 16.2f) to 16.2j) inclusive and any other matters determined by the Combined Authority and set out in its Standing Orders require a unanimous vote in favour by all Constituent Authority Members (or Substitute Members acting in place of those Members) to be carried.
- 16.5 The Combined Authority may in its Standing Orders make provision for special majority voting arrangements on specified reserved decisions or types of decisions in recognition that some decisions made by the Combined Authority could have a significant impact on some or all of the Constituent Authorities and that the democratic mandate of each Constituent Authority should be respected and preserved. Such special majority voting arrangements may include arrangements based on the principle that Constituent Authorities directly affected by a decision must be part of the majority in order for that decision to carry.
- 16.6 Special majority voting arrangements contained in the Combined Authority's Constitution may not vary the voting arrangements set out in paragraph 14.3 of this Scheme.
- 16.7 Changes to the Combined Authority's Constitution, other than changes required by legislation or minor drafting or consequential amendments, shall require a unanimous vote.
- 16.8 The quorum of the Combined Authority is 7 voting Members or Substitute Members provided that quorum includes a district member and a county member from each of Suffolk and Norfolk. The quorum for a committee or sub-committee of the Combined Authority shall be determined by the Combined Authority when establishing it.
- 16.9 Each voting Member shall have one vote.
- 16.10 The Mayor shall have no casting vote.
- 16.11 If a vote is tied it is deemed not to have been carried and provisions for deadlock will be set out in the Constitution.
- 16.12 Proceedings shall not be invalidated by any vacancy amongst the Combined Authority's Members or by any defect in the appointment or qualification of any Member.

17 OVERVIEW AND SCRUTINY

- 17.1 There shall be an Overview & Scrutiny Committee of the Combined Authority pursuant to Schedule 5A of LDEDCA to exercise scrutiny functions over the Combined Authority.
- 17.2 Each Constituent Authority shall appoint one elected member to the Overview & Scrutiny Committee.
- 17.3 Overview & Scrutiny Committee membership shall not include a Combined Authority Member (including the Mayor and the Deputy Mayor).

The Combined Authority shall appoint as Chair of the Overview and Scrutiny Committee an elected member of one of the Constituent Authorities who is not a member of a registered political party of which the Mayor is a member (if the Mayor is a member of a registered political party).

- 17.4 Each member on the Overview and Scrutiny Committee shall have one vote and there shall be no casting vote.
- 17.5 If a vote is tied it is deemed not to have been carried and provisions for deadlock will be included in the Constitution.
- 17.6 The Overview & Scrutiny Committee shall have power to:
- a) Require Combined Authority Members and Officers, including the Mayor and Deputy Mayor, to attend and answer questions;
 - b) Review or scrutinise decisions or other actions taken in connection with the discharge of any functions which are the responsibility of the Combined Authority or the Mayor;
 - c) Make reports or recommendations to the Combined Authority and the Mayor with respect to the discharge of any functions which are the responsibility of the Combined Authority or the Mayor;
 - d) Make reports or recommendations to the Combined Authority and the Mayor on matters that affect the Combined Authority's area or the inhabitants of the area;
 - e) In respect of any decision made but not implemented by either the Combined Authority or the Mayor, direct that the decision is not to be implemented while it is under review or scrutiny and to recommend that the decision be reconsidered, further details of which are set out in the Constitutional Documents.
 - f) Invite others to attend meetings of the Committee
- 17.7 Where the Overview & Scrutiny Committee makes a report it may also publish the report and require a response from the Combined Authority or the Mayor as the case may be, within a period of two months from receipt of the report.

18 AUDIT

- 18.1 The Combined Authority shall establish an Audit Committee pursuant to Schedule 5A of LDEDCA to fulfil the functions set out in paragraph 18.3.
- 18.2 The membership of the Audit Committee shall be determined by the Combined Authority but one member of the Committee shall be independent.
- 18.3 The Audit Committee will have the power to:
- a) Review and scrutinise the Office of the Mayor and Combined Authority's financial affairs;
 - b) Review and assess the Mayor and Combined Authority's risk management, internal control and corporate governance arrangements;
 - c) Review and assess the economy, efficiency and effectiveness with which resources have been used in discharging the Combined Authority's functions and the Mayoral Functions;
 - d) Make reports and recommendations to the Combined Authority and/or the Mayor in relation to any reviews carried out in relation to the matters stated above;
 - e) Receive any external audit report; consider the report and make recommendations to the Combined Authority or the Mayor, as appropriate; and
 - f) Approve the annual accounts of the Combined Authority.

19 RECORDS AND STANDING ORDERS

- 19.1 Proceedings and the names of Members present at meetings must be recorded. Such proceedings will be agreed as an accurate record by Members of the Combined Authority at the next or a subsequent meeting.
- 19.2 The Combined Authority may make Standing Orders and Procedure Rules and shall adopt relevant procedures as set out at the end of this Scheme.

20 FUNDING OF THE EXERCISE OF COMBINED AUTHORITY FUNCTIONS

- 20.1 The expenses of the Combined Authority that are reasonably attributable to the exercise of its functions (excluding Mayoral Functions) will be met by the Constituent Authorities; provided that the Combined Authority shall adhere to the principles set out in the Introduction in relation to such expenses.
- 20.2 The Combined Authority shall be a levying body under section 74 of the Local Government Finance Act 1988 and shall have the power to issue a levy to its Constituent Authorities in respect of the expenses referred to in paragraph 20.1, provided that the Combined Authority shall adhere to the principles set out in the Introduction in relation to such expenses. Such levy shall be apportioned between the Constituent Authorities in equal shares.
- 20.3 The Constituent Authorities have agreed the principle that the Combined Authority costs will be met as far as possible from existing resources. The Constitution will set out a process for agreeing how these will be met.
- 20.4 The Combined Authority shall agree an annual budget identifying its expenditure and sources of income including any amount payable by the Constituent Authorities under paragraph 20.1.

21 FUNDING OF THE EXERCISE OF MAYORAL FUNCTIONS

- 21.1 In the financial year 2017/18 the costs of the Mayor that are incurred in (or in connection with) the exercise of the Mayoral Functions will be met by the Constituent Authorities. Such costs shall be apportioned between the Constituent Authorities in equal shares that are based on relative population, provided that the Combined Authority shall adhere to the principles set out in the Introduction in relation to the Mayoral costs.
- 21.2 In any financial year following 2017/18 the costs of the Mayor that are incurred in (or in connection with) the exercise of the Mayoral Functions may be met from precepts issued by the Combined Authority under section 40 of the Local Government Finance Act 1992; provided that the Combined Authority shall adhere to the principles set out in the Introduction in relation to the Mayoral costs.
- 21.3 The Combined Authority will be a major precepting authority under section 39 of the Local Government Finance Act 1992 but only in relation to expenditure incurred by the Mayor in or in connection with the exercise of the Mayoral Functions.
- 21.4 Any mayoral costs incurred by Constituted Authorities will be treated as a loan to the Combined Authority repayable on the 3rd anniversary of the first Mayoral election.
- 21.5 The function of issuing a precept under Chapter 4 of Part 1 of the Local Government Finance Act 1992 shall (subject to the following provisions of this paragraph 21) be a function only exercisable by the Mayor acting on behalf of the Combined Authority.
- 21.6 The Mayor shall maintain a fund in relation to receipts arising and liabilities incurred in the exercise of the Mayoral Functions.
- 21.7 Prior to each financial year beginning with the financial year 2018/19 the Mayor shall follow a process for the development of his or her budget (including the amount of any precept under paragraph 21.2)

for the exercise of Mayoral Functions for the financial year in question that is in accordance with Regulations or, in the absence of Regulations has the following characteristics:-

- a) preparation of a draft budget to include expenditure plans and income including the proposed precept under paragraph 21.2 above;
- b) scrutiny of the draft budget by the other Members of the Combined Authority and the Overview and Scrutiny Committee appointed under paragraph 17 of this Scheme;
- c) the making of changes to the draft budget as a result of such scrutiny; and
- d) the approval of the draft budget in accordance with paragraph 21.8 below.

21.8 The Mayor's draft budget shall be treated as rejected if two thirds of the Constituent Authority Members of the Combined Authority vote to reject it and in that event the Mayor shall propose a revised draft budget. Provisions for bringing a revised budget (or any other plan rejected by the Combined Authority under paragraph 14.4) back to the Combined Authority will be set out in the Constitution.

21.9 Subject to the making of enabling legislation, the Mayor shall have power to place a supplement of 2p per pound of rateable value on business rates to fund infrastructure and Mayoral costs with the agreement of the local business community through the LEP.

22 TRANSFER OF PROPERTY, RIGHTS AND LIABILITIES

22.1 There shall be no transfer of property, rights or liabilities, other than of an administrative nature, between the Combined Authority or the Mayor and the Constituent Authorities other than by the unanimous agreement of the Constituent Authorities.

23 LOCAL ENTERPRISE PARTNERSHIPS

23.1 The Combined Authority recognises the importance of the New Anglia LEP working closely with the Greater Cambridge Greater Peterborough LEP, the Greater Lincolnshire LEP and South East LEP.

23.2 The Combined Authority commits to work with partners in East Anglia, the Midlands and the South of England to promote opportunities for pan-Midlands and pan-Southern collaboration, along with any Sub National Transport Bodies and other Combined Authorities or such other body as from time to time may be appropriate to ensure the Mayor and the Combined Authority can properly fulfil their functions.

24 OFFICERS

24.1 The Combined Authorities must appoint persons to undertake the statutory functions of the Head of Paid Service, Chief Finance Officer and Monitoring Officer; provided that the principle of such officers being provided by Constituent Authorities shall be adhered to.

24.2 The Constitution will include provision for the procedure to be followed in the appointment and dismissal of the Head of Paid Service, Chief Finance Office and Monitoring Officer.

24.3 The Combined Authority shall have the power to employ such officers or to engage such persons as it considers appropriate and on such terms as it thinks fit, to carry out its functions; provided that the Combined Authority shall adhere to the principles set out in the Introduction in relation to costs of the Combined Authority.

25 ADDITIONAL CONSTITUTIONAL DOCUMENTS

25.1 The Combined Authority shall adopt a Constitution that comprises, as a minimum:

- Scheme of Delegation;

- Meeting Procedure Rules;
- Access to Information Procedure Rules;
- Financial Management Procedure Rules;
- Procurement and Contract Procedure Rules;
- Officer Employment Procedure Rules;
- Members' Code of Conduct;
- Officers' Code of Conduct;
- Scheme for Members' Expenses.

APPENDIX A

COMBINED AUTHORITY FUNCTIONS EXERCISABLE BY THE MAYOR

1 TRANSPORT AND ELECTRONIC COMMUNICATIONS – BETTER CONNECTED

- 1.1 To be responsible for a consolidated, multi-year local transport budget for the area of the Combined Authority devolved from the Government consisting of the Integrated Transport Block or any equivalent or replacement funding for the same or similar functions as those covered by that funding.
- 1.2 For the financial years 2017/18 to 2020/21 inclusive the amounts and allocations of the local transport budget shall be as set out in respect of the Integrated Transport Block in the Table at Annex 1 to this Appendix A.
- 1.3 In each financial year referred to in Annex 1 and any other financial year in which the amounts devolved by the Government are identified as allocated to individual Constituent Authorities, the Mayor shall pass that funding to the relevant Constituent Authorities.
- 1.4 In any financial year in which the amounts devolved by the Government are not identified as allocated to individual Constituent Authorities, the Mayor shall consult with the Combined Authority as to his/her spending plans in relation to the devolved amounts and approval of such spending plans shall be subject to paragraph 14.4 b) of the Scheme (i.e. as long as a 2/3 majority did not vote against).
- 1.5 The Mayor shall transfer to the relevant Constituent Authority any amount identified as allocated to that Constituent Authority in the spending plans approved pursuant to paragraph 1.3.
- 1.6 To produce and publish a Local Transport Plan for the Combined Authority area without prejudice to Constituent Authority duties to publish Local Transport Plans under sections 108 and 109 of the Transport Act 2000 and to exercise powers under Part II Transport Act 2000 concurrently with the highway authorities.
- 1.7 To take responsibility for delivering a new Key Route Network of local authority roads; the management and maintenance of which shall be undertaken by the Combined Authority and through this work towards shared procurement frameworks and operational delivery of road maintenance across the Constituent Authorities. In turn this will unlock key sites, along with rail developments and support the delivery of an asset management plan.
- 1.8 To exercise, subject to local consultation and agreement, concurrently with the relevant Constituent Authority to the extent that they have equivalent powers, such powers to franchise bus services in the Combined Authority area as shall be contained in future legislation to support delivery of smart and integrated ticketing across the East Anglia region in conjunction with the other Combined Authority and Constituent Authorities.
- 1.9 Develop in partnership with others an integrated approach to local buses, community based transport, the local network of car clubs and in particular rail services with rail operators and Network Rail.
- 1.10 To explore the creation of a statutory Transport body to influence strategic national transport initiatives and work with Essex and the Midlands through the Cambridge-to-Oxford arc under Part 5A Local Transport Act 2008.

2 HOUSING AND PLANNING

- 2.1 Creation of a non-statutory spatial framework and supplementary planning documents to act as a framework for managing strategic planning across the Combined Authority area.
- 2.2 To have functions corresponding to those of the Mayor of London under Part 8 of the Localism Act 2011 to designate any area of land in the Combined Authority area as a Mayoral Development Area leading to the establishment by Order of a Mayoral Development Corporation subject to the consent of all Constituent Authorities in which the Development Corporation is intended to be based.

- 2.3 The Combined Authority, with its partner authorities, will use the powers and infrastructure resources devolved from the Government, alongside local public and private investment, to substantially increase housing delivery through ambitious targets based on housing need, seeking to deliver 40,000 homes to 2021 and 200,000 homes over the longer period of Local Plans across East Anglia of different types and tenures.
- 2.4 To make proposals for the creation of other emerging vehicles to help take forward large development or new settlements subject to the consent of any Constituent Authority in which area the vehicle is intended to be used.
- 2.5 To exercise strategic planning powers to support and accelerate these ambitions. These will include the power to:
 - 2.5.1 Create a non-statutory spatial framework, which will act as the framework for planning across the Combined Authority area, and for the future development of Local Plans. The spatial framework will need to be approved by unanimous vote of the Members appointed by Constituent Authorities of the Combined Authority. This approach must not delay the production of Local Plans.
 - 2.5.2 Create non-statutory supplementary planning documents subject to the approval process above.
 - 2.5.3 Be consulted on planning applications of strategic importance in the Combined Authority area and to work with local areas to achieve ambitious plans for new housing development.
 - 2.5.4 Create Mayoral Development Corporations or similar delivery vehicles, with planning and land assembly powers, which will support delivery of strategic sites in the Combined Authority area. This power will be exercised with the consent of the Constituent Authority Member/Members in which the Development Corporation is to be used.
 - 2.5.5 Develop closer working with the Homes and Communities Agency.
 - 2.5.6 Support the delivery of housing and regeneration activities above in addition to the applicable land powers in the Local Government Act 1972 the Combined Authority shall be entitled to exercise powers in part II Housing Act 1985 concurrently with the Constituent Authorities (irrespective of whether any land would be held for the purposes of Part II) and the Local Authorities (Land) Act 1963.

3 FINANCE

- 3.1 To exercise the power under paragraph 21.9 of the Scheme above (business rate levy).
- 3.2 To exercise the function of issuing a precept under Chapter 4 of Part 1 of the Local Government Finance Act 1992 in respect of mayoral functions.

ANNEX 1

Funding and Allocation	2017/18	2018/19	2019/20	2020/21	
Integrated transport block	£(m)				
Norfolk/Suffolk	7.3	7.3	7.3	7.3	
Highways Maintenance Incentive formula					
Norfolk/Suffolk	4.2	8.5	8.5	8.5	
Highways Maintenance Funding formula					
Norfolk/Suffolk	44.9	40.6	40.6	40.6	
Totals	56 .4	55.4	55.4	55.4	225.6

APPENDIX B

FUNCTIONS TO BE EXERCISED BY THE COMBINED AUTHORITY

1 FLOOD DEFENCE AND COASTAL MANAGEMENT

- 1.1 The Government recognises the impact of climate change and that Norfolk and Suffolk are subject to significant strategic and local flood risk. To manage and mitigate these risks the Combined Authority will work with the Government, drainage boards, the Environment Agency and other relevant bodies to create a fully integrated approach to flood and coastal risk management.
- 1.2 This is required in order to secure timely decisions and funding that maximise the ability to reduce risk and to deliver additional economic growth. This will be achieved through:
- a) Alignment of investment plans in using resources to unlock new business development opportunities and attract additional funding including private contributions, whilst maintaining and, where possible, enhancing national and local commitments to protect people, property and land from flooding.
 - b) Pre-emptive action to deliver solutions to reduce risk and increase resilience during severe weather events, preventing blight and increasing economic confidence.
 - c) A consistent approach to assessing flood and coastal risk, benefits across schemes and maintenance plans to maximise economic and social impact.
 - d) Simplification and alignment of funding mechanisms in order to make processes transparent, locally accountable, efficient and deliver targeted local investment needs.
 - e) Integrating local understanding of needs and benefits into the flood and coastal erosion risk management economic assessment approach
- 1.3 Following the scoping report currently underway, the Government will work with local partners in Bacton and Walcott, which will help protect local communities from coastal erosion. In particular the Environment Agency will contribute up to £1.8M towards the cost of a project to better protect Bacton and Walcott, and will continue to work with the terminal operators and local partners.
- 1.4 To exercise functions concurrently with the Constituent Authorities, including the following:
- Flood and Water Management Act 2010 Part 1
 - Land Drainage Act 1991 Part II
 - Local Government Act 2000 s.9FH

2 LEARNING AND SKILLS, EDUCATION APPRENTICES AND EMPLOYMENT

- 2.1 To ensure continued collaboration the Combined Authority will, with the Regional Schools Commissioner and other key local education stakeholders establish an Education Committee. The Regional Schools Commissioner will work with the Committee to provide strategic direction on education across the Combined Authority area.
- 2.2 The Government commits to an Area Review of post-16 education and training, currently expected to start in November 2016, excluding Great Yarmouth and Lowestoft where a Review has already been conducted during 2015. As part of the Area Based Reviews, the Combined Authority will gather data to feed into the development of a potential proposal for an Institute of Technology (IoT) for regionally significant sectors, and will discuss with the Government the extent to which this meets the criteria

which are being developed for IoTs nationally. The outcome of the Area Review will be taken forward in line with the principles of the devolved arrangements. The review will include all post-16 education and training provision in the initial scoping phase and school sixth forms will be included in the detailed review if the school decides to be involved in the process. Recommendations will be focused on General FE and Sixth Form Colleges; however the Regional Schools Commissioner and the relevant local authorities will consider any specific issues arising from the reviews for school sixth form provision.

- 2.3 The Government recognises the progress the LEP, local colleges and providers and the private sector have made in improving skills provision across East Anglia. The New Anglia Employment and Skills Board will consider if further refinement of their local skills strategies will be required after the conclusion of the Area Reviews to ensure that post-16 providers are delivering the skills that local employers require. It is expected that the LEP Skills Board will continue to collaborate with colleges and providers, with appropriate support from the Education Funding Agency to work towards delivering this plan.
- 2.4 The Government will enable local commissioning of outcomes to be achieved from 19+ Adult Education Budget starting in academic year 17/18; and will fully devolve budgets to the Combined Authorities from academic year 2018/19 subject to readiness conditions). These arrangements will not cover apprenticeships.
- 2.5 The Combined Authority will focus a greater proportion of its devolved Adult Education Budget on learning that delivers sustained job outcomes, productivity and economic growth.
- 2.6 Devolution will proceed in two stages, across the next three academic years:
 - a) The Combined Authority will begin to prepare for local commissioning. For the 2017/18 academic year, and following the area review, the Government will work with the Combined Authority to vary the block grant allocations made to providers, within an agreed framework.
 - b) From 2018/19, there will be full devolution of funding. The Combined Authority will be responsible for allocations to providers and the outcomes to be achieved, consistent with statutory entitlements. The Government will not seek to second guess these decisions, but it will set proportionate requirements about outcome information to be collected in order to allow students to make informed choices. A funding formula for calculating the size of the grant to Constituent Authorities and the Combined Authority will need to take into account a range of demographic, educational and labour market factors; it will also need to take account of costs of implementing devolution and continuing operational expenditure.
- 2.7 The readiness conditions for full devolution are that:
 - a) Parliament has legislated to enable transfer to local authorities of the current statutory duties on the Secretary of State to secure appropriate facilities for further education for adults from this budget and for provision to be free in certain circumstances.
 - b) Completion of the Area Review process leading to a sustainable provider base.
 - c) After Area Reviews are completed, agreed arrangements are in place between central government and the Combined Authority to ensure that devolved funding decisions take account of the need to maintain a sustainable and financially viable 16+ provider base.
 - d) Clear principles and arrangements have been agreed between the Government and the Combined Authority for sharing financial risk and managing failure of 16+ providers, reflecting the balance of devolved and national interest and protecting the taxpayer from unnecessary expenditure and liabilities.
 - e) Learner protection and minimum standards arrangements are agreed.
 - f) Funding and provider management arrangements, including securing financial assurance, are agreed in a way that minimises costs and maximises consistency and transparency.

- 2.8 The Government recognises that East Anglia has a world-class higher education offering, with the University of Cambridge consistently ranked amongst the foremost universities in the world and a wealth of strengths in others such as the University of East Anglia, University Campus Suffolk, Norwich University of the Arts and Anglia Ruskin University. This higher education offer has a vital role in enhancing the innovation and productivity of the area's economy. Local partners want to work with the Government to build on this, including investing in the institutions to develop their academic and research offer.
- 2.9 Other proposals include plans in Ipswich by BT and University Campus Suffolk focused on future developments in ICT and the Internet of Things. The Single Pot funds made available through this devolution deal could act as an important source of investment for this project and Government commits to discussing with local partners how best they might progress their aspirations in this area.
- 2.10 Subject to the readiness conditions below, from the 2018/19 academic year onwards, to receive fully devolved Government budgets (calculated on a funding formula taking into account a range of demographic, educational and labour market factors) for 19+ education and training and to exercise within the Combined Authority area the functions of the Secretary of State under sections 2 and 10A Employment and Training Act 1973 and the following provisions of the Apprenticeship, Skills, Children and Learning Act 2009:
- a) Section 86 except subsection (1)(b)
 - b) Section 87
 - c) Section 88 (but not any power to make Regulations)
 - d) Section 90 (but not any power to make Regulations).
- 2.11 Also relevant are the powers and duties of the Education Authorities under sections 15ZA, 15ZB, 15ZC, and 15 B of the Education Act 1996 and the powers under section 560A of that Act (duties and powers related to the provision of education and training for persons over compulsory school age). Data and information sharing powers in the Social Security (Claims and Information) Regulations 1999 (SI 1999/3108), Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012 (SI 2012/1483), the Welfare Reform Act 2012 s.131 and Welfare Reform and Pensions Act 1999 are also relevant. These powers shall be exercised by the Combined Authority concurrently.
- 2.12 Pursuant to the functions referred to above, to be responsible for allocations to providers and the outcomes to be achieved, consistent with statutory entitlements and proportionate requirements set by the Government.

3 APPRENTICESHIPS

- 3.1 The Government recognises Norfolk and Suffolk's commitment to delivering more apprenticeships. The Combined Authority will assume responsibility for the Apprenticeship Grant for Employers (AGE). The AGE funding must be used alongside mainstream apprenticeship participation funding to incentivise employers to offer apprenticeships, but the Combined Authority is free to vary the criteria associated with the grant (e.g. size and sector of business) to meet local needs. The Skills Funding Agency will work with the Combined Authority to identify an appropriate share.
- 3.2 The Combined Authority and the Government will collaborate to maximise the opportunities presented by the introduction of the apprenticeship reforms, including the levy, and to work together on promoting the benefits of apprenticeships to employers in order to engage more small businesses in the apprenticeship programme. The Combined Authority will explore the potential of introducing an Apprenticeship Training Agency to the area, funded through local resources.
- 3.3 The relevant powers in this regard to be exercised concurrently include those mentioned above in section 2 and the:
- Apprenticeships, Skills, Children and Learning Act 2009 s.122
 - Education and Skills Act 2008.

4 EMPLOYMENT

- 4.1 The Combined Authority will work with the Department for Work and Pensions (DWP) to establish a locally integrated employment services which join together the elements of the employment system to achieve better outcomes. This includes:
- a) The Combined Authority committing to work with the Government to ensure all young people are either earning or learning including supporting Jobcentre Plus in the delivery of the Youth Obligation from April 2017.
 - b) The Government committing to ensuring all young people are either earning or learning and to exploring opportunities for links with local employment services to support this aim, including building in good practice from the present local MyGo service and other local provision.
 - c) The Combined Authority commits to supporting the Youth Obligation by utilising strong local links to business to create work-related training and labour market opportunities for young people including encouraging the provision of apprenticeships and work placements in the local community. It will also work with the Government to investigate the potential for social investment, in particular Social Impact Bonds, for disadvantaged young people not in education, employment or training who may not be in receipt of support from Jobcentre Plus.
- 4.2 The Combined Authority will work with DWP to co-design the new National Work and Health Programme designed to focus on those with a health condition or disability and the very long term unemployed.
- 4.3 The respective roles of DWP and the Combined Authority in the co-design will include:
- a) DWP sets the funding envelope, the Combined Authority can top up if they wish to, but are not required to.
 - b) The Combined Authority will set out how it will join up local public services in order to improve outcomes for this group, particularly how it will work with the Clinical Commissioning Groups/third sector to enable timely health-based support. There will be a particular focus on ensuring the integration of the new programme with local services, in order to ensure that national and local provision works well together, and opportunities for greater integration are identified and levered.
 - c) DWP set the high-level performance framework and will ensure the support appropriately reflects labour market issues. The primary outcomes will be to reduce unemployment and move people into sustained employment. The Combined Authority will have some flexibility to determine specific local outcomes that reflect local labour market priorities, these outcomes should be complementary to the ultimate employment outcome. In determining the local outcome(s) the Combined Authority should work with DWP to take account of the labour market evidence base and articulate how the additional outcome(s) will fit within the wider strategic and economic context and deliver value for money.
 - d) Before delivery commences, DWP and the Combined Authority will set out an agreement covering the respective roles of each party in the delivery and monitoring of the support, including a mechanism by which each party can raise and resolve any concern that arise.
 - e) DWP will facilitate protocols for data sharing and transparency by tackling some of the obstacles and developing solutions to enable the Combined Authority to develop a strategic needs assessment for the area.
- 4.4 The Combined Authority will co-commission the Work and Health programme with DWP. The respective roles of DWP and the Combined Authority will include:
- a) DWP sets the contracting arrangements, including contract package areas, but should consider any proposals from the Combined Authority on contract package area geography.

- b) The Combined Authority will be involved in tender evaluation.
- c) Providers will be solely accountable to DWP, but DWP and the Combined Authority's above-mentioned agreement will include a mechanism by which the Combined Authority can escalate to DWP any concerns about provider performance/breaching local agreements and require DWP to take formal contract action where appropriate.

4.5 The relevant powers in this regard include the:

- Apprenticeships, Skills, Children and Learning Act 2009 s.122
- Education and Skills Act 2008
- Employment and Training Act 1973 s.2, s.10A
- Social Security (Claims and Information) Regulations 1999 (SI 1999/3108)
- Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012 (SI 2012/1483)
- Welfare Reform Act 2012 s.131
- Welfare Reform and Pensions Act 1999

5 FURTHER ACTIVITY TO IMPROVE LIFE CHANCES

- 5.1 The Combined Authority will set out how it will join up local public services across health, skills and employment in order to improve outcomes, particularly how it will work with local Clinical Commissioning Groups/third sector organisations and NHS England / the Health and Work Unit nationally to enable timely health-based support.
- 5.2 DWP will work with the Combined Authority and other partners to put in place workable data sharing arrangements which enable the integration of services and reduce duplication in order to support more people into work.

6 CAREER AND PAY PROGRESSION.

- 6.1 The Government will work with the Combined Authority to ensure that local priorities are fed into the provision of career advice, through direct involvement and collaboration with the Government in the design of local careers and enterprise provision for all ages, including continued collaboration with the Careers and Enterprise Company and the National Careers Service.
- 6.2 The Combined Authority will develop a business case for an innovative pilot to support career and pay progression for those claiming Universal Credit. The business case will set out the evidence to support the proposed pilot, cost and benefits and robust evaluation plans to enable the proposal to be taken forward, subject to Ministerial approval and an agreed investment plan.

7 BUSINESS SUPPORT

- 7.1 The Government will participate in and support the work of The Norfolk and Suffolk Productivity Commission, as a National Pilot Project to improve the productivity of the local economy by:
 - a) Examining the productivity challenges facing local key sectors and the definition of productivity in each sector
 - b) Examining best practice locally, nationally and globally, at tackling these challenges
 - c) Building on the Government's 10-point plan for rural productivity

- d) Assessing how central and local policies are assisting with the productivity challenges and how they can be made to work better
 - e) Developing a Productivity Plan bringing together best practice and policy recommendations
 - f) Overseeing implementation of the plan and evaluate its impact
 - g) Making available findings and actions for roll-out in other parts of the country
- 7.2 The Productivity Commission will be chaired by a senior business figure, co-ordinated by the LEP, funded by local partners and able to capitalise on business-led sector group structures established by the LEP.
- 7.3 Local partners will successfully deliver the New Anglia Enterprise Zone and the extension to the Great Yarmouth and Lowestoft Enterprise Zone as announced on 25 November following the 2015 application round. DCLG will agree with the LEP memoranda of understanding about the high level management and delivery of both the new EZs and the extension. The Government commits to supporting local partners in promoting and supporting the delivery of the Enterprise Zone as well as considering any further proposals subject to future funding rounds.
- 7.4 The LEP will continue to deliver a strong Growth Hub, providing business support tailored to meet local needs across East Anglia. The Government will provide funding to help embed the Growth Hub in 2016/17 and 2017/18.
- 7.5 The Combined Authority, Constituent Authorities and LEPs commit to greater alignment of economic development resources to maximise impact of support for businesses and ensure the most efficient and effective use of public funding. This will include agreeing joint objectives to support the delivery of the Strategic Economic Plans and local plans and explore the pooling of staffing and resources.
- 7.6 The Government recognises the work of the New Anglia Oil and Gas Task Force, established to support the businesses and employees who are being affected by the recent downturn in the oil and gas sector. The New Anglia Task Force will provide intelligence on the state of the local sector to the Government's Inter Ministerial Group, to help shape national policy to support for the sector. The Government will engage with the Task Force to ensure that UK Oil and Gas workforce plan which is currently under development aligns with and enhances measures being taken locally.
- 7.7 The LEP and the Combined Authority commit to working with UKTI, strengthen joint working to increase inward investment and exporting. Local partners will invest in a concerted campaign to help more businesses, particularly smaller companies, export.
- 7.8 The LEP, the Growth Hubs and Constituent Authorities will work with the Government to develop a strategic approach to regulatory delivery, building on the "Better Business for All" national programme which will remove regulatory barriers to growth for businesses. Health and social care
- 7.9 The Government supports the vision for innovation set out by Norfolk and Suffolk and recognises the importance of the delivery of this vision for the region's future economic growth. The Government will offer the Combined Authority expert advice and support through the Smart Specialisation Advisory Hub, and associated workshops, to support activities part-funded by the European Regional Development Fund. The Government also recognises Norwich's growing capability in the area of food and health research, as evidence by the announcement of the Quadram Institute in Budget 2016, and would be interested in the area's views on how East Anglia can capitalise on this strength.

8 HEALTH AND SOCIAL CARE

- 8.1 Norfolk and Suffolk face significant demographic challenges that are putting pressure on resources now and in future years. For example, the population of the area contains more residents over the age of 75 than the average for England and this group is expected to continue to grow significantly.

- 8.2 Local progress has already been made towards greater integration of health and social care in a number of locations – Suffolk and Norfolk have developed local integrated services that support and improve the delivery of health and social care for people in their areas.
- 8.3 There is appetite to build on these foundations and make further progress on health and social care integration in order to deliver the Spending Review commitment to integrate health and social care by 2020, and to make the most efficient and effective use of public resources to meet the demographic challenges that lie ahead. Integrating such complex services will require re-shaping the whole system, which can only be achieved through careful planning, a shared vision and strong co-operation between local partners. The Devolution Deal signals a commitment to take forward the goal of improving local services and building resilience for future generations.
- 8.4 To deliver this shared vision, partnerships between local authorities, clinical commissioning groups, service providers and other local partners will need to be strengthened significantly. Therefore, these parties will work together, with the Combined Authority and with support from the Government, NHS England and other national partners as appropriate, to support each of the counties through their Sustainability and Transformation Planning process to set out plans for moving progressively towards integration of health and social care, bringing together local health and social care resources to improve outcomes for residents and reduce pressure on Accident and Emergency and avoidable hospital admissions.
- 8.5 NHS England and local organisations will remain accountable for meeting the full range of their statutory duties.
- 8.6 Relevant powers to be exercised concurrently with the Constituent Authorities include:
- National Health Service Act 2006 (public health and Part III co-operation and integration);
 - Health and Social Care Act 2012;
 - Care Act 2014;
 - Mental Health Acts.

9 PUBLIC SERVICE REFORM

- 9.1 The Government and the Combined Authority will work with relevant central and local statutory and non-statutory sector partners to explore innovative and integrated approaches to redesigning sustainable public services across Norfolk and Suffolk with a focus on prevention and early help.

10 THE NORFOLK AND SUFFOLK COMMITMENTS

- 10.1 The Combined Authority is accountable to local people for the successful implementation of the Norfolk and Suffolk Devolution Deal; consequently, the Government expects the Combined Authority to monitor and evaluate the Deal in order to demonstrate and report on progress. The Cities and Local Growth Unit will work with the Combined Authority to agree a locally resourced monitoring and evaluation framework that meets local needs and helps to support future learning. This framework must be approved by the DCLG Accounting Officer prior to delivery.
- 10.2 The Combined Authority will be required to evaluate the additional £25 million per annum of funding for 30 years, which will form part of and capitalise the Combined Authority single pot. The £25 million per annum fund will be subject to:
- a) Gateway assessments for the £25 million per annum scheme. The Combined Authority and the Government will jointly commission an independent assessment of the economic benefits and economic impact of the investments made under the scheme, including whether the projects have been delivered on time and to budget. This assessment will be funded by the Combined Authority, but agreed at the outset with the Government, and will take place every five years. The next five year tranche of funding will be unlocked if the Government is satisfied that the

independent assessment shows the investment to have met the objectives and contributed to national growth;

- b) The gateway assessment should be consistent with the HM Treasury Green Book, which sets out the framework for evaluation of all policies and programmes, and where relevant with the more detailed transport cost-benefit analysis guidance issued by the Department for Transport (DfT). The assessment should also take into account the latest developments in economic evaluation methodology; and
- c) The Government would expect the assessment to show the activity funded through the scheme represents better value for money than comparable projects, defined in terms of a Benefit to Cost ratio.

- 10.3 The Combined Authority will jointly write a single local assurance framework for the Single Pot, based on guidance produced by DCLG, to outline decision-making processes to allocate funding, and project appraisal. This local assurance framework will be signed off by the Government.
- 10.4 The Constituent Authorities and the Combined Authority will work with the Government to develop a full implementation plan, covering each policy agreed in this Deal, to be completed ahead of implementation. This plan will include the timing and proposed approach for monitoring and evaluation of each policy which will take into account the latest developments in economic evaluation methodology and help supports future learning. This implementation plan must be approved by the DCLG Accounting Officer prior to delivery.
- 10.5 The Combined Authority and the Government will agree a process to manage local financial risk relevant to these proposals and will jointly develop written agreements on every devolved power or fund to agree accountability between local and national bodies on the basis of the principles set out in this document.
- 10.6 The Combined Authority will continue to set out their proposals to the Government for how local resources and funding will be pooled across the region.
- 10.7 The Combined Authority will agree overall borrowing and capitalisation limits with the Government and have formal agreement to engage on forecasting. The Combined Authorities will also provide information, explanation and assistance to the Office for Budget Responsibility where such information would assist in meeting their duty to produce economic and fiscal forecasts for the UK economy.
- 10.8 The Combined Authority will continue to progress programmes of transformation amongst the Constituent Authorities to streamline back office functions and share more services and data, including on assets and property.
- 10.9 The Government will support the Constituent Authorities by leveraging existing monitoring and evaluation frameworks and, where applicable, by providing assistance to ensure consistency and coordination of metrics and methodologies with other areas receiving a devolution agreement. As part of this commitment, the Government will work with the Constituent Authorities to explore options for the coordinated application of high quality impact evaluation methods in relation to certain policies, which may include i) local commissioning of 19+ skills; and ii) employment support.
- 10.10 The additional £30 million per annum of housing funding for Ipswich and Norwich will be subject to the same processes for evaluation and assessment as the Combined Authority single pot, set out above in paragraphs 10.2 to 10.9

11 HOUSING AND PLANNING

- 11.1 To support delivery of the Mayoral commitment in relation to housing and planning (Appendix A.2) the Combined Authority and the Government agree to establish a Joint Investment and Assets Board to review all land and property (including surplus property and land) held by the public sector (including central Government departments, the NHS and MoD land), building on the success of the One Public Estate Programme and to work together to invest in our strategic infrastructure priorities. The Board will include senior representatives from Government.

- 11.2 The Board will ensure that there is a sufficient, balanced supply of readily available sites for commercial and residential development to meet the demands of a growing economy. It will create a Land Commission to develop a comprehensive database of available public and private sector land (prioritising large sites), identify barriers to its disposal/development, and develop solutions to address those barriers to help the Combined Authority meet its housing goals and to unlock more land for employment use.

12 EQUALITIES

- 12.1 The Combined Authority will adhere to the public sector equality duty under section 149 of the Equality Act 2010 as if it was a public authority for the purposes of that section.

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The Norfolk and Suffolk Devolution Deal

Equality Assessment Phase 1 Findings and Recommendations

June 2016

Summary

1. This report summarises the findings of Phase 1 of the equality assessment of the Norfolk and Suffolk Devolution Deal. It sets out:
 - The purpose of equality assessments (see this page)
 - The legal context (see this page)
 - Overview of the assessment process (see this page)
 - Which people with ‘protected characteristics’ⁱ are likely to be affected (Page 3)
 - Potential impact, issues and risks (pages 3 to 5)
 - Human rights implications (Page 5)
 - Recommended actions (Page 5 - 6).

The purpose of an equality assessment

2. Equality assessments enable decision-makers to consider the impact of proposals on people with protected characteristics, prior to decisions being made. Every opportunity can then be taken to promote equality, build positive community relations and eliminate discrimination as part of the proposal.
3. If any potential for adverse impact is identified, mitigating actions can be developed.

Legal and policy context

4. Public authorities have a legal duty under the Equality Act 2010 to consider the implications of proposals on people with protected characteristics. The Act states that public bodies must pay due regard to the need to:
 - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share itⁱⁱ;
 - Foster good relations between people who share a relevant protected characteristic and people who do not share itⁱⁱⁱ.
5. The full Act is available [here](#).

The assessment process

6. The equality assessment of the Deal comprises two phases, to enable the authorities involved to consider a wide range of evidence before drawing conclusions about likely impacts. This involves reviewing, for example, data about people and services that might

be affected, contextual information about local areas and populations, and crucially, the findings of public consultation:

- **Phase 1** – Draft equality assessment published. Public consultation launched. Where public consultation highlights any specific issues affecting people with protected characteristics, further evidence is gathered to explore these issues and, where appropriate, mitigating actions are identified.
- **Phase 2** - Public consultation closes, the results are analysed. The equality assessment is revised to reflect any equality or accessibility issues highlighted by residents or stakeholders. The revised equality assessment is published.

Who is affected?

7. The Deal will affect everyone in Norfolk and Suffolk – including people who live, work in and visit the region with the following protected characteristics:

Age (people of different age groups; older and younger people)	YES
Disability (all disabilities and long-term health conditions)	YES
Gender reassignment (e.g. people who identify as transgender)	YES
Marriage/civil partnerships	YES
Pregnancy & Maternity	YES
Race (different ethnic groups, including Gypsies and Travellers)	YES
Religion/belief (different faiths, including people with no religion or belief)	YES
Sex (i.e. men/women)	YES
Sexual orientation (e.g. lesbian, gay & bisexual people)	YES

Potential impact

8. The Deal seeks to improve the quality of life for every resident in Norfolk and Suffolk. It has the potential to significantly enhance accessibility and equality of opportunity for people with protected characteristics^{IV}. This is because:
- The Deal represents a lifetime opportunity for the 16 local authorities covering Norfolk and Suffolk to systematically integrate accessibility considerations into core initiatives proposed by the Deal – accelerating progress on equality and accessibility, and addressing persistent barriers to participation.

- The Deal will uniquely position the region to address regional ‘grand challenges’, some of which specifically impact on people with protected characteristics. For example, Norfolk and Suffolk have higher than average numbers of disabled and older residents compared to other areas of the UK. The Deal will enable the region to accelerate health and social care integration, promoting independence and building resilience for future generations^Y.
- The Deal prioritises a number of core initiatives - infrastructure, transport, digital connectivity, housing, economic development, employment and skills, all of which are well documented to have a fundamental impact on the life chances of people with protected characteristics – particularly disabled people, women, Black, Asian and minority ethnic (BAME) people, young people and people who identify as lesbian, gay, bisexual or transgender (LGBT).
- It is worth noting that three of the core initiatives proposed as part of the Deal – digital connectivity, infrastructure and transport – have particular potential to enhance access for disabled and older people. Disabled and older people face persistent barriers in these areas and consistently highlight this in public consultation.
- The Deal will create a better connected region, improving the digital and broadband offer. This could particularly benefit disabled and older/younger people living in rural communities, who are at greater risk of social exclusion and isolation.

Issues and risks

9. Unless a robust mechanism is established to ensure that equality and accessibility are systematically and routinely integrated into all regional strategic planning, design and commissioning activities, there is a risk that sometimes, basic considerations may be missed. This would have the following consequences:
 - Accessibility for people with protected characteristics (particularly older and disabled people, due to the focus of the core initiatives) may be significantly reduced.
 - Opportunities to promote equality for people with protected characteristics may be overlooked – for example, BAME people, disabled and older people, LGTB people, younger people and women.
 - It may be necessary to make reasonable adjustments retrospectively – which is costly, inefficient and inconvenient for the end user.
10. When accessibility is integrated into service design it greatly improves access for disabled and older people. Proposals to enhance the region’s infrastructure and use more technology will particularly impact on different groups of disabled users. For older and disabled people, blind and visually impaired people, Deaf and hearing impaired people, people with learning disabilities/difficulties and people with mental health issues, it will be critical to ensure that infrastructure and technological innovations are accessible.

11. In view of this it is recommended that, if the Deal is implemented, equality assessments should be undertaken at the design stage of all core regional strategic planning and commissioning activities. This will enable accessibility and equality to be routinely and systematically reviewed. In particular, as part of the assessment, guidance should be sought on the minimum and maximum access considerations that could be applied to any given initiative.
12. This would enable decision-makers to consider what would be the most reasonable approach in the circumstances, taking all relevant factors into account - such as regional aspirations for equality; available resources; demand and future proofing. In the medium term, this would have obvious benefits for service quality and would stretch performance on accessibility as far as reasonably practicable. It would also ensure consistency across all aspects of the Deal.
13. It will not always be possible to adopt the course of action that will best promote accessibility and equality for all. However, equality assessments enable informed decisions to be made, that take into account every possible opportunity to minimise disadvantage.
14. If the Deal is implemented, the region should consider adopting a universal equality and accessibility standard. A sample is attached at Annex 1.

Human rights implications

15. Public authorities in the UK are required to act compatibly with the Human Rights Act 1998. This assessment does not identify any human rights issues arising from the Deal. Any specific issues will be addressed in individual equality assessments.

Actions

	Action	Lead	Date
1.	If the Deal is implemented, equality assessments to be undertaken at the design stage of all core regional strategic planning and commissioning activities ^{vi} .	All councils	From implementation
2.	Consider adopting a universal accessibility standard, to clarify expectations and ambitions for creating a more accessible region – now and for future generations.	All councils	From implementation
3.	Ensure that arrangements for public consultation on the Deal are accessible and inclusive, and engage with local communities proportionately.	All councils	From 4 July 2016
4.	Ensure that all health and social care integration initiatives developed take full account of the voice of disabled and older service users (“Nothing about us	All councils	From implementation

	Action	Lead	Date
	without us”).		
5.	Ensure that, in the determination of new democratic arrangements, all appropriate measures are taken to encourage people who share a protected characteristic to participate in public life or in any related activity in which participation is disproportionately low.	All councils	From implementation

Next steps

Phase 2 commences with the analysis of the results of the consultation at the end of August. The equality assessment will be revised to reflect any equality or accessibility issues highlighted by residents or stakeholders, then published.

If the Deal is approved by Councils at the end of October 2016 and the order is laid by the Secretary of State to establish the Combined Authority, further steps would be to implement the actions in the table above.

Evidence used to inform this assessment

- Equality Act 2010
- Public Sector Equality Duty
- Accessibility best practice guidance
- Consultation findings (to be confirmed:
- Respondent numbers and demographic background

Further information

For further information about this equality impact assessment please contact xxxx

Sample universal equality and accessibility standard

The region is committed to providing equality of opportunity and accessible services for everyone in Norfolk and Suffolk.

We do not tolerate unlawful discrimination, harassment or victimisation in service delivery or employment on the grounds of age, disability, gender reassignment, race/ethnicity, religion or belief, sex/gender, sexual orientation, marriage/civil partnership, and pregnancy and maternity (known as 'protected characteristics'). We will not treat anyone less favourably than any other, on the grounds of any protected characteristic, except when such treatment is within the law and determined by lawful requirements.

In adopting the aims of this standard, we will:

- Take steps to remove any barriers which might deter people from accessing services or working in the region
- Promote equality of opportunity between people who share a protected characteristic and people who do not share it
- Take steps to promote understanding, tackle prejudice and foster positive relations between different communities
- Eliminate unlawful discrimination, harassment and bullying
- Undertake equality assessments at the design stage of all core strategic planning, policy development and commissioning activities ([hyperlink to guidance](#))
- Encourage people who share a protected characteristic to participate in public life or in any other activity in which participation is disproportionately low
- Be inclusive by engaging with local communities fairly and proportionately.

Accessibility standard:

Our accessibility standard clarifies our expectations on regional accessibility:

- ✓ Accessibility is embedded in all policies and procedures, service design, planning and commissioning
- ✓ Accessibility is embedded in all employment policies and ways of working
- ✓ Our premises are accessible to customers and staff
- ✓ All ICT equipment and web services are accessible.

As part of our commitment to equality, new elected members and staff are required to undertake [e-learning modules] on equality within their first six months in post. This is part of our commitment to develop understanding of equality and accessibility across the region.

Who this standard affects

This standard affects elected members and all workers including employees, consultants, temporary workers, agency staff and other third parties working on behalf of Norfolk and Suffolk. It also applies to suppliers, sub-contractors and agencies in our supply chain.

<p>This standard applies to (but is not limited to) the planning, design, operation, construction and delivery of services, the provision of goods, facilities and services, exercising of public functions, recruitment and selection, conditions of service, benefits, facilities and pay, training and development, opportunities for promotion, conduct at work, grievance and disciplinary procedures and termination of employment.</p>

We expect all staff to take personal responsibility for familiarising themselves with this standard and conducting themselves in an appropriate manner.

Communication

This standard will be made available to the public, staff and elected members.

Review

We will review the terms of this standard and any associated codes of practice and guidance every three years.

Relevant legislation

In implementing this standard we have regard to our legal obligations under relevant legislation, including the [Equality Act 2010](#) and the Public Sector Equality Duty.

ⁱ The protected characteristics specified by the Equality Act 2010 are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

ii The Act specifies that having due regard to the need to advance equality of opportunity might mean:

- Removing or minimizing disadvantages suffered by people who share a relevant protected characteristic that are connected to that characteristic;
- Taking steps to meet the needs of people who share a relevant protected characteristic that are different from the needs of others;
- Encouraging people who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such people is disproportionately low.

iii Having due regard to the need to foster good relations between people and communities involves having due regard, in particular, to the need to (a) tackle prejudice, and (b) promote understanding.

^{iv} 'Access' is defined as the ability of a user to access a service in relation to physical access, ICT, organisational culture, policy and procedure. It involves meeting any reasonable access needs an individual might have because of a disability, their age, gender, race, sexual orientation or religion or belief. For example, reasonable access could mean a blind person being able to obtain information via self-serve, or an older gay person in residential care feeling comfortable about being open about his sexual orientation with carers. It could also mean a wheelchair user being able to use public transport.

vi This will enable accessibility to be routinely and systematically reviewed. In particular, guidance can be sought on the minimum and maximum access considerations that could be applied to any given initiative. This would enable decision-makers to consider what would be most reasonable approach in the circumstances, taking all relevant factors into account - such as the ambition of the region to provide equality for all; available resources; demand and future proofing. In the medium term, this would have obvious benefits for service quality and would stretch performance on accessibility and equality as far as reasonably practicable. It would also ensure consistency across all aspects of the Deal.

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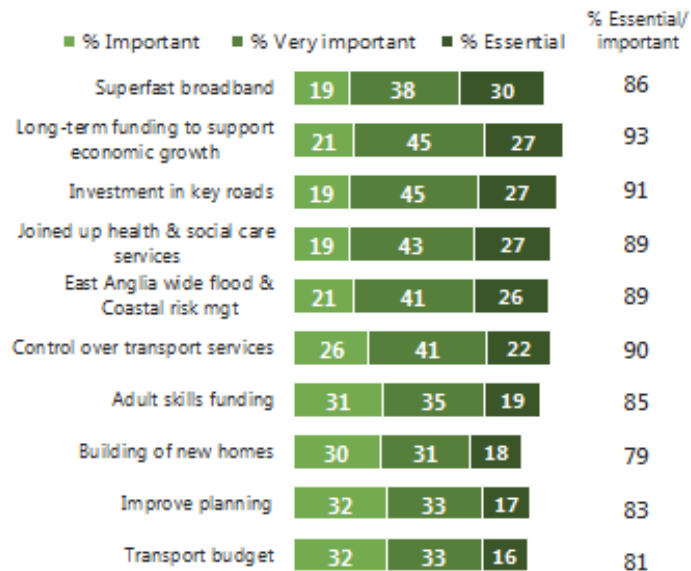
Summary of Consultation Responses to Suffolk’s survey on Devolution (May-June 2016)

What should the priorities be?

Q6. The following are some key elements of the proposed deal. Thinking about your own situation, how important is each of these?

Residents were told about the elements of the proposed deal and were asked which they considered to be most important. The following slides show each element in detail, but by way of summary they are presented together in this chart to highlight the priorities.

Whilst all of the elements of the proposed deal are considered important; from long term funding to support economic growth (93%) through to the building of new homes (79%), there some elements more than others which are considered essential. For example, 30% of residents consider superfast broadband to be a key priority (30%) whilst half this proportion (16%) believe control over an annual transport budget is essential.



Base: All valid responses (1819) : Fieldwork dates: 20th – 30th May 2016

Source: Ipsos MOR1

Ipsos MOR1 - Public Affairs

16-0161090 Suffolk Devolution Policy Review (June 2016) - Version 1.0 - Internal Use Only

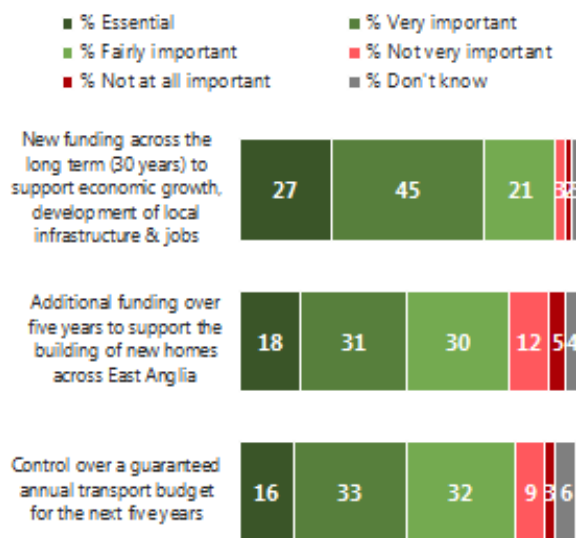
11

Importance of key elements (1)

Q6. The following are some key elements of the proposed deal. Thinking about your own situation, how important is each of these?

Looking at each of these key elements in more detail, in many ways, the priorities of residents reflect their life stage. Residents aged 18 – 24 are for example significantly more likely to say that long term funding to support economic growth, development of local infrastructure & jobs is important (74% vs. 66% overall) as is the building of new homes (71% vs. 61%).

Whereas workless residents i.e. those who are of working age but are either unemployed or sick/disabled believe more than others, that control over a guaranteed transport budget is essential (28% vs. 16% overall), or that there should be more control over investment in key roads (38% vs. 27% overall).



Base: All valid responses (1819) : Fieldwork dates: 20th – 30th May 2016

Source: Ipsos MOR1

Ipsos MOR1 - Public Affairs

16-0161090 Suffolk Devolution Policy Review (June 2016) - Version 1.0 - Internal Use Only

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Importance of key elements (2)

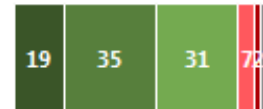
Q6. The following are some key elements of the proposed deal. Thinking about your own situation, how important is each of these?

Older residents aged 55+ years are generally more likely than other age groups to think that the majority of elements of the proposed deal are essential, the exception is superfast broadband and sustained economic growth.

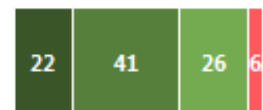
Retirees specifically believe control of a transport budget is essential (22% vs. 16% overall) as is the delivery of transport services so there are more options for local residents (29% vs. 22% overall). A significantly greater proportion of retirees also believe the investment in adult skills to match the local labour market is essential (22% vs. 19% overall) and that an East Anglia wide approach to flood & coastal risk management should be a priority (33% state it is essential vs. 26% overall).

- % Essential
- % Very important
- % Fairly important
- % Not very important
- % Not at all important
- % Don't know

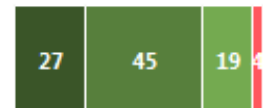
Gain control of an existing adult skills funding to ensure the training offer match the needs of local businesses and the local labour market



Greater control over who (and how) delivers transport services in East Anglia, ensuring that transport integrates better and there are more options for local residents



More control and influence over investment in key roads across East Anglia, thus ensuring maintenance and improvements can be prioritised locally, rather than having to compete with other works across the country



Base: All valid responses (1819) | Fieldwork dates: 20th – 30th May 2016

Source: Ipsos MOR1

Ipsos MOR1 - Public Affairs
18-016129-01_Life02-DevolutionForRegion_June 2016 | Version 02 | Frame Use Only

11

Importance of key elements (3)

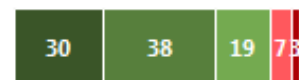
Q6. The following are some key elements of the proposed deal. Thinking about your own situation, how important is each of these?

Priorities are generally similar across the County although residents in Ipswich place greater emphasis on support to build new homes (25% of residents in this Borough believe this to be essential vs. 18% overall). They are also more likely to believe that there should be a guaranteed annual transport budget for the next five years (21% vs. 16% overall).

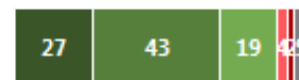
Residents in the Waveney District are more likely to prioritise an East Anglia wide approach to flood and coastal risk management than other parts of the County (32% of residents feel this is essential vs. 26% overall).

- % Essential
- % Very important
- % Fairly important
- % Not very important
- % Not at all important
- % Don't know

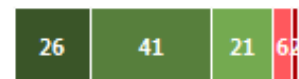
A commitment to providing superfast broadband and improved mobile phone reception in more communities, particularly in rural areas



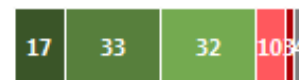
That the relevant councils will bring together health & social care services to provide a more joined up, single service for residents



Relevant authorities and partners take an East Anglia wide approach to flood & coastal risk management to better protect people, property and land from flooding



Local authorities work to improve planning for new buildings and developments



Base: All valid responses (1819) | Fieldwork dates: 20th – 30th May 2016

Source: Ipsos MOR1

Ipsos MOR1 - Public Affairs
18-016129-01_Life02-DevolutionForRegion_June 2016 | Version 02 | Frame Use Only

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BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Interim Assistant Director – Law and Governance and Monitoring Officer	Report Number: C/40/16
To: Babergh District Council Mid Suffolk District Council	Date of meeting: 28 June 2016 Date of meeting: 29 June 2016

CONSTITUTIONAL UPDATE – PHASE 1

1. Purpose of Report

- 1.1 To provide the Council with an update on the progress being made with regard to updating the Council’s Constitution, which also forms part of the on-going Strengthening Governance review.
- 1.2 To ask that Council approve the recommendation as set out below.

2. Recommendation

- 2.1 That the Constitution attached at Appendix A be adopted.

3 The Joint Strategic Plan

The core of an Enabled and Efficient organisation is Good Governance. The Constitution is a key document reflecting the strength in our Governance.

4 Background and Key Information

- 4.1 The Council as part of its on-going Strengthening Governance review earlier this year, established a Members Task and Finish group consisting of the following Councillors:-

BDC

Jennie Jenkins
Simon Barrett
Clive Arthey
Sue Carpendale
Margaret Maybury

MSDC

Derrick Haley
Nick Gowrley
Andrew Stringer
Penny Otton
John Levantis

- 4.2 The Group, as part of its work programme, discussed and considered the current Constitution and have indicated its approval for the Monitoring Officer to make non-substantive housekeeping changes.
- 4.3 In April Council granted the Monitoring Officer a delegation to carry out relevant housekeeping changes to the current Constitution, (to be exercised after consultation with Lead Members; the Monitoring Officer explained at Council by this she meant the Members of the above Task and Finish group and where appropriate any other Councillors such as Chairs of Committees).

- 4.4 At a recent meeting of the Task and Finish group a revised Constitution was circulated highlighting the housekeeping changes made.
- 4.5 At this stage of the Constitution review only non-substantive changes have been made for example, where necessary legislative changes have been carried out, unnecessary duplication has been removed, some changes to the Procedure Rules have been made to reflect statutory requirements and some visuals have been inserted.
- 4.6 The attached Constitution has also been reformatted to be user friendly, it will be easier to amend and is compatible with the web and mobile devices. The functions and terms of reference of Committees have been re-ordered so that they sit together under the same section. For example, Article 8 incorporated the terms of reference of the Joint Standards Board with Suffolk County Council, which now have been moved to Part 2 of the Constitution that describes the responsibility of the Council and its Committees.
- 4.7 Some of the Articles have also been simplified and/or removed where not relevant. In addition to this some Protocols, Schemes and Appendices that are not required by law or necessary have also been removed but these will be available on the Council's website for example, the Members Allowances Section, the Compliments/Complaints Policy, the Petitions and Public Participation Scheme, the Filming/Videoring guidance and the Whistleblowing Policy. The Planning Charter will also be available on the website. The implication of removing these documents from the body of the Constitution does not lessen their importance or weight in law.
- 4.8 Moving forward, there will be further (Phase 2) changes suggested that will be brought back to Council for approval.

5. Financial Implications

- 5.1 None.

6. Legal Implications

- 6.1 Local Government Acts 1972 and 2000 (as amended) require all Local Authorities to have in place and maintain an updated written Constitution.
- 6.2 A Local Authority must prepare and keep up to date a document (referred to as its Constitution), which contains –
- (i) a copy of the authority's Standing Orders (to govern the general function of that authority).
 - (ii) to maintain Contract Standing Orders
 - (iii) a copy of the authority's Code of Conduct for Members (under section 28 of the Localism Act 2011),
 - (iv) such information as the Secretary of State may direct, and
 - (v) such other information (if any) as the Authority considers appropriate.
- 6.3 The Council could be judicially reviewed if Councillors take decisions, which are contrary to published policy, protocols and procedures and therefore, Councillors should still be aware of and adhere to the documents, which have been removed from the Constitution.

6.4 The policies, protocols and procedures will still need to be kept under review by the Council's Monitoring Officer.

7. Risk Management

7.1

Risk Description	Likelihood	Impact	Mitigation Measures
It is a high risk not to regularly review the Constitution and ensure it reflects current practice and Legislation.	Unlikely	Bad	As a core tenet of good governance the Council keeps its Constitution under regular review and amends it, both to reflect experience and changing circumstances.

8. Equality Analysis

8.1 There are no immediate equality issues.

9. Shared Service / Partnership Implications

9.1 The new Constitution has been implemented on the basis that the Constitution should be aligned across both Councils as far as possible.

10. Appendices

Title	Location
Appendix A – Constitution	Attached

11. Background Documents

11.1 None.

Authorship:

Suki Binjal
Interim Assistant Director – Law and
Governance and Monitoring Officer

01473 825811 or 01449 724854
suki.binjal@baberghmidsuffolk.gov.uk

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APPENDIX A

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Mid Suffolk District Council The Constitution

Contents

[Summary and Explanation](#)

[Part 1: The Articles](#)

[Part 2: Responsibility of Functions](#)

[Part 3: Rules of Procedure](#)

[Part 4: Codes and Protocols](#)

SUMMARY AND EXPLANATION

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The Council's Constitution

The District Council has agreed a Constitution which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by law, while others are a matter for the Council to choose.

The Constitution is divided into 12 Articles which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

What's in the Constitution?

[Article 1](#) of the Constitution commits the Council to provide a clear and accountable way of making decisions. Articles 2-12 explain the rights of citizens and how the key parts of the Council operate. These are:

- [Article 2](#): Members of the Council
- [Article 3](#): Citizens and the Council
- [Article 4](#): The Council
- [Article 5](#): Chairing the Council
- [Article 6](#): Scrutiny Committees
- [Article 7](#): Committees
- [Article 8](#): The Babergh and Mid Suffolk Joint Standards Committee
- [Article 9](#): Joint Arrangements
- [Article 10](#): Officers
- [Article 11](#): Finance, Contracts and Legal Matters
- [Article 12](#): Review and Revision of the Constitution

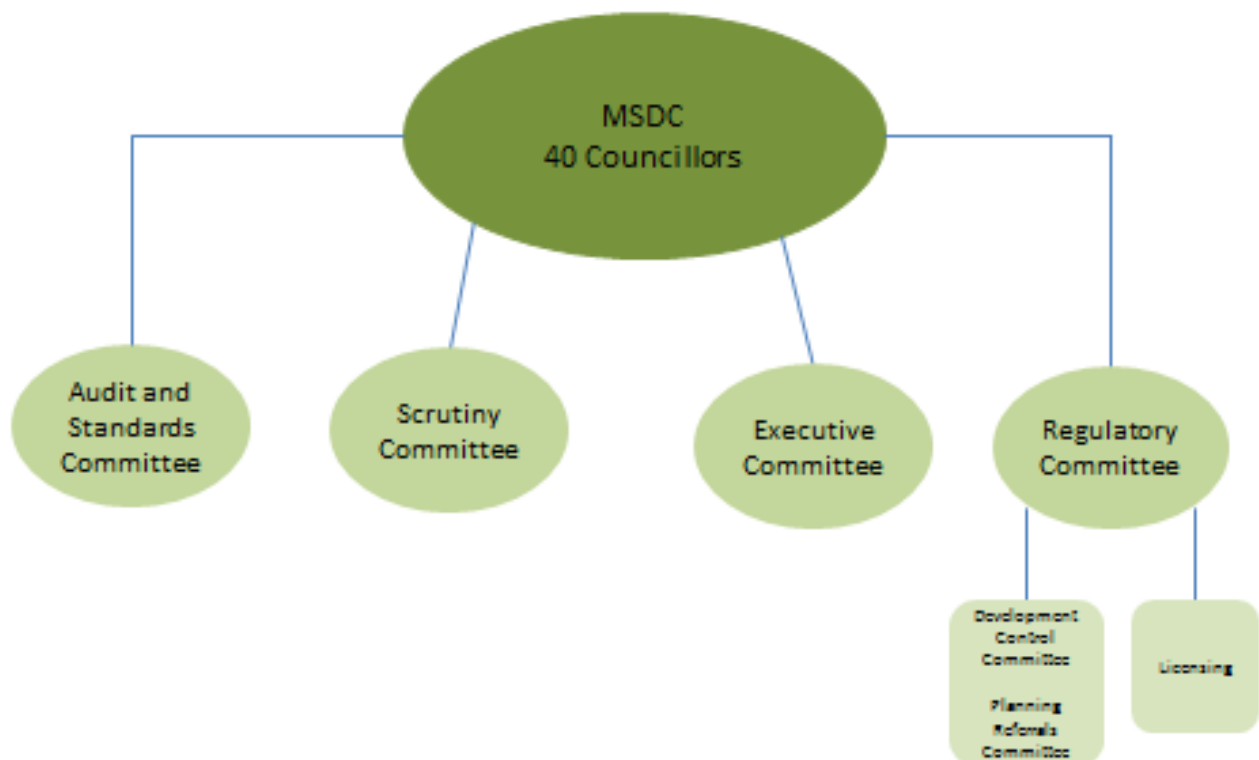
How the Council operates

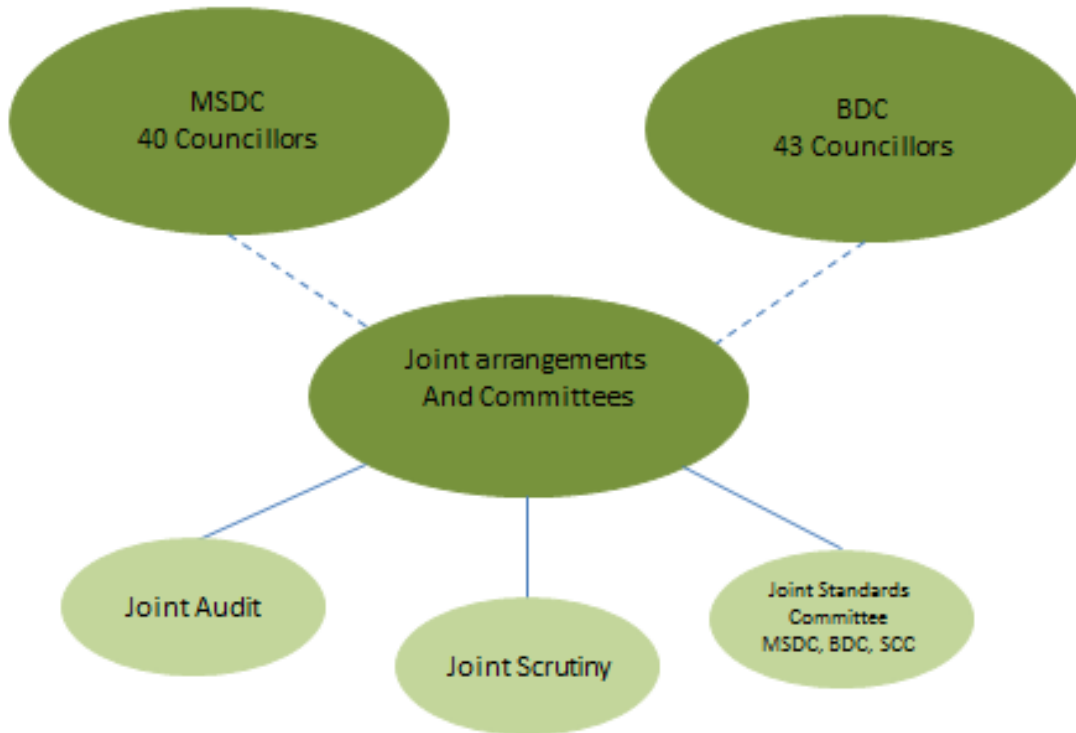
The Council is composed of 40 Councillors elected every four years. Councillors are democratically accountable to residents of their Ward. The overriding duty of Councillors is to the whole community but they have a special duty to their Constituents including those who did not vote for them.

Councillors have agreed to follow a Code of Conduct to ensure high standards in the way they undertake their duties.

All Councillors meet together as the Council. Meetings of the Council are normally open to the Public. Here Councillors decide the Council's overall policies and set the budget each year. The Council will appoint and determine the remit of the Committees of the Council and approve the discharge of functions by staff. It will also deal with all functions which it is statutorily required to exercise.

Mid Suffolk District Council and Babergh District Council have decided that they will cooperate in order to provide services to their respective residents in the most cost effective way possible. The two Councils will work together side by side with fully integrated staff.





How decisions are made

The overall policy framework and budget of the Council are agreed by the Council. Inside the framework, decision making on a day to day basis is delegated to Committees or to Officers. Regulatory Committees or Panels exercise a number of functions including making decisions on planning applications, licensing and most other regulatory business.

Other groups may make recommendations to these Committees.

Meetings of the Council's Committees are open to the Public except where confidential or exempt matters are being discussed.

Scrutiny

The Scrutiny function is performed by the Joint Scrutiny Committee and Joint Audit and Standards Committee supporting the work of the Council as a whole. It allows citizens to have a greater say in Council matters by holding investigations in public into matters of local concern. These can lead to reports and recommendations which advise the Committees of the Council and the Council as a whole on its policies, budget and service delivery. The Joint Scrutiny Committee also monitors the decisions of other Committees. It can "call in" a decision which has been made but not yet implemented, enabling further consideration of whether the decision is appropriate and based on all the relevant information. The Joint Scrutiny Committee

will address matters which are being progressed across both Councils. Issues that are pertinent to a single Council area will remain the preserve of that Council's dedicated Scrutiny Committee.

The Council's Staff

The Council has people working for it (called "staff") to give advice, implement decisions and manage day to day delivery of its services. Some staff have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A code of practice governs the relationships between staff and Members of the Council. Mid Suffolk District Council and Babergh District Council share a common and integrated group of staff to work for them and carry out the functions of advising, implementing decisions and managing the day to day delivery of their respective functions.

Citizens' Rights

Citizens have a number of rights in their dealings with the Council; these are set out in more detail in Article 3. Some of these are legal rights whilst others depend on the Council's own processes. The local Citizen's Advice Bureau can advise on individual's legal rights.

Where members of the public use specific Council services, for example as a Council tenant, they have additional rights. These are not covered in this Constitution. Citizens have the right to:

- Vote at local elections if on the electoral roll.
- Have access to information in accordance with the law.
- Obtain a copy of the Constitution.
- Attend meetings of the Council and its Committees except where confidential or exempt information is being considered.
- Participate in questions by the public at Council meetings and contribute to investigations by the Scrutiny Committees.
- Complain to the Council in accordance with the Complaints procedure.
- Complain to the Ombudsman if they think the Council has not followed its procedures properly. However they should only do this after using the Council's own complaint process.
- Complain to the Joint Standards Committee if they have evidence which they think shows that a Councillor has not followed the Council's Code of Conduct.
- Inspect the Council's accounts and make their views known to the external auditor.
- Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected mayor form of Constitution and to petition the Council in respect of a variety of matters set out in the Petitions Scheme.

PART 1

ARTICLES OF THE CONSTITUTION

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ARTICLE 1 – THE CONSTITUTION

Powers of the Council

1.1 The Council will exercise all its powers and duties in accordance with the law and this Constitution.

The Constitution

1.2 This Constitution, and all its appendices, is the Constitution of Mid Suffolk District Council.

Purpose of the Constitution

1.3 The purpose of the Constitution is to:

- (a) enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
- (b) support the active involvement of citizens in the process of local authority decision-making;
- (c) help Councillors represent their constituents effectively;
- (d) enable decisions to be taken efficiently and effectively;
- (e) create a powerful and effective means of holding decision-makers to public account;
- (f) ensure that no one will review or scrutinise a decision in which they were directly involved;
- (g) ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
- (h) provide a means of improving the delivery of services to the community.

Interpretation and Review of the Constitution

1.4 Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it considers to be closest to the purposes stated above.

1.5 The Council will monitor and evaluate the operation of the Constitution as set out in Article 12.

ARTICLE 2 – MEMBERS OF THE COUNCIL

Composition

- 2.1 The Council will comprise 40 Councillors, otherwise called Councillors. One or more Councillors will be elected by the voters of each ward in accordance with a scheme drawn up by the Local Government Commission and approved by the Secretary of State.

Election and Terms of Councillors

- 2.2 **Election and term.** The regular election of councillors will be held on the first Thursday in May every four years. The terms of office of councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

2.3 Roles and functions of all Councillors

- (a) **Key roles.** All Councillors will:
- i. collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
 - ii. contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making;
 - iii. effectively represent the interests of their ward and of individual constituents;
 - iv. respond to constituents' enquiries and representations, fairly and impartially;
 - v. participate in the governance and management of the Council; and
 - vi. maintain the highest standards of conduct and ethics.
- (b) **Rights and duties.**
- i. Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
 - ii. Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or staff entitled to know it.
 - iii. For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules in Part 3 of this Constitution.

Conduct

- 2.4 Councillors will at all times observe the Members' Code of Conduct and the Protocol on Member/Officer Relations which are set out in Part 4 of this Constitution.

Allowances

- 2.5 Councillors will be entitled to receive allowances in accordance with the Members' Allowances Scheme which is available on the Council's website.

ARTICLE 3 – CITIZENS AND THE COUNCIL

Citizens' rights

- 3.1 Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:
- (a) **Voting and Petitions.** Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for an elected mayor form of Constitution.
 - (b) **Information.** Citizens have the right to:
 - i. attend meetings of the Council and its Committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
 - ii. see reports and background papers, and any records of decisions made by the Council and the Executive Committee; and
 - iii. inspect the Council's accounts and make their views known to the external auditor.
 - (c) **Participation.** Citizens have the right to participate in the Council's question time and contribute to investigations by Scrutiny Committees.
 - (d) **Complaints.** Citizens have the right to complain to:
 - i. the Council under its complaints scheme;
 - ii. the Ombudsman after using the Council's own complaints scheme;

Citizens' responsibilities

- 3.2 Citizens must not be violent, abusive or threatening to Councillors or staff and must not wilfully harm things owned by the Council, Councillors or staff.

ARTICLE 4 – THE COUNCIL

4.1 The Council is responsible for approving the budget and policy framework. This article defines the functions that are reserved for decision by the Council, which are as follows;

4.2 Policy Framework

- (a) The policy framework includes the following plans and strategies:-
- i. The Strategic Plan;
 - ii. The Local Development Framework, with reference to relevant plans such as the Core Strategy and Statement of Community Involvement;
 - iii. Crime and Disorder Reduction Strategy;
 - iv. Corporate Plan;
 - v. Sanctions Policy; Quality Projects Management Action Plan;
 - vi. Statement of Licensing Policy under Licensing Act 2003 and Gambling Act 2005;
 - vii. Health and Wellbeing
- (b) Those other plans and strategies which the Council has determined should be adopted by the Council as part of the policy framework.

4.3 Budget

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting council house rents and other service charges, setting the council tax and making decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits in accordance with the requirements of the Prudential Code and the CIPFA Treasury Management Code of Practice.

4.4 Housing Land Transfer

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985 and others required by law.

4.5 Functions of the Council

The remit of the Council is based on the division of functions as contained in the Local Authorities (Functions and Responsibilities) England Regulations 2000 (as amended) and on current practice which allows certain matters to be referred to Council for decision. Reference to any Statutes referred to in this Article shall include any amendment or re-enactment of the Statute. Full details of the Councils Functions are set out in Part 2 of the Constitution.

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Mid Suffolk District Council
The Constitution: The Articles

Adopted DD/MM/YY

ARTICLE 5 – CHAIRING THE COUNCIL

Role and Function of the Chairman

- 5.1 The Chairman of Council and in his/her absence, the Vice-Chairman will have the following roles and functions:-
- 5.2 The Chairman and Vice-Chairman will be elected by the Council annually. The Chairman will have the following responsibilities:-
- (a) to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
 - (b) to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community;
 - (c) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community;
 - (d) to promote public involvement in the Council's activities;
 - (e) to be the conscience of the Council;
 - (f) to attend such civic and ceremonial functions as the Council and he/she determines appropriate; and
 - (g) to be the expression of the will of the Council.

ARTICLE 6 – SCRUTINY COMMITTEES

- 6.1 The Council has in place its own Scrutiny Committee but it also has agreed to have in place a Joint Scrutiny Committee with Babergh District Council.
- 6.2 As the Council is a Committee system Local Authority, in compliance with Section 9P(2) of the Local Government Act 2000 this constitutes the Council's statement within its Constitution that the Council has resolved to have an Overview and Scrutiny Committee under section 9JA of the Local Government Act 2000.
- 6.3 The Terms of Reference of each Committee are set out in Part 2 of this Constitution.

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ARTICLE 7 – COMMITTEES

Regulatory and other Committees

- 7.1 The Council will appoint Committees set out in Part 2 of this Constitution to discharge the functions described in their Terms of Reference.
- 7.2 The Council has Regulatory Committees which deal with Planning related and Licensing related matters. These are quasi-judicial functions.
- 7.3 The Council has other Committees to discharge its functions. The Constitution in Part 2 describes these functions and the Terms of Reference of these Committees.

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ARTICLE 8 - THE BABERGH AND MID SUFFOLK JOINT STANDARDS COMMITTEE

- 8.1 In accordance with the requirements of the Localism Act 2011 the Council has adopted a Code of Conduct for Members together with arrangements for dealing with any complaint of a breach of the Code including the appointment of an Independent Person.
- 8.2 The Code of Conduct for Members is set out in Part 4 of this Constitution.
- 8.3 Babergh, Mid Suffolk and Suffolk County Council have agreed to establish a Committee known as the Suffolk Joint Standards Board.
- 8.4 The Terms of Reference are set out in Part 2 of this Constitution.

ARTICLE 9 - JOINT ARRANGEMENTS

Arrangements to promote well-being

- 9.1 The Council, in order to promote the economic, social or environmental well-being of its area, may:-
- (a) enter into arrangements or agreements with any person or body;
 - (b) co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
 - (c) exercise on behalf of that person or body any functions of that person or body.

Joint arrangements

- 9.2 The Council may establish joint arrangements with one or more Local Authorities and/or their executives to exercise functions in any of the participating authorities, or advise the Council. Such arrangements may involve the appointment of a joint Committee with these other Local Authorities.
- 9.3 Details of any joint arrangements including any delegations to joint Committees will be found in the Council's scheme of delegations in Part 2 of this Constitution.

Access to information

- 9.4 The Access to Information Rules in Part 3 of this Constitution apply.

Delegation to and from other local authorities

- 9.5 The Council may delegate functions to another local authority.
- 9.6 The decision whether or not to accept such a delegation from another Local Authority shall be reserved to the Council meeting.

Contracting out

- 9.7 The Council may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Deregulation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision making.

ARTICLE 10 - OFFICERS

10.1 Management Structure

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) **Chief Officers.** The Council will engage persons for the following posts, who will be designated as statutory chief officers and will have the functions described in Part 2 – Functions of Officers.
 - i. *Head of Paid Service*
 - ii. *Monitoring Officer*
 - iii. *Chief Finance Officer*

Proper Officers

- 10.2 The Council will appoint "proper officers" as required by legislation. Part 2 of the Councils Constitution contains a list of the Proper Officers appointed.

Management Scheme of Officer Delegation

- 10.3 The Council will keep an appropriate up to date Management Scheme of Officer Delegation.
- 10.4 Any officer referred to by his/her title/post throughout this Constitution will automatically succeed his/her successor in title/post.

Pay Policy Statement

- 10.5 The Council is required by the Localism Act 2011 to annually approve and publish a pay policy statement that sets out:
- (a) the remuneration of its chief officers
 - (b) the remuneration of its lowest paid employees, and
 - (c) the relationship between –
 - i. the remuneration of its chief officers and
 - ii. the remuneration of its employers who are not chief officers.

ARTICLE 11 - FINANCE, CONTRACTS AND LEGAL MATTERS

Financial management

11.1 The management of the Council's financial affairs will be conducted in accordance with the financial rules set out in Part 4 of this Constitution.

Contracts

11.2 Every contract made by the Council will comply with Contract Standing Orders set out in Part 4 of this Constitution.

Legal proceedings

11.3 The Assistant Director Law and Governance is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Assistant Director of Law and Governance considers that such action is necessary to protect the Council's interests.

Authentication of documents

11.4 Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Assistant Director of Law and Governance or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Common Seal of the Council

11.5 The Common Seal of the Council will be kept in a safe place in the custody of the Monitoring Officer and/or Assistant Director Law and Governance. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Monitoring Officer should be sealed. The affixing of the Common Seal will be attested by the Monitoring Officer/and or Assistant Director Law and Governance or some other person authorised by him/her. A record of every sealing must be made and consecutively numbered in a register maintained by the Monitoring Officer and/or Assistant Director Law and Governance or some other person authorised by him/her.

ARTICLE 12 – REVIEW AND REVISION OF THE CONSTITUTION

Duty to Monitor and Review the Constitution

- 12.1 The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect and to bring forward any recommendations that are necessary.
- 12.2 The Chief Finance Officer shall be responsible for keeping under review the Financial Regulations set out in the Constitution and shall make any necessary amendments and revisions as are required from time to time. He/She shall report any amendments made to the next available Council meeting for noting.

Changes to the Constitution

- 12.3 Changes to the Constitution shall only be approved at a meeting of the Council after consideration of the proposal by the Monitoring Officer unless in the reasonable opinion of the Monitoring Officer a change is:
- (a) a legislative requirement
 - (b) a minor variation which is of a non-substantive nature.
 - (c) required to be made to remove any inconsistency or ambiguity; or
 - (d) required to be made so as to put into effect any decision of the Council or its Committees,

in which case the Monitoring Officer may make such a change.

- 12.4 Any such change made by the Monitoring Officer shall come into force with immediate effect but shall be referred to full Council as soon as is reasonably possible and shall continue to have effect only if full Council agree.
- 12.5 Other changes to the Constitution shall come into effect at such a date as the Council may stipulate.

PART 2 Responsibility of Functions

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POWERS AND DUTIES OF THE COUNCIL AND ITS COMMITTEES

THE COUNCIL

1.1 The Council is the ultimate decision making body of Mid Suffolk District Council and the principal forum for major political debate. All Councillors who have been elected to represent the district attend the Council meeting. The procedure for conducting the Council meeting is contained within Part 3.

1.2 The Council decides the overall objectives, major policies and financial strategies of the Council. It also considers recommendations from the Scrutiny Committees on issues of significance.

1.3 Through the Constitution it delegates responsibility for carrying out many of the District Council's functions and policies. It also agrees the membership of the Committees and Sub-committees. The Council is responsible for:

1.31 The adoption and changing of the Constitution.

1.32 The approval and adoption of the policy framework, the budget and any application to the Secretary of State in respect of any Housing Land Transfer.

1.33 The adopting of rules relating to meetings and proceedings, procurement and contracts and any subsequent amendment of these documents.

1.34 The approval of arrangements for the discharge of functions by senior staff of the Council and for the authorisation of senior staff as necessary.

1.35 The responsibility for appointing of the:-

(i) Leader of the Council;

(ii) Deputy Leader of the Council;

(iii) Chairman of the Council;

(iv) Vice-Chairman of the Council;

(v) Chairmen (and Vice) of any other appointed Committees or relevant Sub-Committees.

(vi) Portfolio Holders.

1.36 Agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them.

(Note – any changes to membership of a Committee or Sub-Committee can be implemented by the Monitoring Officer following a request by the relevant Group Leader and notified to the next available Council meeting).

1.37 To deal with matters which are statutorily required to be dealt with by the

Council under any of the following statutes or any amendments thereto:-

- (i) The setting of Council Tax (Local Government Finance Act 1992).
- (ii) The determination of the Council's borrowing limits.
- (iii) The approval or adoption of a plan or strategy for the control of the local authority's borrowing or capital expenditure.
- (iv) The consideration of reports by the Head of Paid Service (Section 4 of the Local Government and Housing Act 1989) regarding proposals for the discharge of the Council's functions and staffing and management of the Council's staff.
- (v) The consideration of reports by the Monitoring Officer (Section 5 of the Local Government and Housing Act 1989) regarding any contravention, maladministration or injustice by the Council.
- (vi) The consideration of reports by the Chief Finance Officer (Section 114 of the Local Government Finance Act 1988) regarding the making of a report in circumstances where it appears to him or her that the Council, a Committee of the Authority, a person holding any office or employment under the Authority or a joint Committee on which the Authority is represented has made or is about to make a decision which involves or would involve the Authority incurring expenditure which is unlawful or has taken or is about to take a course of action which, if pursued to its conclusion, would be unlawful and likely to cause a loss or deficiency on the part of the Council, or is about to enter an item of account the entry of which is unlawful.
- (vii) The designation of land as a Litter Control Area (Environmental Protection Act 1990).
- (viii) The approval of schemes for local authority run lotteries.
- (ix) Final approval of the Council's 3 year licensing policy under the Licensing Act 2003, and the Gambling Act 2005 and any decisions under the Council's related policies.
- (x) Preparing and amending the annual Pay Policy Statement under Section 38 of the Localism Act 2011.
- (xi) The adoption of a Code of Conduct for elected and co-opted Members of the Council under Section 27 of the Localism Act 2011
- (xii) The adoption of a Code of Conduct for staff.

- 1.38 Appointing representatives to outside bodies, including Joint Committees established with other Local Authorities, unless the appointment has been delegated by the Council.
- 1.39 The adoption of a scheme of allowances for Members under the Local Government and Housing Act 1989 and the Local Government Act 1972 and any subsequent amendment, variation revocation or re-enactment of such scheme. To appoint or dismiss, in accordance with statutory procedures, the following staff:
- (i) The Chief Executive (the Head of the Council's Paid Service).
 - (ii) The Monitoring Officer.
 - (iii) The Electoral Registration Officer.
 - (iv) The Returning Officer for the purpose of conducting elections.
 - (v) The Chief Finance Officer (S151 Officer) (if not the Chief Executive or a Director).
- 1.310 To agree the Council's budget.
- 1.311 To fix Council house rents and other service charges.
- 1.312 Making, amending, revoking, re-enacting or adopting byelaws and promoting or opposing the making of local legislation or personal Bills.
- 1.313 The exercise of functions, changing the name of the area.
- 1.314 Considering reports which any Committee refers to it in accordance with this Constitution.
- 1.315 Requesting the Scrutiny Committee to prepare a report on any particular issue.
- 1.316 Deciding issues where a decision of the Executive Committee has been called in by Scrutiny Committee and the matter is to be decided by Council in accordance with the Rules of Procedure for Scrutiny Committees.
- 1.317 The authorisation of the making of an application:
- i. for the inclusion of a disposal in a disposals programme under subsection (5) of section 135 (programme for disposals) of the Leasehold Reform, Housing and Urban Development Act 1993; or
 - ii. for consent to that disposal under section 32 (power to dispose of land held for the purposes of part II) or section 43 (consent required for certain disposals not within section 32) of the Housing Act 1985.

- 1.318 To determine any issues which in the opinion of the Chief Executive are of an exceptional nature and warrant consideration by the Council.
- 1.319 To consider alterations to electoral arrangements including:
- (i) any proposed alterations to District boundaries or electoral areas.
 - (ii) approval to the making of Orders altering the number of Parish Councillors for any Parish.
 - (iii) the designation of polling places.
- 1.320 To debate Council wide issues including those included in Government White Papers.
- 1.321 To provide a Forum whereby members of the public can attend and ask questions or partners/stakeholders can discuss issues with the Council, e.g. annual state of the District debate.
- 1.322 To enable individual Councillors to pursue issues, ask questions and initiate policy.
- 1.323 The adoption of Financial Regulations and Procedures and any subsequent amendment, variation, revocation or re-enactment of these documents.
- 1.324 The exercise of functions in relation to the Local Government Pension Scheme.
- 1.325 The promotion of, or opposition to, Local Bills in Parliament.
- 1.326 All other matters which by law must be referred to Council.

EXECUTIVE COMMITTEE

MEMBERS 10 QUORUM 3

General Role

The formulation (in consultation with other Committees/Groups where necessary) of the policy framework and budget and the implementation of these in respect of Council functions and services not otherwise the responsibility of the Council or any Committee.

Frequency of Meetings

There shall be scheduled monthly meetings (but not usually in August). Additional meetings may be called from time to time as deemed appropriate.

Substitutes

Any Member of the same political group except Members of the Scrutiny Committee.

Role and Function

To approve and consider:-

- (i) Key strategic decisions (other than those which must be determined by the Council) including all decisions which have a major impact on a number of Council services or on the Council as a whole and decisions which are deemed significant in terms of impact on the Council's revenue or capital (to be determined by the Head of Paid Service and/or Section 151 Officer in consultation with the Leader).
- (ii) All key strategic policies (except those which are reserved to Council for approval) and to make recommendations on policies reserved to Council.
- (iii) Formulating the Authority's budget proposals and recommending the same to Council for approval.
- (iv) Formulating the Authority's capital programme and recommending the same to Council for approval.
- (v) Formulating the Authority's housing capital programme and recommending the same to Council for approval.
- (vi) Formulating, monitoring and reviewing the Authority's Housing Revenue Account Self Financing Business Plan and recommending the same to Council for approval.

- (vii) Formulating the Authority's borrowing and investment strategy and recommending the same to Council for approval.
- (viii) Managing and monitoring the Authority's Capital Programme, General Fund and HRA.
- (ix) The key strategic outcomes for delivery over the term of the HRA Business Plan.
- (x) Strategic decision-making in respect of the following:-
- Transformation Programmes.
 - Organisational Development.
 - Member Development.
 - Member Services and Civics.
 - Strategic Risk Management.
 - Audit Issues (other than matters falling within the remit of the Audit Committee).
 - Major Projects.
 - Strategic Commissioning and Procurement including Decommissioning.
 - Asset Management.
 - Staffing and resourcing issues.
 - Partnerships and shared services.
- (xi) Approval of payments or provide some other benefits for maladministration under S92 of the Local Government Act 2000.
- (xii) To approve the write-off of any outstanding debt owed to the Council above the delegated limit of £10,000 with the exception of the write-off of debts related to the functions of the Shared Revenues Partnership.
- (xiii) Making recommendations to the Council on standing orders relating to contracts and financial regulations.
- (xiv) All cross cutting matters which affect the Authority as a whole and any matter/issue not expressly delegated to another Committee.
- (xv) Determining the Authority's strategic approach to wider County and Regional issues.
- (xix) To take action or make recommendations to Council after considering reports from Scrutiny Committee (Joint or otherwise) and the Audit and Standards Committee (Joint or otherwise).
- (xx) To set up and monitor the activity of Working Groups (including the Transformation Enquiry Groups) and receive reports and recommendations from them, in line with agreed protocols.

DEVELOPMENT CONTROL (A and B) COMMITTEES

MEMBERS 10 on each (A and B) QUORUM 3

General Role

To exercise the Council's powers as local planning authority in respect of:

- (i) All aspects of planning and development control referred to Committee for determination in accordance with the [Protocol for Use of Planning Officer Delegations](#).
- (ii) All aspects of planning and development control where the decision would not be in accordance with the overall policies and procedures approved by the Council as defined within the Protocol for Use of Planning Officer Delegations.

Note:

The Monitoring Officer shall determine whether any Member has undertaken the requisite training.

Frequency of Meetings - every two weeks.

Substitutes - Any Member of the Council providing the substitute has undertaken the requisite planning training.

Functions

- (a) For the purpose of the above all aspects of planning and development control include:
 - (i) the consideration, modification and amendment of all aspects of planning obligations under Section 106 of the Town & Country Planning Act 1990 (as amended).
 - (ii) all aspects of planning enforcement including the enforcement of matters under The Planning (Listed Buildings & Conservation Areas) Act 1990 as amended.
 - (iii) in relation to Planning Policy the consideration of briefs for the development and/or redevelopment of land.
 - (iv) all aspects of the Planning (Hazardous Substances) Act 1990 including enforcement matters.
 - (v) all aspects of Tree Preservation control under the Town & Country Planning Act 1990 (as amended).
 - (vi) all aspects of the control of advertisements under the Town & Country Planning Act 1990 (as amended).

- (vii) the revocation or modification of a planning permission, listed building consent or conservation area consent.
- (b) To consider and determine matters concerning public rights of way.
- (c) To consider and make Orders under Section 215 of the Town and Country Planning Act 1990 relating to the proper maintenance of land and resolutions to prosecute for non-compliance with an order.

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PLANNING REFERRALS COMMITTEE

MEMBERS 20 QUORUM 5

General Role

To exercise the Council's powers as local planning authority in respect of:

- (i) All aspects of planning and development control referred to Committee for determination in accordance with the Protocol for Use of Planning Officer Delegations upon which the Development Control Committee fails to agree with the recommendation of the Corporate Manager – Development Management and where the Chairman is of the opinion that the decision would not be in accordance with the overall policies and procedures approved by the Council as defined within the [Protocol for Use of Planning Officer Delegations](#).
- (ii) All aspects of planning and development control where the decision would not be in accordance with the overall policies and procedures approved by the Council as defined within the Protocol for Use of Planning Officer Delegations and which in the opinion of the Chairman of the Development Control Committee is of strategic importance.

Frequency of Meetings - As and when required.

Substitutes - None.

Functions

- (a) For the purpose of the above all aspects of planning and development control include:
 - (i) the consideration, modification and amendment of all aspects of planning obligations under Section 106 of the Town & Country Planning Act 1990 (as amended).
 - (ii) all aspects of planning enforcement including the enforcement of matters under The Planning (Listed Buildings & Conservation Areas) Act 1990 (as amended).
 - (iii) in relation to Planning Policy the consideration of briefs for the development and/or redevelopment of land.
 - (iv) all aspects of the Planning (Hazardous Substances) Act 1990 including enforcement matters.
 - (v) all aspects of Tree Preservation control under the Town & Country Planning Act 1990 (as amended).
 - (vi) all aspects of the control of advertisements under the Town & Country Planning Act 1990 (as amended).

- (vii) the revocation or modification of a planning permission, listed building consent or conservation area consent.
- (b) To consider and determine matters concerning public rights of way;
- (c) To consider and make Orders under Section 215 of the Town and Country Planning Act 1990 relating to the proper maintenance of land and resolutions to prosecute for non-compliance with an Order.

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THE BABERGH AND MID-SUFFOLK JOINT STANDARDS BOARD

Joint Standards Board

Babergh, Mid Suffolk and Suffolk County Council will together establish a Committee known as the Suffolk Joint Standards Board. Membership of the Board shall exclude the Chairman of any Council, any Cabinet, Executive or Strategy Committee member.

Composition

The Committee is constituted pursuant to sections 101, 102, 103 and 111 of the Local Government Act 1972.

[The political balance rules in section 15 of the Local Government and Housing Act 1989 do not apply.]

- (a) *Membership.* The Joint Standards Board will be composed of nine Councillors (three elected members from each Council).
- (b) *Chairing the Board.* The Joint Standards Board or any Sub Committee will nominate the Chairman at each meeting.
- (c) The quorum is three (being one member from each Council) for a full meeting of the Joint Standards Board.
- (d) The quorum for Sub-Committee meetings of the Joint Standards Board is three members. Sub-Committee meetings will be arranged by the Monitoring Officer from the Council receiving the original complaint and will take place as and when required. The members will be drawn from the other Councils.

Role and Function

The Joint Standards Board will have the following roles and functions:

- (a) To receive reports from Monitoring Officers when complaints about the conduct of Councillors have been investigated and found that a breach of the Code of Conduct has occurred, and to consider the appropriate sanction (if any) recommended by an Independent Person (as defined within the Localism Act 2011) subject to statute, regulations and Government guidance.
- (b) To promote a culture of openness, accountability and probity in order to ensure the highest standards of conduct.
- (c) To promote the values of putting people first, valuing public service and creating a norm of the highest standards of personal conduct.
- (d) To receive reports from a Monitoring Officer and any independent person appointed by the Council pursuant to the Localism Act 2011.

- (e) To determine appropriate action on matters referred to the Joint Standards Board by a Monitoring Officer, Council or Committee.
- (f) To support a Monitoring Officer in his or her statutory role and the issuing of guidance on his or her role from time to time in relation to the consideration and/or handling of complaints.
- (g) To manage any resources assigned to the Committee subject to any framework set by any Council or Committee.
- (h) To be responsible for securing equality in relation to the functions of the Joint Standards Board.
- (i) To establish and delegate to Sub-Committees, as appropriate, and manage that Sub-Committee.
- (j) To receive, consider and make decisions on reports received from any Sub-Committees and to make recommendations to any Council in relation to matters reserved to the Council by statute or Procedure Rules.
- (k) If requested by any participating Council to do so, to make representations to the Local Government Association and central Government or other organisations about any matter relating to the general principles of conduct for Councillors.
- (l) If requested by any participating Council to do so to provide advice and guidance to Councillors and make arrangements for training in connection with any matters within the terms of reference of the Committee.
- (m) If requested by any participating Council to do so, to review and make recommendations on Councillors' training to promote the ethical framework.

Additional roles of the Joint Standards Board

The Councils may assess the scope for further work for the Joint Standards Board as events develop.

Terms of Reference

The Suffolk Joint Standards Board will have the Terms of Reference set out in this Constitution.

The Suffolk Joint Standards Board

Terms of Reference

1. Definitions

In this Constitution:

“the Act” means the Local Government Act 1972

“the Councils” means

- (a) Babergh District Council
- (b) Mid Suffolk District Council
- (c) Suffolk County Council

“the Joint Standards Board” means the Suffolk Joint Standards Board

“Monitoring Officer” means the officer designated by the Councils under section 5 of the Local Government and Housing Act 1989 and any deputy nominated by them acting where they are unable to do so owing to absence or illness

“Proper Officer” has the same meaning as in the Act

2. Constitution and Terms of Reference

- 2.1 The Councils, in exercise of their powers under sections 101, 102, 103 and 111 of the Act, have each determined to establish a Joint Standards Committee, to be known as the Suffolk Joint Standards Board to exercise those functions as set out in these Terms of Reference and in the Constitution.

3. Functions to be exercised by the Joint Standards Board

- 3.1 The Joint Standards Board may exercise the functions set out in the Articles of the Constitution.

4. Membership of the Joint Standards Board

4.1 The Joint Standards Board shall consist of

- a) nine members of the Councils, appointed by those Councils in accordance with paragraph 4.2;

- 4.2 Subject to paragraph 4.3, the Councils shall each appoint three members of their authorities to be members of the Joint Standards Board.

- 4.3. Membership of the Board shall exclude the Chairman of any Council and any Cabinet or Strategy Committee member.
- 4.4 A person who is disqualified under Part 5 of the Local Government Act 1972 shall be disqualified from membership of the Joint Standards Committee.
5. Tenure of office and casual vacancies
- 5.1 Any member of the Joint Standards Board will hold office until one of the following occurs:
- a) He or she resigns by giving written notice to the Proper Officer of the Council that appointed him or her.
 - b) He or she is removed or replaced by the Council that appointed him or her.
 - c) He or she is disqualified from membership of the Joint Standards Board.
 - d) He or she ceases to be eligible for appointment to the Joint Standards Board in the capacity in which he or she was appointed.
 - e) The functions of the Joint Standards Board are allocated to another Committee.
 - f) The Councils determine to reduce the size of the Joint Standards Board and notice is given to the Member to terminate his or her membership of the Joint Standards Board.
 - g) The Council which appointed him or her ceases to participate in the Joint Standards Board.
 - h) A resolution of the Councils not to continue with a Joint Standards Board.
- 5.2 A casual vacancy may be filled as soon as possible by the Council which appointed the member of the Joint Standards Board whose membership has ceased.
6. Sub-Committees
- 6.1 The Joint Standards Board will appoint Sub-Committees for purposes in the exercise of its functions.
- 6.2 Each person appointed as a member of a Sub-Committee must be a member of the Joint Standards Board.
- 6.3 The quorum for Sub-Committee meetings is three members. Where a Sub-Committee is established to determine a complaint against a Councillor then Members of the Sub-Committee will be drawn from other Councils to that which has received the complaint.
- 6.4 If the Joint Standards Board appoints more than one Sub-Committee to exercise one or more of its functions then it shall ensure that the Proper Officer of the Council's providing support to the Joint Standards Board allocates particular matters to a Sub-Committee first on the basis of the

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availability of the members required to constitute the Sub-Committee, and thereafter by rotation, and summonses meetings accordingly.

7. Meetings and proceedings

7.1 The regularity of meetings and rules for the conduct of proceedings of the Joint Standards Board (and its Sub Committees) will be set by the Board. The rules of procedure must be consistent with the requirements of the Act. They may provide for different procedures to be followed when the Joint Standards Board or a Sub-Committee is exercising different functions.

8. Monitoring Officer

8.1 The Monitoring Officer will agree and keep under review a protocol about how the Monitoring Officer will exercise their functions in relation to the matters dealt with by the Joint Standards Board.

8.2 The Joint Standards Board will be responsible for approving changes to the protocol.

9. Support

9.1 The Joint Standards Board will meet at the offices of the Council that received the complaint and the Councils agree to provide accommodation and professional, technical, administrative and clerical support for meetings held on its premises.

9.2 The Proper Officer appointed by each Council for the time being providing such support will discharge the proper officer functions under the Act that relate to the meetings of the Board. He or she will therefore prepare agendas and minutes and summaries of meetings and arrange for notices and other communications to and from the Joint Standards Board to be given and received, save in so far as the Monitoring Officer agrees to undertake this activity.

10. Expenses of Joint Standards Board

10.1 The expenses of the Joint Standards Board and of the discharge of functions relating to matters dealt with by the Joint Standards Board will be met by the Council receiving the complaint.

11. Withdrawal from the Joint Standards Board

11.1 A Council may cease to participate in the Joint Standards Board by resolution to that effect and communicated in writing to the Proper Officer the time being at least three months before the date on which it is to take effect.

JOINT AUDIT AND STANDARDS COMMITTEE

MEMBERS 16 (8 from each Council) QUORUM 4 (At least 1 from each Council)

General Role

To ensure a consistent approach, avoid duplication of resources and improve joint working between both Councils. This Committee will only seek to address matters which are being progressed across both Councils.

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.

Note:

There are separate Terms of Reference for the Mid Suffolk and Babergh Audit Committees which set out their specific roles and functions.

Frequency of Meetings

Every two months.

Substitutes

Any Member from the same political group and Council, except the Chairman of the Council or Members of the Strategy or Executive Committees.

Role and Function

- (i) Undertake the Council's responsibilities in relation to financial governance issues.
- (ii) Receive Internal Audit's charter, annual plan and progress against the plan that includes an annual report from the Head of Internal Audit.
- (iii) Consider the effectiveness of the joint risk management arrangements, the control environment and associated anti-fraud and anti-corruption.
- (iv) Be satisfied that the joint Annual Governance Statement properly reflects the risk environment and any actions taken to improve it.
- (v) Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies and that the value of the audit process is actively promoted.
- (vi) Review and consider the annual Treasury Management Strategies of both Councils, receive reports on performance during the year and ensure appropriate Member training and guidance is provided.

- (vii) Design, monitor and review the ethical framework of the Councils to promote a culture of openness, accountability and probity in order to ensure the highest standards of conduct.
- (viii) Exercise the functions of the Councils in relation to the ethical framework and standards of conduct of the Councils, Parish/Town Councils, Joint Committees and other bodies, as relevant.
- (ix) Advise the Councils on the adoption or revision of a Code of Conduct for Members. Overview codes of good practice, protocols and policies with regard to probity and ethics.
- (x) Oversee and manage programmes of training and development on ethics, standards and probity for Councillors. Issue advice and guidance on standards related matters.
- (xi) Receive reports on complaints made under the Code of Conduct for Members.
- (xii) Support the Monitoring Officer in his or her statutory role and the issuing of guidance on his or her role from time to time.
- (xiii) Support the Section 151 officer responsible for the administration of the relevant Council's financial affairs in his or her statutory role in connection with financial probity and the issuing of national guidance on his or her role from time to time.
- (xiv) To peruse, review and comment upon the non-salaried expenses of Council officers.

MID SUFFOLK AUDIT COMMITTEE

MEMBERS 8 QUORUM 3

General Role

Monitoring the work of the Council's external and internal auditors, and taking such decisions as are necessary to ensure the auditors' work is in accordance with statutory requirements and best practice, and that their recommendations are acted upon appropriately.

Note:

The Babergh and Mid Suffolk Joint Audit and Standards Committee ensures a consistency of approach, avoids duplication of resources and improves joint working between both Councils and will only address matters which are being progressed across both Councils.

Issues that are pertinent only to a single Council area will remain the preserve of the Mid Suffolk Audit Committee.

The Mid Suffolk Audit Chairman would normally be a member of the opposition.

Frequency of Meetings - As and when required.

Substitutes - Any Member from the same political group, except members of the Executive Committee.

Role and Function

The Audit Committee will have the following roles and functions that remain the preserve of the Council:-

- (i) Undertake the Council's responsibilities in relation to financial governance issues.
- (ii) Review and approve the financial statements (including the Statement of Accounts), and the external auditors' reports to Members, and monitor management action in response to the issues raised by external audit.
- (iii) Support the Corporate Manager – Internal Audit for ensuring that effective arrangements are in place with regard to risk management arrangements, the internal control environment, whistle blowing and associated anti-fraud and anti-corruption work.
- (iv) Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies and that the value of the audit process is actively promoted.

- (v) Review and consider the annual Treasury Management Strategy of the Authority, receive reports on performance during the year and ensure appropriate Member training and guidance is provided.
- (vi) Receive reports on complaints made under the Suffolk Local Code of Conduct for Members.
- (vii) Support the Monitoring Officer in his or her statutory role and the issuing of guidance on his or her role from time to time.
- (viii) Support the Section 151 Officer responsible for the administration of the Council's financial affairs in his or her statutory role in connection with financial probity and the issuing of national guidance on his or her role from time to time.

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JOINT SCRUTINY COMMITTEE

MEMBERS	16 (8 from each Council)
QUORUM	4 (at least 1 from each Council)

General Role

Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Councils' functions;

Make reports and/or recommendations to the full Councils and/or the Executive and Strategy Committees in connection with the discharge of any functions;

Make reports or recommendations to the Councils or the Executive and Strategy Committees with respect to matters affecting the area or its inhabitants;

This Committee will seek to address matters which are being progressed across both Councils. Issues that are pertinent only to a single Council area will remain the preserve of that Council's Scrutiny Committee.

Frequency of Meeting

Every two months.

Substitutes

Any Member from the same political group and Council except Members of the Strategy/Executive Committees.

Role and Function

- (i) (a) **Performance monitoring and review.**
 - i) Question Members of the Executive and Strategy Committee's and Officers about their views on issues and proposals affecting the area;
 - ii) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
 - (b) **Finance.** Exercise overall responsibility for the finances made available to it.
 - (c) **Annual report.** Submit an annual report to Council on its workings.
 - (d) **Officers.** Exercise overall responsibility for the work programme of the Officers employed to support its work.
 - (e) **Task and Finish Panels.** To number 3 or 5 members. When established a clear remit should be set with defined outcomes, time span and reporting requirements.
- (ii) Conduct its proceedings in accordance with the Scrutiny Procedure Rules set out in Part 4 of the Constitution.

MID SUFFOLK SCRUTINY COMMITTEE

MEMBERS 6 QUORUM 3

General Role

Review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;

Make reports and/or recommendations to the Council and/or the Executive Committee in connection with the discharge of any functions;

Make reports or recommendations to the Council or the Executive Committee with respect to matters affecting the area or its inhabitants;

This Committee will only seek to address matters that are pertinent only to a single Council area.

That the Mid Suffolk Scrutiny Committee Chairman would normally be a Member of the opposition.

Frequency of Meeting

As and when required.

Substitutes

Any Member from the same political group and Council except Members of Executive Committee.

Role and Function

The Scrutiny Committee will have the following roles and functions that remain the preserve of the Council:-

- (i) (a) **Performance monitoring and review.**
 - i) Question Members of the Executive Committee and Officers about their views on issues and proposals affecting the area;
 - ii) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.
 - (b) **Finance.** Exercise overall responsibility for the finances made available to it.
 - (c) **Annual report.** Submit an annual report to Council on its workings.
 - (d) **Officers.** Exercise overall responsibility for the work programme of the Officers employed to support its work.
 - (e) **Task and Finish Panels.** To number 3 or 5 members. When established a clear remit should be set with defined outcomes, time span and reporting requirements.
- (ii) Conduct its proceedings in accordance with the Scrutiny Procedure Rules set out in Part 3 of the Constitution.

JOINT APPOINTMENTS COMMITTEE

MEMBERS 6 (3 from each Council)

QUORUM 3 (at least 1 from each Council)

General Role

Adopting and exercising such of the Council's functions as can be delegated by the Council in respect of the appointment, discipline and dismissal of the Chief Executive, Directors and Statutory post holders as are covered by the Local Authorities (Standing Orders) (England) Regulations or any successor regulations or Act.

Frequency of Meetings

As and when required.

Substitutes

Any Member from the same political group and Council.

Role and Function

- (i) To undertake and determine all aspects of the process for the recruitment, selection of the Chief Executive, Directors and Statutory Posts.
- (ii) The final decision as to the appointment, discipline or dismissal of the Head of Paid Service shall be reserved to Council, but the Appointments Committee may make such recommendations about these matters to Council as the law allows.
- (iii) No disciplinary action in relation to the Head of Paid Service, Monitoring Officer or Chief Finance/Section 151 Officer may be taken by the Appointments Committee or the Council, other than
 - (a) suspension on full pay for no more than two months, or
 - (b) other than in accordance with the recommendations of a Designated Independent Person's report under the Local Authorities (Standing Orders) England Regulations 2001(as amended).
- (iv) In discharging its duties, the Appointments Committee shall follow the procedures set out in the relevant laws then in force, including the Local Authorities (Standing Orders) England Regulations, and any appropriate government guidance.

- (v) All other matters pertaining to the appointment, discipline or dismissal of Council officers or staff shall remain the responsibility of the Council's Head of Paid Service.
- (vi) To hear and determine issues relating to discipline and capability for the Chief Executive, Directors and the Statutory Posts of Monitoring Officer and Chief Finance Officer.
- (vii) To deal with disciplinary cases involving Head of Paid Service, Monitoring Officer and Chief Finance Officer in accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 and is to make recommendations of proposed action to Council.

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JOINT HEALTH AND SAFETY COMMITTEE

MEMBERS 8 (4 from each Council) QUORUM 3 (At least 1 from each Council)

General Role

The promotion of consultation and co-operation between the Councils and its employees in instigating, developing and carrying out measures to ensure the health and safety at work for employees and members of the public.

Frequency of Meetings

There shall be scheduled half yearly meetings. Additional meetings may be called from time to time.

Substitutes

None.

Role and Function

- (i) The study of accident and notifiable statistics and trends, so that reports can be made to senior management on unsafe and unhealthy conditions and practices, together with recommendations for corrective action.
- (ii) Examination of safety inspection and audit reports on a similar basis.
- (iii) Consideration of reports that safety representatives may wish to submit.
- (iv) Assistance in the development of safety rules and safe systems of work.
- (v) Monitoring of the effectiveness of the safety content of employee training.
- (vi) Monitoring of the adequacy of safety and health communication and publicity within the Councils.
- (vii) The provision of a link with the appropriate enforcing authority.

JOINT STAFF CONSULTATION COMMITTEE

MEMBERS 6 (3 from each Council) **QUORUM** 3 (At least 1 from each Council)

(PLUS 6 union representatives from recognised trade union branches across both Councils)

General Role

The purpose of the JSCC is to provide a forum for discussion, informal consultation and negotiation between Elected Members, senior managers and employee representatives of the Councils recognised trade union bodies.

Frequency of Meetings

There shall be scheduled half yearly meetings. Additional meetings may be called from either side.

Substitutes

Any Member.

Functions

- (i) The JSCC will consider matters of collective interest including:
- Employee relations matters
 - Terms and conditions of employment
 - Equality issues
 - Welfare
 - Working arrangements
- (ii) The Chairman will rotate annually between the member representatives of the Councils and the Union representatives. The Vice-Chairman should be nominated from the opposite side to that from which the Chairman is appointed.
- (iii) The JSCC will make recommendations to the appropriate Committee or Council as necessary.
- (iv) The JSCC will conduct its business in the spirit of openness and co-operation to support constructive employment relations across the Councils.

Note: Individual issues will be addressed through the relevant employment policies and their respective appeal procedures i.e. grievance, discipline, grading and will not be considered by the JSCC.

REGULATORY COMMITTEE

MEMBERS 12 QUORUM 3

General Role

To consider policy issues on any relevant legislation that may be introduced.

Frequency of Meetings

Every two months (Regulatory Committee).

As and when required (Regulatory Sub-Committee).

Substitutes

Any Member of the Council providing requisite training undertaken.

No substitutes for Regulatory Sub-Committee.

Functions

- (i) To establish and act through Committees made up of 3 Members of the Regulatory Committee (to be known as Regulatory Sub-Committees) to determine a range of regulatory and other functions (including Naming of Streets, Trees, Staffing etc).
- (ii) Power to issue licences, certificates or consents including (where legally possible):-
 - a power to attach conditions to any licence, certificate or consent
 - a power to refuse to grant any licence certificate or consent
 - a power to set general conditions and regulations with respect to all licences of a certain kind
 - the power to revoke or suspend licences certificates or consent
 - any function for which the Council may charge and issue any approval or consent that may be needed under the terms of any licence.
- (iii) The Regulatory Committee shall decide its own procedures for dealing with applications and disciplinary hearings and in carrying out these functions shall have due regard to any relevant regulations/national guidance. It shall have the power to set enforcement and other licensing or regulatory policies.

(a) **Hackney Carriage and Private Hire Vehicle Licensing**

- (i) To determine suspension or revocation (or else no action) of licences for Hackney Carriage vehicles, Hackney Carriage drivers, Private Hire Vehicles, Private Hire Drivers, Private Hire Operators.
- (ii) To determine applications for licences for Hackney Carriage Vehicles; Hackney Carriage Drivers; Private Hire Vehicles; Private Hire Drivers and Private Hire Operators when the Head of Environment is disposed to recommend suspension or revocation of a licence or refusal to grant or refusal to renew and chooses not to exercise his/her delegated authority but refers the matter to the Regulatory Committee for consideration in accordance with a protocol approved by the Regulatory Committee.

(b) **General Matters**

- (i) Any other appeal arrangements as shall arise under any enactment or government regulation.
- (ii) To determine licences, registrations and consents or to make, revoke or vary closing orders as necessary pursuant to licensing, regulatory, environmental, safety and other statutes (or any subsequent amendment thereto) if the appropriate officer is disposed to recommend revocation, variation, refusal or refusal to renew or does not wish to use his/her delegated authority.

LICENSING ACT 2003 COMMITTEE

MEMBERS 12 QUORUM 3

General Role

To consider policy issues on licensing and to act as the Licensing Committee under the Licensing Act 2003, and for Gambling Act 2005 matters and any other relevant legislation that may be introduced.

Frequency of Meetings

Every two months (Licensing Act 2003 Committee).

As and when required (Licensing Sub-Committee).

Substitutes

Any Member of the Council providing requisite training undertaken.

No substitutes for Licensing Sub-Committee

Functions

- (i) To review and make recommendations to Council upon policies in relation to licensing matters under the Licensing Act 2003 and the statement of licensing policy.
- (ii) To discharge the Council's functions as a Licensing Authority under the Licensing Act 2003, with agreed policy.
- (iii) To review and make recommendations to Council upon policies in relation to licensing matters under the Gambling Act 2005 and the statement principles.
- (iv) To discharge the Council's functions as a Licensing Authority under the Gambling Act 2005, within agreed policy.
- (v) To arrange for the discharge of any of the licensing functions exercisable by the Committee to an Officer of the Licensing Authority subject to the limitations set out in Section 10(4) of the Licensing Act 2003 and Section 154 of the Gambling Act 2005.
- (vi) To discharge any other Council function which relates to a matter which is a licensing function under the Licensing Act 2003 or the Gambling Act 2005, but which is not a licensing function (i.e. street trading) after consideration of a report from the Licensing Section.

(a) **Licensing Act 2003**

- (i) To carry out functions as the Licensing Committee pursuant to the Licensing Act 2003.
- (ii) To advise the Council on its 'Statement of Licensing Policy', related Licensing policies and practices and make recommendations to the Council on their adoption and review.
- (iii) To appoint Sub-Committees of three Members (to be known as Licensing Sub-Committees).
- (iv) To delegate any of its functions within its terms of reference to the Licensing Sub-Committee or officers, subject to the restrictions set out in the Licensing Act 2003.

LICENSING ACT 2003: SCHEME OF DELEGATIONS

Matter to be dealt with	Committee	Sub Committee	Officers
		WHERE OBJECTION, REPRESENTATION or REVIEW	<u>NO</u> OBJECTION or REPRESENTATION
Application for personal licence		✓	✓
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		✓	✓
Application for provisional statement		✓	✓
Application to vary premises licence/ club premises certificate		✓	✓
Application to vary designated premises supervisor		✓	✓
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		✓	✓
Applications for interim authorities		✓	✓
Application to review premises licence/ club		All cases	

Matter to be dealt with	Committee	Sub Committee	Officers
		WHERE OBJECTION, REPRESENTATION or REVIEW	<u>NO OBJECTION</u> or REPRESENTATION
premises certificate			
Decision on whether a representation is irrelevant frivolous vexatious etc			All cases *
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police representation to a temporary event notice		All cases	
Determination of minor variation applications for premises licences and club premises certificates			All cases
Determination of applications to disapply mandatory conditions at community premises		✓	✓
Licensing Authority role as a responsible authority			All cases

* In consultation with Chair, Vice-Chair or other Members of Licensing Act 2003 Committee

(b) **Gambling Act 2005**

- (i) To carry out functions as the Licensing Committee pursuant to the Gambling Act 2005.
- (ii) To advise the Council on its 'Statement of Licensing Principles', related Gambling Act 2005 policies and practices and make recommendations to the Council on their adoption and review.

- (iii) To appoint Sub-Committees of three Members to be known as the Licensing Sub-Committee.
- (iv) To delegate any of its functions within its terms of reference to the Licensing Sub-Committee or officers, subject to the restrictions set out in the Gambling Act 2005.

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GAMBLING ACT 2005: SCHEME OF DELEGATIONS

Matter to be dealt with	The Council	The Committee	Sub Committee	Officers
			WHERE OBJECTION, REPRESENTATION or REVIEW	NO OBJECTIN or REPRESENTATION
Final approval of three year licensing policy	✓			
Policy not to permit casinos	✓			
Fee setting (when appropriate)		✓		
Application for premises licences			✓	✓
Application for a variation to a licence			✓	✓
Application for a transfer of a licence			✓	✓
Application for a provisional statement			✓	✓
Review of a premises licence			All cases	
Application for club gaming/club machine permits			✓	✓
Cancellation of club gaming/club machine permits			All cases	
Applications for other permits				All cases
Cancellation of licensed premises gaming machine permits				All cases
Consideration of temporary use notice				All cases

Matter to be dealt with	The Council	The Committee	Sub Committee	Officers
			WHERE OBJECTION, REPRESENTATION or REVIEW	NO OBJECTIN or REPRESENTATION
Decision to give a counter notice to a temporary use notice			All cases	

Note:

Schedule 6 (Minor and Consequential Amendments) of the Licensing Act 2003 amends section 101 of the Local Government Act 1972. The effect of this amendment is that nothing in Section 101 applies in relation to any function under the Licensing Act 2003 of a Licensing Authority. The requirement for the Licensing Act 2003 Committee to be politically balanced does not apply, but is recommended.

The wording of the Licensing Act 2003 indicates that the Committee discharging those functions should only deal with those functions and related matters. This is supported by views expressed by the DCMS and LACORS.

BABERGH AND MID SUFFOLK JOINT HOUSING BOARD

Terms of Reference and Constitution

1. **Membership:** 6 Councillors (3 from each Council)
6 tenants/leaseholders (3 from each Council)
2. **Quorum:** 4 (1 Councillor and 1 tenant/leaseholder from each Council)
3. **Frequency of meetings:** Meetings will be held monthly
4. **Purpose of the Board (Terms of Reference)**
 - To review policy on any aspect of the landlord function
 - To be consulted on and then advise and make recommendations to Strategy and Executive Committees on financial matters relating to the Housing Revenue Account (HRA)
 - Support the active involvement of tenants and leaseholders in the process of decision making on housing (HRA) related matters
 - Provide a means of improving delivery of the housing service
5. **Nomination of Councillors**
 - Councillors will be nominated to the Board by each Council in accordance with its own constitutional arrangements
6. **Election of tenants**
 - Every tenant and leaseholder of Mid Suffolk and Babergh District Councils will have an opportunity to vote for a candidate in their area
 - Elections will be held every 4 years to coincide with the District Council elections
7. **Qualifying to stand as a Candidate**

All tenants will be given an opportunity to stand for election to the Board. A formal ballot will be held in which every tenant will be eligible to vote for their chosen candidate.

Each candidate or Board member **must**:

- Be over the age of 18 years.
- Be a current tenant or leaseholder of Babergh or Mid Suffolk District Council.
- Live within the electoral area in which they are standing for election.

Each candidate or Board member **must not**:

- Be under a “Notice Seeking Possession” in respect of their tenancy.
- Be an employee of either Babergh or Mid Suffolk District Council.
- Be a serving member of the Tenant Scrutiny Panel
- Be the subject of a bankruptcy restrictions order or an interim order
- Have been convicted, in the United Kingdom, the Channel Islands or the Isle of Man, within the last 5 years of any offence punishable by imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine.
- Be disqualified from being elected or being a member of either authority under Part III of the Representation of the People Act 1983.

8. Key Roles and responsibilities of Board Members

- Act in the interest of the tenants of Mid Suffolk and Babergh District Council. Board members are custodians of the tenants’ interests and finances. Their behaviour and decisions should reflect this responsibility.
- To contribute to and share responsibility for all Board decisions.
- Prepare for and attend meetings, training and other events as required.
- Maintain the standards set out in the Code of Conduct for tenant involvement.
- Monitor the Councils’ performance, budgets, controls, complaints and decisions and the performance of comparable bodies.
- Ensure that the Council Housing Services of Babergh and Mid Suffolk District Councils comply with the Tenant Services Authority Regulatory Framework.
- Ensure that the policy and practices of Babergh and Mid Suffolk District Council Housing Services are in keeping with its Strategic Priorities and Delivery Programme outcomes.

9. Confidentiality

- Board members will have access to such information necessary to carry out their role. Information regarded as confidential should not be divulged to anyone, other than Board members and Council officers entitled to know it.

10. Allowances

- Tenant Board members will be entitled to claim an allowance for each meeting attended up to £500 per annum. They will also be entitled to mileage and childcare expenses at the approved rate.
- Elected Members will be entitled to claim travelling expenses in accordance with the Councils scheme of allowances.

11. Functions of the Board

The Board will make strategic and policy decisions about the HRA landlord related functions of both councils. In general terms these are:

- The review and development of the HRA Business Plan.
- All housing landlord strategy and new policy development issues.
- All tenant services and housing management functions
- The review and development of housing maintenance and improvement programmes
- Leasehold property management.
- Compliance with the Tenant Services Authority regulatory framework.
- A monitoring role relating to operational HRA services.
- Rent and budget setting are not included in the remit although the Board will have a consultative role in these issues.

12. Governance

- All Board Members will have equal voting rights.
- All issues will be decided on a simple majority of board members present at the meeting.
- If there are an equal number of votes for and against, the Chair will have a second or casting vote.
- The Chair will be determined annually by the members of the Joint Housing Board, alternating between tenant/member on an annual basis.
- A Vice-Chair will also be determined annually, ideally being a tenant when the Chair is a Councillor and vice versa.
- The quorum of the meeting will be one third of the Board membership (i.e. 4). With one tenant and one member being from each Council.
- The Board will determine which matters are solely to be voted on by MSDC members and BDC members.
- When a decision is the concern of one Council a quorum will be one Tenant Board Member and one Elected Member of the Council to whom the decision relates.
- When making decisions, the Joint Housing Board will consider the Strategic Priorities of both Councils and ensure these are embedded in everything done with a corporate context and connection.
- The Joint Housing Board activities are authorised without recourse to Committees of either Council following an amendment to the current Scheme of Delegation which is in place at present in both Councils placing delegations on the Head of Housing.
- When an issue has both HRA and non HRA aspects the board will make decisions on the HRA aspect and have a consultative role in the non HRA aspect.

- The Councillor Membership of the Joint Housing Board will be politically balanced.
- Meetings will be held monthly in the afternoon or early evening.
- Venue for the meetings will alternate between the two Councils.
- The Joint Housing Board will report to Babergh District Council's Strategy Committee and Mid Suffolk District Council's Executive Committee.

Additionally the Joint Housing Board will

- Have the power to deselect any Tenant Board Member who is absent from three consecutive meetings without good reason or is guilty of a breach of the Code of Conduct.

13. Confidentiality and Data Protection

The business of the Board may involve dealing with issues of a confidential or sensitive nature and members must exercise care and discretion. All information must be kept in accordance with the Data Protection Act 1998. This also includes storing of information in paper files, or electronically.

- Any confidential information that is presented to or discussed by the Board should not be disclosed to anyone apart from the board. The only exceptions to this are:
 - a) That you have the consent of a person authorised to give it.
 - b) You are required by law to do so.
 - c) The disclosure is made to a third party for the purpose of obtaining professional advice providing that the third party agrees not to disclose the information to any other person.
- A Board member must not prevent another person from gaining access to information to which a person is entitled by law.
- Board members must not disclose information that they have received in their role for personal advantage or that of anyone known to them or to discredit or disadvantage others.

DELEGATIONS TO OFFICERS

INTRODUCTION

The Scheme of Delegation set out below has been approved and adopted for the purposes of Section 101 of the Local Government Act 1972.

The following powers and duties are delegated to the officers named within the normal constraints of Council policy but in the event of those officers being unavailable or unable to exercise the functions referred to, the following officers are authorised to act in their stead:

- For the Chief Executive, a Strategic Director
- For a Strategic Director, the relevant Assistant Director
- For the Section 151 Officer, the Head of Corporate Resources (or Strategic Director) if he/she is the Section 151 Officer.
- For the Monitoring Officer or Strategic Director if he/she is the Monitoring Officer.
- Any officer referred to by his/her title/post throughout this constitution will automatically succeed his/her successor in title/post

GENERAL PROVISIONS

1. Any delegation to an officer which authorises the incurring of any expenditure will be subject to there being sufficient budgetary provision to cover that expenditure.
2. Any delegation to an officer to take action under a statutory provision shall be deemed to authorise action under any amendment or statutory re-enactment of that provision.
3. Any delegation to an officer shall require that delegation to be exercised in compliance with the Council's Procedure Rules, Financial Regulations and Procedures and Procurement and Contract Standing Orders and any other conditions imposed either by the Council or by statute and any Code of Practice relating to specific functions which may be adopted.
4. Where delegated powers or proper officer functions have been granted to a post on the Council's staff and the designation of such post is changed then such delegated powers or proper officer functions shall vest in the postholder of the new post designation.
5. Officers with delegated powers may in writing authorise another officer or officers to exercise those powers in particular circumstances or generally. Such authorisations may be subject to limitations and conditions. The officer with the delegated power shall keep a Register of all authorisations granted. *Note: Copies of all authorisations shall also be sent to the Monitoring Officer.*

6. All Heads of Service with the exception of the Assistant Director Corporate Resources and also the Monitoring Officer have delegation to seek planning permission under the Town and Country Planning General Regulations 1992 and to give to the local planning authority any written notice required by the Regulations.

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GENERAL DELEGATIONS

To the Chief Executive, Strategic Directors and Assistant Directors (together referred to as “Principal Officers”).

Each Principal Officer is authorised to act on behalf of the Council in relation to any matters (including spending decisions) within the service areas for which he/she is responsible (See Schedule below, as may be amended from time to time) subject to any action by the Principal Officer under his/her delegated power being in accordance with:

- 1 The overall policies and procedures approved by the Council or the relevant Committee as appropriate;
- 2 The Council’s Rules of Procedure set out in Part 4 of the Constitution.
- 3 Human Resources Policies and Procedures;
- 4 Approved capital and revenue budgets where an increase in expenditure or a reduction in income is involved;
- 5 In addition to the constraints referred to above, there are exceptions to officers’ delegated powers. There is no delegation to officers of
 - (a) matters specifically reserved to Council or Committee and
 - (b) any matter which by law may not be delegated to an officer.

RESPONSES TO CONSULTATION

The relevant Head of Service shall be authorised to submit responses on consultation on matters within their functions and area of responsibility. If any consultations are deemed by the Strategic Director to be of sufficient significance they will be referred to the relevant Committee.

Matters that are likely to be of sufficient significance are consultation documents on national, regional or local issues which have been or likely to be high profile, complicated and controversial.

Should the deadline for the response not enable the matter to be considered by the Committee then the Strategic Director in consultation with the relevant Principal Officer and Committee Chairman be authorised to submit a response, a copy of which will be submitted to the next meeting of that Committee for information.

All consultation responses issued in the name of the District Council must be in accordance with adopted Council policy, as well as any existing national or regional policy.

Members are of course entitled to make separate individual, personal responses to the consultation.

SCHEDULE OF DELEGATION

<u>Post</u>	<u>Function and areas of responsibility</u>
Chief Executive	Head of Paid Service Overall corporate management and operational responsibility (including management responsibility for all officers and staffing matters). Chairman of the Joint Management Board Returning Officer for Elections and Electoral Registration Officer
Strategic Director	Achieving strategic outcomes and commissioning activities relating to places in Babergh and Mid Suffolk.
Strategic Director	Achieving strategic outcomes and commissioning activities relating to citizens and communities.
Strategic Director	Achieving strategic outcomes and commissioning activities to ensure Babergh and Mid Suffolk District Councils are optimising integrated management, staffing and working practices in order to transform what they do and how they do it to support achievement of people and place outcomes. To ensure appropriate specialist expertise is available in the Corporate Directorate, to arrange for the proper designation of appropriate posts and ensure the proper functioning of the Section 151 Officer and Monitoring Officer statutory roles.
Section 151 Officer	Principal adviser to the Council on financial matters. Responsible for the overall management of the Council's financial affairs including Internal Audit.
Monitoring Officer	Responsible for ensuring that the Council acts in a lawful manner and that it does not do anything which might cause maladministration or injustice.
Note: The Section 151 Officer and Monitoring Officer posts may be held by a designated officer in this structure.	

Head of Housing	Landlord Services Management of Housing Stock, Upgrading Repairs and Rents Private Sector Housing Homelessness Right to Buy Supported Housing, Housing Advice Community Alarms Commissioning Housing Repairs and Maintenance Surveyors and Building Services Property, Accommodation and Facilities
Head of Communities	Community Development Support to Communities of Interest and Characteristic Arts Sports and Leisure Health Improvement and Health and Wellbeing Partnership Community Safety and Community Access Countryside Services Rights of Way Children and Young People Local Partnerships Joint Service Delivery Partnerships Emergency Planning and GOLD support Grants to Communities Equalities and Diversity – Service delivery
Head of Economy	Planning Policy Housing Strategy and Enabling including Gypsy and Traveller Sites Tourism and Tourist Information Centres Economic Development and Regeneration Planning and Development Control Building Control Conservation Access to Grants for Local Authority Activities including Planning Obligations Community Infrastructure Levy Local Enterprise Partnership and other Economy Partnerships Focused Partnership Working
Head of Environment	Development of all aspects of the Environment Agenda Environmental Health Enforcement Safety and Food Safety Noise and other Nuisance Pollution Control

Licensing
Open Space and Grounds Maintenance
Waste Management
Environmental Management
Street Scene
Car Parks and Public Conveniences
Arboriculture

**Head of Corporate
Organisation**

Human Resources and Organisational Development
(including training and development)
Governance
Democratic and Member Services
Electoral Services
Executive Support and Business Management
Communications
Legal Services
Internal Audit
Policy Development and Corporate Planning
Performance Management
Health and Safety
Occupational Health
Equality and Diversity – Corporate

**Head of Corporate
Resources**

Financial Matters
Financial Management
ICT
Data and Information Management (Freedom of
Information, Access to and Management of Observatory,
all Land and Asset Related Information Services etc)
Land Charges
Revenues and Benefits
Asset Utilisation
Procurement and Contracting including Commissioning
Support to External Audit
Customer access and complaints handling (including
Ombudsman cases)

DELEGATION MATTERS SUBJECT TO CONSULTATION WITH CHAIRMAN (OR VICE-CHAIRMAN IN ABSENCE) OF APPROPRIATE COMMITTEE

Power to act out of meeting – General Power

Where, in his/her opinion, by reason of limitation of time, or urgency a decision is required on any matter, (other than those specifically excluded from delegation) the Chief Executive shall have power to make a decision on that matter subject to consultation with the Chairman of the appropriate Committee on the action to be taken by the Chief Executive.

This power shall not apply to:-

- a) Matters reserved to the Council by statute or common law without power of delegation to a Committee.
- b) The setting of Council taxes.
- c) Incurring of expenditure for which no allowance has been made in the annual budget unless the approval of the Chairman of the Council, and of the Chairman of the Strategy Committee has been given to such expenditure.
- d) Any proposal which involves the formulation of a major new policy or a major variation of an existing major policy.
- e) Any matter on which the Council or the Strategy Committee has given a specific direction.

Note: At the next ordinary meeting of the appropriate Committee a report is to be submitted setting out all relevant information in relation to the action taken and detailing the reasons why it was necessary to deal with the matter out of meeting.

Power to respond to consultation documents on strategic and short term plans and programmes for the Health Service.

The Head of Environment in consultation with the Chairman of the Strategy Committee is empowered to respond to the Strategic Health Authority's consultation documents on strategic and short term plans and programmes.

SPECIFIC DELEGATIONS

CHIEF EXECUTIVE

1. To take any action, including the incurring of expenditure, in connection with an emergency or disaster in the district.
2. To exercise powers delegated to any Officer when that Officer is unable or unwilling to act.
3. In consultation with Strategic Directors to employ outside consultants and firms in cases where he/she is satisfied that it is necessary to do so in order to carry out work which cannot be dealt with by in-house staff.

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MONITORING OFFICER

1. To institute, defend, appear and be responsible for the conduct of legal proceedings before any court, tribunal or public inquiry on behalf of and in the name of the Council where it is in the Council's interests to do so and in particular:

To instruct and retain Counsel and obtain advice in relation to any matter whenever this is considered to be in the interests of the Council;

To settle proceedings of any description including the payment of damages, compensation and legal costs in consultation with Strategic Directors. Where the settlement figure exceeds £50,000 the Chief Executive and Leader of the Council will be consulted first.

2. To authorise officers to appear in any civil or criminal court or tribunal, and act as authorised officers for the purposes of all legislation under which the Council has duties and powers.
3. To authorise officers to enter land and premises where an authorised officer of the Council may do so under any enactment.
4. To authorise, issue and serve all Statutory Notices (including Requisitions for Information) under any enactment.
5. To sign and seal documents on behalf of the Council.
6. To issue enforcement notices and/or serve stop notices under the Town and Country Planning Act 1990.
7. To determine applications for Lawful Development Certificates pursuant to Sections 191-194 of the Town and Country Planning Act 1990.
8. To accept statutory declarations for the purpose contained in the Housing Acts 1980, 1985 and 1988.
9. To sign indemnities and provide solicitors' undertakings where they are required to enable the Council to exercise any of its functions subject to consultation with the Section 151 Officer where the indemnity or undertaking has considerable financial implications.
10. To ensure compliance with the requirements specified in the Data Protection Act 1998, the Human Rights Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.
11. To make/amend the Constitution or the Scheme of Delegations where there has been a change of law, job title, structure or rearrangement of responsibilities between officers or to correct typographical and clerical errors (all members to be notified forthwith).

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PROPER OFFICER PROVISIONS

“Proper Officer” appointments in accordance with the relevant provisions of the specified legislation are as set out hereunder:-

Local Government Act 1972

<u>Section</u>	<u>Description</u>	<u>Proper Officer</u>
13(3)	Chairman of Parish Meeting and Proper Officer shall become a body corporate where there is no separate parish council.	Chief Executive
83(1)	Receipt of Declaration of Acceptance of Office.	Monitoring Officer/ Chief Executive
84	The Officer to whom a person elected to any office under the Council may give written notice of resignation.	Monitoring Officer/ Chief Executive
88(2)	The Officer who may convene a meeting of the Council for the election to fill a vacancy.	Chief Executive
89(1)(b)	The Officer who may receive notice in writing of a casual vacancy in the office of Councillor from two local government electors.	Chief Executive
96(1)	Receipt of notices of pecuniary interest.	Monitoring Officer
96(2)	The Officer who shall keep the record of disclosures of interest under Section 94 and of notices under Section 96(1) and of Section 19 of the Local Government and Housing Act 1989.	Monitoring Officer
100A- 100K	Access to Information	Assistant Director Law and Governance
115(2)	The Officer who shall receive all money due from every officer employed by the Council.	Section 151 Officer
146(1)(a) and (b)	The Officer who shall give statutory declarations and certificates with regard to securities on the change of name or status.	Section 151 Officer
151	The Officer responsible for the proper administration of financial affairs.	Section 151 Officer

<u>Section</u>	<u>Description</u>	<u>Proper Officer</u>
191	The Officer to whom applications under Section 1 of the Ordnance Survey Act 1841 should be sent.	Strategic Director (Place)
225(1)	Deposit of Documents with the Proper Officer and making of notes or endorsements and receipts.	Assistant Director Law and Governance
229(5)	The Officer who shall certify that a document is a photographic copy of a document in the custody of the Council.	Monitoring Officer
234	The Officer who may authenticate documents.	Monitoring Officer
236(9) and (10)	The Officer who is responsible for sending certified copies of byelaws to appropriate bodies.	Monitoring Officer
238	The Officer who shall certify copies of Byelaws as true copies.	Monitoring Officer
Sch 12 Para 4(2)(b)	The Officer who may sign a summons to Council meetings.	Chief Executive
Sch 12 Para 4(3)	The Officer who may receive notice from a Member of the address to which a summons to a meeting is to be sent.	Chief Executive
Sch 14 Para 25(7)	The Officer who may certify copies of resolutions passed under the Public Health Acts 1875 to 1925 as true copies for production in legal proceedings.	Monitoring Officer
Local Government Act 1974		
30(5)	Publication in newspapers of reports of Local Commissioner.	Chief Executive
Local Government (Miscellaneous Provisions) Act 1976		
41	Certification of copies of resolutions, minutes and other documents.	Monitoring Officer
Building Act 1984		
S93	Authentication of documents	Assistant Director Corporate Resources

Note: Infectious disease legislation for which Mid Suffolk is the enforcing Authority is co-ordinated to a large extent by the joint approaches of the Assistant Director Environment and Projects and the Consultant in Communicable Diseases Control (CCDC). The CCDC is appointed to act as a Proper Officer on behalf of Mid Suffolk District Council.

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Public Health Acts - Health Protection Functions

The CCDC, where nominated below, shall be the Consultant in Communicable Disease Control for Suffolk as designated by the Health Protection Agency's Norfolk, Suffolk and Cambridgeshire Health Protection Unit (NSCHPU), or by any successor agency or unit, or any equivalently medically qualified deputising officer, also as designated by any successor agency or unit.

<u>Section</u>	<u>Description</u>	<u>Proper Officer</u>
Public Health Act 1936		
84	Cleansing of filthy and verminous articles.	CCDC (as Medical Officer of Health)
85	Cleansing of filthy and verminous persons and their clothing.	CCDC (as Medical Officer of Health)
Public Health (Control of Disease Act) 1984 as amended, and any subordinate Regulations or Orders		
Wherever Proper Officer is referenced or specified:-		CCDC
61	Powers of entry	CCDC or Assistant Director Environment and Projects
62	Supplementary powers of entry	CCDC or Assistant Director Environment and Projects
National Assistance Act 1948 (as amended) and Section 61 of the National Assistance Act 1951		
47	Removal to suitable premises of persons in need of care and attention	Assistant Director Environment and Projects to appoint consultant(s) as necessary to act as the Medical Officer of Health

Powers of entry and authorisation of officers

The Assistant Director Environment and Projects is appointed to authorise officers to exercise powers of entry given under Section 61 of the Public Health (Control of Diseases) Act 1984 and Section 55 of the National Assistance Act 1948.

Food Safety Act 1990

<u>Section</u>	<u>Description</u>	<u>Proper Officer</u>
49	Proper Officer of the Authority as regards documents relating to matters within his/her province.	Assistant Director Environment and Projects

Representation of the People Act 1983

8	The Electoral Registration Officer for any constituency Chief Executive or part of a constituency coterminous with the District
35	The Returning Officer for the elections of Councillors Chief Executive of the District and of Councillors of Parishes within the District

Local Elections (Principal Areas) Rules 1986

All references to the Proper Officer in these Rules relate to the:-	Chief Executive
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Housing Act 1985

606(1) and (2)	Reports on unfitness and clearance.	Assistant Director Supported Living
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Local Government Finance Act 1988

114	Financial Report to the Authority	Section 151 Officer
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Local Government and Housing Act 1989

4	Head of Paid Service	Chief Executive
5	Monitoring Officer	Monitoring Officer
S19	Receipt of information about Members' interests	Monitoring Officer

Localism Act 2011

33	The Officer to receive a written request for a dispensation to be granted.	Monitoring Officer
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Anti-Social Behaviour, Crime and Policing Act 2014

1	Power to seek and Injunction	Assistant Director Environment and Project and Assistant Director Supported Living in consultation with Monitoring officer
43	Power to issue Community Protection Notices	Assistant Director Environment and Projects and Assistant Director Supported Living in consultation with Monitoring Officer.
52	Power to issue Fixed Penalty Notices	Assistant Director Environment and Projects and Assistant Director Supported Living.
59	Power to make Public Spaces Protection Orders	Assistant Director Communities and Public Access and Assistant Director Environment and Projects.
76	Power to seek Closure Orders and/or Issue Closure Notices	Assistant Director Environment and Projects and Assistant Director Supported Living

DEPUTY PROPER OFFICER PROVISIONS

In respect of the purposes for which the Chief Executive is the Proper Officer of the Council, the Strategic Director for the time being be authorised to act as such Proper Officer and as Deputy Returning Officer for all purposes for Elections and as Deputy Electoral Returning Officer when the Chief Executive is unable to act.

In other cases where the designated Proper Officer is unable to act, the following are designated Deputy Proper Officers:-

For any Assistant Director a Strategic Director.

For a Strategic Director, the Chief Executive or another Strategic Director.

For the Section 151 Officer, the Deputy Section 151 Officer.

For the Monitoring Officer, a Deputy Monitoring Officer.

For the Consultant in Communicable Diseases (CCDC), any equivalently medically qualified officer as designated by the Health Protection Agency's Norfolk, Suffolk and Cambridgeshire Health Protection Unit (NSCHPU), or by any successor agency or unit.

For the Assistant Director Environment and Projects in respect of sections 61 and 62 of the Public Health (Control of Disease) Act 1984, any Officer duly authorised by the Assistant Director Environment and Projects.

Any Proper officer may appoint any other person in writing to act on his/her behalf.

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Rules of Procedure

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COUNCIL PROCEDURE RULES

All of these rules apply to meetings of the Council.

Rules 5-12, 14-18, 20, 23-29 apply to Council and Committee meetings.

1. ANNUAL MEETING OF THE COUNCIL (Council only)

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. (Councillors take office on the 4th day after the election) In any other year, the annual meeting will take place in March, April or May.

The annual meeting will:

- (a) elect a person to preside if the Chairman and Vice Chairman are not present
- (b) elect the Chairman of Council;
- (c) elect the Vice-Chairman of Council;
- (d) deal with any item required by statute to be dealt with before any other item;
- (e) approve the minutes of the last meeting;
- (f) receive any announcements from the Chairman, Leader and/or Head of Paid Service
- (g) elect a Leader
- (h) elect Chairmen and Vice-Chairmen of Committees and Sub-Committees;
- (i) appoint Committees and Sub-Committees as the Council considers appropriate;
- (j) consider any business set out in the notice convening the meeting;
- (k) decide the allocation of seats [and substitutes] to political groups in accordance with the political balance rules;
- (l) receive nomination and appoint Councillors to serve on each Committee and outside body/partnership.

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2. ORDINARY MEETINGS (Council only)

- (a) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (b) deal with any item required by statute to be dealt with before any other item;
- (c) approve the minutes of the last meeting;
- (d) receive any announcements from the Chairman, Leader and/or Head of Paid Service;
- (e) receive notification of petitions;
- (f) consider questions from, and provide answers to, the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;
- (g) consider questions from, and provide answers to, Members on any matter in relation to which the Council has powers or duties or which affects the District;
- (h) deal with any business from the last Council meeting;
- (i) receive reports and recommendations from the Council's Committees and receive questions and answers on any of those reports;
- (j) receive reports about, and receive questions and answers on, the business of joint arrangements and external organisations;
- (k) consider motions;
- (l) receive reports from Portfolio Holders;
- (m) receive reports from the Chairman of Joint Scrutiny Committee;
- (n) consider any other business specified in the summons to the meeting.

EXTRAORDINARY MEETINGS (Council only)

Calling extraordinary meetings.

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings;

- (a) the Council by resolution;
- (b) the Chairman of Council;
- (c) the Monitoring Officer;
- (d) the Chief Finance Officer; and
- (e) where at least one-third (rounded up) Members of the Council have signed a requisition presented to the Chairman of Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

APPOINTMENT/DELEGATIONS TO COMMITTEES

4.1 Delegation of Functions

The Council shall delegate its functions to such Committees and Sub-Committees as it deems appropriate.

4.2 Appointment of Committees and Sub-Committees

The Council shall at the Annual Meeting appoint such Committees and Sub-Committees as it is required to appoint and may appoint such other Committees, Sub-Committees, Panels and Task Groups as are necessary to carry out the work of the Council.

4.3 Election of Chairman of Council

The Term of Office of the Chairman of Council shall be for one year with the retiring Chairman and previous Chairmen being eligible for re-election.

4.4 Election of Chairmen and Vice-Chairmen

The Chairmen and Vice-Chairman of Committees and Sub-Committees shall be elected at the Annual Council Meeting.

4.5 Holding of Office

Any Member of the Council so appointed to a Committee or other body shall not hold office later than the next Annual Meeting of the Council.

4.6 Dissolution of Committee

The Council may at any time dissolve a Committee or alter its Membership.

4.7 Urgent Items

No business shall be transacted at a meeting of the Council other than that specified in the agenda except business brought before the meeting as a matter of urgency as certified by the Chairman for specific reasons which are to be included in the Minutes.

5 APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES

5.1 Substitutes for Committees shall be as follows:-

COMMITTEE	SUBSTITUTES
Executive	Any Member of the same political group except members of the Scrutiny Committee.
Development Control A and B	Any Member of the Council, providing the substitute has undertaken the requisite planning training.
Planning Referrals	None.
Regulatory	Any Member of the Council, providing the substitute has undertaken any requisite training.
Licensing Act 2003	Any Member of the Council, providing the substitute has undertaken any requisite training.
Joint Audit and Standards	Any Member from the same political group and Council, except members of the Executive Committee.
Audit	Any Member from the same political group, except members of the Executive Committee.
Joint Scrutiny	Any Member from the same political group and Council, except members of the Executive Committee.
Scrutiny	Any Member from the same political group, except members of the Executive Committee.
Joint Appointments	Any Member from the same political group and Council.

The Monitoring Officer shall determine whether any Member has undertaken the requisite training.

5.2 Powers and duties

Substitute Members will have all the powers and duties of any ordinary Member of the Committee/Sub-Committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

5.3 Substitution

Substitute Members may attend meetings in that capacity only:

- (a) to take the place of the ordinary Member;
- (b) where the ordinary member will be absent for the whole of the meeting;
- (c) after the Strategic Director (Corporate) has been notified by 1.00 p.m. on the previous working day before the commencement of the meeting.

- 5.4 Members of Executive Committee cannot be substitute Members for Scrutiny Committees, or vice versa.
- 5.5 No Member may be involved in scrutinising a decision in which he or she has been directly involved. Members acting as substitute Members on the Joint Scrutiny Committee and Mid Suffolk Scrutiny Committee should not take part in any business being considered by the Joint Scrutiny and Mid Suffolk Scrutiny Committee in circumstances where the substitute Member has been directly involved in determining the issue under scrutiny.
- 5.6 Substitutes for Development Control Committee must undertake requisite training before participating in any meeting to the same extent required of a Member of the Committee. The Monitoring Officer shall determine whether the Member has undertaken the requisite training.

6 MEMBER ATTENDING / SPEAKING AT A COMMITTEE WHERE NOT A MEMBER

A Councillor not serving on a particular Committee may request permission from the Chairman to attend in respect of a matter to be considered at the meeting. At the meeting of the Committee the Councillor shall have the opportunity to speak on the relevant matter, but may not put any motions or amendments, nor vote on the matter.

7 TIME AND PLACE OF MEETINGS (Council and Committee)

The time and place of meetings will be determined by the Strategic Director (Corporate) and notified in the summons.

8 NOTICE OF AND SUMMONS TO MEETINGS (Council and Committee)

The Strategic Director (Corporate) will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Strategic Director (Corporate) will send a summons signed by him/her to every Member of the Council or leave it at his/her usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

9 CHAIRMAN OF MEETING (Council and Committee)

The person presiding at the meeting may exercise any power or duty of the Chairman. Where these rules apply to Committee and Sub-Committee

meetings, references to the Chairman also include the Chairmen of Committees and Sub-Committees.

10 REMOVAL OF CHAIRMAN OF COUNCIL/COMMITTEES (Council and Committee)

- 10.1 At any meeting of the Council a Member may propose that "the meeting has no confidence in the Chairman". The motion shall after debate be put and if carried the Chairman shall consider his or her position, and report his or her decision to the Council as soon as possible.
- 10.2 At any meeting of a Committee, Sub-Committee, Panel or Task Group a Member may propose that "the meeting has no confidence in the Chairman", the question shall after debate be put and if carried by a majority of at least two thirds of the Members present the Chairman shall stand down and the remainder of the meeting shall be chaired by the Vice-Chairman or in his or her absence by a Member elected for that purpose by the meeting.
- 10.3 Following a successful vote of no confidence in the elected Chairman he or she shall not officiate at any subsequent meeting of the Committee, Sub-Committee, Panel or Task Group prior to the next meeting of the Council. At that meeting the Council shall consider whether to confirm or not the vote of no confidence. If by a simple majority the Council shall decide to confirm the vote the office of Chairman of the relevant Committee shall be declared vacant and a new Chairman shall be elected by the Council.

11 DURATION OF MEETING (Council and Committee)

The duration of any meeting shall be at the absolute discretion of the Chairman.

12 QUORUM (Council and Committee)

- 12.1 Save as provided for in 12.2 below, the quorum of a meeting will be one quarter of the whole number of Members (for the avoidance of doubt this will be rounded up to the next whole number). During any meeting if the Chairman counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining issues will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.
- 12.2 The quorum of a meeting of the Regulatory Sub-Committee and the Licensing Sub Committee will be 3 Members.

13 ORDER OF BUSINESS (Council)

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13.1 Subject to what follows, the order of business at every meeting of the Council will be:-

- (a) To appoint a person to preside if the Chairman and Vice-Chairman are absent.
- (b) To deal with any item required by statute to be dealt with before any other item.
- (c) To approve as a correct record and sign the minutes of the last meeting of the Council.
- (d) To receive declarations of interests.
- (e) Chairman/Leader Announcements.
- (f) To receive notification of petitions.
- (g) To dispose of any business remaining from a previous meeting.
- (h) To receive and consider all other reports, minutes and recommendations of Committees in date order of meeting.
- (i) To consider amendments and motions moved without notice in accordance with Council Procedure Rule 18.
- (j) To consider motions on notice received under Council Procedure Rule 17 in the order received.
- (k) To consider questions received under Council Procedure Rule 15.
- (l) To consider questions received under Council Procedure Rule 16.
- (m) Other business, if any, specified in the summons.

The order of business (with the exceptions of items (a), (b) and (c)) may be altered by the Chairman or by a resolution following a motion moved, seconded and put to the meeting without debate.

14 PETITIONS (Council and Committee)

If any petition is submitted to the Chief Executive, either directly or indirectly, relating to the exercise or non-exercise of duties or powers of the Council and signed by at least twenty persons who are resident in the District or who work or study in the District it shall be referred to the next meeting of the Committee or Sub-Committee responsible for the administration of the powers in connection with the subject matter of the petition. In addition the Chief

Executive shall report the receipt of such a petition to the next meeting of the Council where there shall be no debate or comment thereon.

15 QUESTIONS BY THE PUBLIC (Council and Committee)

15.1 General

Members of the public may ask questions of any Chairman of a Committee in accordance with the meeting Agenda.

15.2 Order of Questions

Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.

15.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Strategic Director (Corporate) no later than midday two clear working days before the day of the meeting. Each question must give the name and address of the questioner and must name the relevant Chairman to whom it is to be put.

For the avoidance of doubt a working day is a day when the Council offices are open for business e.g. for a meeting on a Monday the question should be received by 12 noon the previous Wednesday.

15.4 Number of Questions

At any one meeting no person may submit more than one question (plus a supplementary question) and no more than one question (plus a supplementary question) may be asked on behalf of one organisation. The Chairman shall also have the discretion to limit the number of questions received at any one meeting.

15.5 Scope of Questions

The Strategic Director (Corporate) may reject a question if it:

- (a) is not about a matter for which the Local Authority has a responsibility or which affects the district;
- (b) is defamatory, frivolous, vexatious or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.

15.6 Record of Questions

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The Strategic Director (Corporate) will enter each question in a book open to public inspection and will immediately send a copy of the question to the Member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting.

15.7 Asking the Question at the Meeting

The Chairman will invite the questioner to put the question to the Member named in the notice. If a questioner who has submitted a written question is unable to be present, he or she may ask the Chairman to put the question on his/her behalf. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

15.8 Supplementary Question

A questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in Rule 15.5 above.

15.9 Written Answers

Any question which cannot be dealt with during the public question time, either because of lack of time or because of the non-attendance of the Member to whom it was to be put, will be dealt with by a written answer and be made available on request.

15.10 Reference of Question to a Committee

Unless the Chairman decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

16 QUESTIONS BY MEMBERS (Council and Committee)

16.1 On Reports of Committees and Portfolio Holders/Lead Members

A Member of the Council may ask the Chairman of a Committee any question without notice upon an item of the report of the Committee when that item is being received or under consideration by the Council.

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16.2 Questions on Notice at Full Council

Subject to Rule 16.4 a Member of the Council may ask:

- (a) the Chairman; or
- (b) the Chairman of any Committee or Sub-Committee
- (c) Portfolio Holder

a question on any matter in relation to which the Council has powers or duties or which affects the District.

16.3 Questions on Notice at Committees and Sub-Committees

Subject to Rule 16.4 a Member of a Committee or Sub-Committee may ask the Chairman of it a question on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of that Committee or Sub-Committee.

16.4 Notice of Questions

A Member may only ask a question under Rule 16.2 or 16.3 if either:

- (a) he/she has given by noon at least 2 clear working days' notice in writing or by electronic mail of the question to the Strategic Director (Corporate). For the avoidance of doubt a working day is a day when the Council offices are open for business e.g. for a meeting on a Monday the question should be received by 12 noon the previous Wednesday.
- (b) the question relates to urgent matters, he/she has the consent of the Chairman to whom the question is to be put and the content of the question is given to the Strategic Director (Corporate) by 4 p.m. on the working day prior to the meeting.

16.5 Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

16.6 Supplementary Question

A Member asking a question under Rule 16.2 or 16.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

17 MOTIONS ON NOTICE (Council and Committee)

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17.1 Notice

Except for motions which can be moved without notice under Rule 18, written notice of every motion, signed by at least 1 Member, must be delivered to the Strategic Director (Corporate) not later than 7 clear working days (that is not counting the day of the meeting and the day of receipt) before the date of the meeting. Motions (except for those rejected under the provisions of 17.2 below) will be entered in a book open to public inspection.

17.2 Motion set out in Agenda

Motions for which notice has been given will be listed on the Agenda in the order in which notice was received, unless the Member giving notice states, in writing, that he/she proposes to move it to a later meeting or withdraw it save that the Strategic Director (Corporate) may reject any motion if she/he considers that it:-

- A) Does not relate to the business of the Council or affect the District;
- B) Is defamatory, frivolous or offensive; or
- C) Is a motion which the Council has no power to pass or which contravenes any provision in these Rules of Procedures.

17.3 If the subject matter of any motion in respect of which notice has been duly given falls within the terms of reference of any Committee it shall, upon being moved and seconded, stand referred to that Committee or to such other Committee or Committees as the Council may determine without discussion for initial consideration, investigation and further report back to the Council as soon as practical.

The Chairman may use discretion and allow the motion to be dealt with at the meeting at which it is brought forward. If the Member is not on the Committee then he/she should be invited to the relevant meeting.

17.4 Scope

Motions must be about matters for which the Council has a responsibility or which affect the District.

18 MOTIONS WITHOUT NOTICE (Council and Committee)

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the Minutes;
- (c) to change the order of business in the Agenda;

- (d) to refer something to an appropriate body or individual;
- (e) to appoint a Committee or Member arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of Committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) to suspend a particular Council Procedure Rule other than Council Procedure Rules Nos. 23.6 and 24.2;
- (n) to exclude the public and press in accordance with the Access to Information Rules;
- (o) to not hear further a Member named under Rule 27.3 or to exclude him or her from the meeting under Rule 27.4;
- (p) to give the consent of the Council where its consent is required by this Constitution.

19 RULES OF DEBATE (Council only)

19.1 No Speeches until Motion Seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

19.2 Right to Require Motion in Writing

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed.

19.3 Seconded's Speech

When seconding a motion or amendment, a Member may reserve his/her speech until later in the debate.

19.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. The speech of a proposer of any motion or amendment shall not exceed 5 minutes and no other speech may exceed 3 minutes without the consent of the Chairman.

19.5 When a Member may Speak Again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

19.6 Amendments to Motions

(a) An amendment to a motion must be relevant to the motion and will either be:

- (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
- (ii) to leave out words;
- (iii) to leave out words and insert or add others; or
- (iv) to insert or add words

as long as the effect of (ii) to (iv) is not to negate the motion.

- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

19.7 Alteration of Motion

- (a) A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

19.8 Withdrawal of Motion

A Member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

19.9 Right of Reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

19.10 Motions Which May be Moved During Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) to exclude the public and press in accordance with the Access to Information Rules;

- (h) to not hear further a Member named under Rule 27.3 or to exclude him or her from the meeting under Rule 27.4.

19.11 Closure Motions

- (a) The following motions may not be moved or seconded by the proposer or seconder of the motion or amendment, or by a Member who has already spoken:-
 - (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

19.12 Point of Order

A Member may raise a point of order at any time. The Chairman will hear him/her immediately. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law. The Member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chairman on the matter will be final.

19.13 Personal Explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

20 MOTIONS AFFECTING EMPLOYEES (Council and Committee)

If any question arises at a meeting of the Council as to the appointment, promotion, salary, dismissal, pension entitlement or conditions of service or the

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conduct of a Council employee, such questions shall not be discussed until the Council has considered whether or not to exclude the press and public under Part 1 Paragraph 1 of Schedule 12A of the Local Government Act 1972.

21 STATE OF THE DISTRICT DEBATE (Council)

21.1 Calling of Debate

The Chairman of Council may call a State of the District debate on a date and in a form to be agreed.

21.2 Form of Debate

The Chairman of Council will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity.

21.3 Chairing of Debate

The debate will be chaired by the Chairman of Council.

21.4 Results of Debate

The results of the debate will be:

- (a) disseminated as widely as possible within the community and to agencies and organisations in the area; and
- (b) considered by the Executive Committee in proposing the budget and policy framework to the Council for the coming year.

22 PREVIOUS DECISIONS AND MOTIONS (Council only)

22.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 14 Members.

22.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 14 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

23 VOTING (Council and Committee)

23.1 Majority

Unless this Constitution provides otherwise any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

23.2 Chairman's Casting Vote

If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.

23.3 Budget Meetings

Immediately after any vote is taken at a budget decision meeting of the Council the names of members who cast a vote for the decision or against the decision or who abstained from voting shall be recorded in the Minutes of that meeting.

23.4 Show of Hands

Unless a ballot or recorded vote is demanded under Rules 23.5 and 23.6, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

23.5 Ballots

In the case of the appointment of Members only, the vote will take place by ballot if 6 Members present at the meeting demand it. The Chairman will announce the numerical result of the ballot immediately the result is known.

23.6 Recorded Vote

If 5 Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the Minutes. A demand for a recorded vote will override a demand for a ballot.

23.7 Right to Require Individual Vote to be Recorded

Where any Member requests it immediately after the vote is taken, his/her vote will be so recorded in the Minutes to show whether he/she voted for or against the motion or abstained from voting.

23.8 Voting on Appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

24 MINUTES (Council and Committee)

24.1 Signing the Minutes

The Chairman will sign the Minutes of the proceedings at the next suitable meeting. The only part of the Minutes that can be discussed is their accuracy.

24.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the Minutes is a meeting called under Paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of Paragraph 41(1) and (2) of Schedule 12 relating to signing of Minutes.

24.3 Form of Minutes

Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

24.4 Record of Attendance (Council and Committee)

All Members present during the whole or part of a meeting must sign their names on the appropriate attendance record before the conclusion of every meeting to assist with the record of attendance.

24.5 Exclusion of Public (council and committee)

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 28 (Disturbance by Public).

25 MEMBERS' CONDUCT (Council and Committee)

25.1 Standing to Speak (Council only)

When a Member speaks at full Council he/she must stand and address the meeting through the Chairman. If more than one Member stands, the Chairman will ask one to speak and the others must sit. Other Members must remain seated whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

25.2 Chairman Standing

When the Chairman stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

25.3 Member not to be Heard Further

If a Member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

25.4 Member to Leave the Meeting

If the Member continues to behave improperly after such a motion is carried, the Chairman may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

25.5 General Disturbance

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary.

26 DISTURBANCE BY PUBLIC (Council and Committee)

26.1 Removal of Member of the Public

If a Member of the public interrupts proceedings, the Chairman will warn the person concerned. If he/she continues to interrupt, the Chairman will order his/her removal from the meeting room.

26.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

27 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES (Council and Committee)

27.1 Suspension

All of these Council Rules of Procedure except Rule 23.6 and 24.2 may be suspended by motion on notice or without notice if at least one half of the whole

number of Members of the Council is present. Suspension can only be for the duration of the meeting.

27.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

28 CHANGES IN COUNCIL PROCEDURE RULES (Council only)

Any motion to add to, vary or revoke these Procedure Rules, shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

29 INTERPRETATION OF PROCEDURE RULES

- (1) The ruling of the Chairman as to the construction or application of any Procedure Rule or as to any proceedings of the Council shall not be challenged.
- (2) For the purposes of these Council Procedure Rules in the absence at the relevant time of the Strategic Director (Corporate) compliance with the terms of the relevant Standing Order shall be deemed to have occurred if the notice, submission or application is given to the Chief Executive.

30 APPLICATION TO COMMITTEES AND SUB-COMMITTEES

All of the above Council Procedure Rules apply to meetings of full Council. Only Rules 5-14, 16-18, 20, 23-29 (but not Rule 27.1) apply to meetings of Committees and Sub-Committees.

31 CHARTER ON PUBLIC SPEAKING AT DEVELOPMENT CONTROL/PLANNING COMMITTEES

The arrangements for public speaking are set out below:-

- 31.1 If an application is to be decided by Planning Committee members of the public who are affected by that planning application, have the right to speak to the Members at that committee. A leaflet is available which sets out the general principles for this, as contained in this Procedure Rule. The practical arrangements on the day remain at the discretion of the Chairman of the meeting whose decision on arrangements is final.

How are applications discussed at Planning Committee?

- 31.2 Applications are listed in a schedule to the agenda for each meeting. It is usual that the order in which items are heard will be re-arranged by the Chairman on

the day of the meeting to suit public interest in the applications being heard taking account of Members commitments.

31.3 The planning case officer will usually make a presentation of the key points of an application making reference to appropriate plans, photographs and other information. Photographs will usually have been taken by the officer and it is understood that there can be differing views about what is needed to reasonably inform Members when they decide the application. Officers may be asked questions to clarify relevant information.

31.4 The Ward Member(s) will normally be invited to speak after public speaking. The arrangements for public speaking are described in more detail below. After members of the public have been heard the Councillors who make up the Committee will debate the application and may request further information or advice from the Planning Officer, before coming to a decision.

Do I need to speak at planning committee?

31.5 Not normally. If you have written expressing a view, whether in support or objection to an application, then this will be recognised in the Committee papers on the day.

31.6 Usually your full letter, together with all of the letters, emails and other third party contributions to the deliberations will be made available to the Committee members **prior** to the meeting.

31.7 In the interests of data protection correspondence may have been redacted.

Who is allowed to speak?

31.8 Those wishing to will be invited to speak by the Chairman. This will be done in the following order:

- Parish Clerk or Parish Councillor representing the Council in which the application site is located;
- Objectors;
- Supporters;
- The applicant or professional agent / representative.

Public speakers in each capacity will normally be allowed 3 minutes to speak.

Ward Members are invited to speak at this stage.

31.9 The key principle behind public speaking arrangements will be to ensure a balanced opportunity, by time allowed, for persons speaking in each capacity to make their presentation. In the interests of committee efficiency normally only one individual will be allowed to speak in each capacity.

- 31.10 Public speakers wishing to speak in the same capacity as another person (e.g. objectors) may find it useful to get together with others and agree a spokesman to present all of their views. Exceptionally the Chairman may allow more than one person to speak in each capacity (e.g. applicant and his/her agent) if he/she considers that will help clarify the application for committee members and will not lead to duplication of presentations.
- 31.11 If public speakers who wish to speak in the same capacity cannot agree between them who is to speak then the Chairman will normally split the available time equally between them to ensure that their cumulative time does not exceed that of others speaking in a different capacity in order to safeguard balance. In such circumstances speakers will be expected to co-operate and avoid duplication in their presentations.
- 31.12 Exceptionally the Chairman may allow representatives of more than one Parish, adjoining that in which the site is located, to speak if this will help clarify the application for Committee members and there would be a clear planning impact upon that Parish even though it is beyond the application site. In the case of complex applications special public speaking arrangements may be agreed in advance by the Planning Committee. Public speaking arrangements remain at the final discretion of the Chairman on the day having regard to this guidance.

31.13 What is the procedure for public speaking?

DO	DON'T
Do arrive in the Council Chamber early and make yourself known to the Officers. The Officers will normally ask people arriving if they are interested in a particular item and wish to speak on it before the meeting begins.	Don't expect to speak if you are not present at the start of the meeting or if you have not indicated that you wish to speak in advance.
Do be aware that applications may be heard in a different order to that listed in the agenda depending on public interest in the items and Member commitments.	
Do be ready to answer questions, from Councillors on the Committee, about what you have said.	Don't expect a right to further respond during the debate, or challenge another speaker following you, if you have already spoken and made yourself available to answer questions.
Do respect other speakers' right to express their views without interruption.	Don't act in a way which undermines the orderly and polite conduct of the meeting. If you do the Chairman may ask you to leave.

DO	DON'T
Do be ready to co-operate with other people wishing to speak in the same capacity as you and bear in mind the need for balance in time allowed.	Don't expect to speak for longer than anyone else speaking in a different capacity to you.
Do ensure that you keep your presentation to no more than 3 minutes.	Don't expect to speak for longer than 3 minutes. The Chairman will ask you to draw to a close at that time even if you have not said everything you intended.

31.14 The Councillors who make up the Committee will debate the matter after hearing from all of the public speakers. They may seek further factual information from a speaker after his presentation and public speakers should be prepared to answer questions. If Members of Committee wish to ask questions of a speaker then the Chairman will use their discretion to allow appropriate time but will take reasonable steps to safeguard balance in time.

What can I speak about?

31.15 You can speak on any application reported to Committee (e.g. applications for planning permission, listed building consent, advertisement consent) provided that what you say is relevant to the application.

DO	DON'T
<p>Do speak about relevant planning considerations which may include:-</p> <ul style="list-style-type: none"> • Previous decisions of the Council on the same site or similar; • Design, appearance, layout; • Effects on amenity, loss of light, overshadowing, loss of privacy, noise or smell nuisance; • Impact on trees; • Listed buildings and heritage matters; • Highway safety; • Planning policy; • Case law. 	<p>Don't speak about things which are irrelevant to planning which may include:-</p> <ul style="list-style-type: none"> • Effect on property values; • Loss of view; • Covenants; • Motivation behind an application; • Matters covered by other legislation.
DO	DON'T

DO	DON'T
Do be aware that in the interests of transparency the meeting may be publicly recorded or filmed.	Don't say anything defamatory, insulting or make personal comments about other people or parties involved in the application.
Do discuss photographs or drawings you would like to circulate with the planning case officer in advance so that he can liaise with the Chairman and clarify whether you are likely to be allowed to do this. The case officer may be able to include details or photographs in their own presentation which you can refer to.	Don't expect to circulate your own photographs or drawings. This will only be allowed exceptionally by the Chairman if he considers it will help clarify the committees understanding of the application.
	Don't expect to upload photographs onto the Councils' IT system.
	Don't speak about planning matters which are not on the agenda. The Committee will not normally be able to take these into account and it may waste your public speaking time.

31.16 The Councillors who make up the Committee debate the matter, and may request further information or advice from the Planning Officer, before coming to a decision.

Note: - References to Planning Committee will mean Planning Committee at Babergh District Council and Development Control Committee at Mid Suffolk District Council unless the context indicates otherwise. At Mid Suffolk District Council the principles applicable to Development Control Committee shall also apply at Planning Referrals Committee.

32 RIGHTS TO RECORD MEETINGS (ie the proceedings at a meeting)

32.1 The public may record (eg film, audio, tweet, blog) meetings which are open to the public.

32.2 The Chair of the meeting has the discretion to stop or suspend recordings by the public if in their opinion continuing to do so would disrupt proceedings at the meeting. The circumstances in which this might occur include:

- Excessive noise in recording or setting up and re-setting equipment
- Intrusive lighting and use of flash photography

- Moving to areas outside the area designated for the public without the Chair's consent.
- Whilst taking a recording (eg film, audio, tweet, blog) you must not do so in a manner which constitutes an invasion of privacy.

32.3 Those recording meetings are strongly urged to respect the wish of any member of the public not to be recorded.

32.4 Agendas for and signage at meetings will make it clear that recording can take place. Anyone who does not wish to be recorded should let the Chair of the meeting know.

32.5 Recording and reporting the meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance; eg with the Human Rights Act, the Data Protection Act and the laws of libel, defamation and public order. Freedom of speech within the law should also be exercised with personal and social responsibility – showing respect and tolerance towards the views of others.

32.6 The Council has a protocol in place in respect of recording at meetings which is available on the Council's website.

ACCESS TO INFORMATION PROCEDURE RULES

SCOPE

These rules apply to all meetings of the Council, its Committee and Sub-Committees (together called meetings).

ADDITIONAL RIGHTS TO INFORMATION

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these rules.

NOTICES OF MEETING

The Council will give at least 5 working days' notice of any meeting (excluding the day of publication and the day of the meeting) by posting details of the meeting at the Council Offices at 131 High Street, Needham Market, Ipswich IP6 8DL (the designated office).

ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

The Council will make copies of the agenda and reports open to the public available for inspection at the designated office at least 5 working days before the day of the meeting. If an item is added to the agenda later, the revised agenda (where reports are prepared after the summons has been sent out, the Monitoring Officer shall make each such report available to the public as soon as the report is completed and sent to Councillors) will be open to inspection for the time the item was added to the agenda.

SUPPLY OF COPIES

The Council will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Monitoring Officer thinks fit, copies of any other documents supplied to Councillors in connection with an item

to any person on payment of a charge for postage and any other reasonable costs.

ACCESS TO MINUTES ETC AFTER THE MEETING

The Council will make available copies of the following for 6 years after a meeting:

- (a) the minutes of the meeting excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

BACKGROUND PAPERS

List of background papers

The Monitoring Officer will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) which have been relied on to a material extent in preparing the report

but does not include published works or those which disclose exempt or confidential information.

Public inspection of background papers

The Council will make available for public inspection for 4 years after the date of the meeting one copy of each of the documents on the list of background papers.

SUMMARY OF PUBLIC'S RIGHTS

A written summary of the public's rights to attend meetings and to inspect and copy documents must be kept at and available to the public at the designated office.

EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS

Confidential information – requirement to exclude public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

Exempt information – discretion to exclude public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

Meaning of confidential information

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

Meaning of exempt information

Exempt information means information falling within the following 7 categories (subject to any condition):

Category	Condition – see notes below
1. Information relating to any individual.	(1)
2. Information which is likely to reveal the identity of an individual.	(1) and (2)
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	(1), (2) and (3)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	(1) and (2)
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	(1) and (2)
6. Information which reveals that the authority proposes: (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.	(1) and (2)

Category	Condition – see notes below
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	(1) and (2)
For Standards Committees or Standards Sub-committees (SI 2006/87) - 7A. Information which is subject to any obligation of confidentiality	(1) and (2)
7B. Information which relates in any way to matters concerning national security	(1) and (2)
7C. The deliberations of a Standards Committee or of a Sub-committee of a Standards Committee in reaching any finding on a matter referred.	(1) and (2)

Notes:

- (1) As long as the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (2) As long as it does not relate to proposed development for which the Council or any other Council as Planning Authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- (3) Provided that the information is not required to be registered under:
 - (a) the Companies Act 1985
 - (b) the Friendly Societies Act 1974
 - (c) the Friendly Societies Act 1992
 - (d) the Industrial and Provident Societies Acts 1965 to 1978
 - (e) the Building Societies Act 1986
 - (f) the Charities Act 1993

EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

11. If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports will be marked “Not for publication” together with the category of information likely to be disclosed.

12. SCRUTINY COMMITTEE ACCESS TO DOCUMENTS

12.1 Rights to copies

Subject to Rule 12.2 below, the Scrutiny Committee will be entitled to copies of any document which is in the possession or control of the Executive Committee (or its panels) and which contains material relating to any business transacted at a public or private meeting of the Executive Committee.

12.2 Limit on rights

The Scrutiny Committee will not be entitled to:

- (a) any document that is in draft form;
- (b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise.

13. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS

13.1 Material relating to previous business

All Members will be entitled to inspect any document which is in the possession or under the control of the Executive Committee and contains material relating to any business previously transacted at a private meeting unless it contains exempt information falling within paragraphs 1. to 7. of the categories of exempt information.

13.2 Nature of rights

These rights of a Member are additional to any other right he/she may have.

BUDGET & POLICY FRAMEWORK

The framework for decision-making

- 1.1 The Council will be responsible for the adoption of a budget and policy framework as set out in Article 4. Once a budget or a policy framework is in place, it will be the responsibility of the Executive Committee to implement it.
- 1.2 Decisions by the Executive Committee and other Committees must be in line with it. The Management Board, Heads of Service and staff with delegated authority will operate within the budget and policy framework and financial regulations and contract standing orders.
- 1.3 Any changes to the budget and policy framework are reserved to the Council.
- 1.4 The process by which the budget and policy framework is undertaken will be determined and kept under review annually.

In year changes to the budget and policy framework

- 2.1 No changes to any policy and strategy which make up the policy framework may be made by Executive Committee or officer with delegated authority except changes necessary to ensure compliance with the law, ministerial direction or government guidance.

Budget virement and carry forward

- 3.1 These are governed by financial regulations and the detailed financial procedures issued by the CFO.
- 3.2 Any budget virement and carry forwards exceeding £25,000 that affects the level of service delivery requires the approval of the Executive Committee.

SCRUTINY PROCEDURE RULES

1. The Council will have the Scrutiny Committees set out in Article 6 and will appoint to them as it considers appropriate from time to time.

The roles of the formal Committees are as follows:

a) Joint Audit and Standards Committee

This Committee discharges the Audit Committee function for the authorities providing a strengthened governance assurance mechanism to Members as a focused control mechanism in this time of change and increased risk of governance failure. The Standards Committee function is already provided through a joint Committee, however the oversight of the delivery of this function sits with this Committee. The linking of these oversight functions recognises the strong synergies between a widened audit function which focuses on the ethical culture in the organisation and the Standards function which seeks to develop high ethical standards for Members, thus ensuring a comprehensive and unified approach for both Members and officers.

b) Joint Scrutiny Committee

This Committee provides a focus for scrutinising the work of external stakeholders and service providers, and the role of holding the Executive Committee to account.

Scrutiny ensures that executives are held accountable for their decisions, that their decision-making process is clear and accessible to the public and that there are opportunities for the public and their representatives to influence and improve public policy.

SCRUTINY

The key purpose of the Scrutiny Committee is to:-

- (a) scrutinise the work of external stakeholders and service providers
- (b) hold Executive to account
- (c) be the home of call – in (see below)
- (d) be the home of Councillor call for action (see below)

To ensure that actions of the Executive Committee accord with the relevant policies and budget of the Council.

- (i) To review relevant decisions of the Executive Committee referred pursuant to the "Call-in Protocol" (set out below) whereupon the Committee may either –
 - (a) confirm or accept the decision of the Executive Committee which may then be implemented forthwith, or
 - (b) refer the matter back to the Executive Committee for further consideration, or
 - (c) refer the matter to Council for a final determination, or for referral back to the Executive Committee, or
 - (d) defer consideration until a specified time when further reports shall be considered.
- (ii) In the event that the matter is referred back to Executive Committee in accordance with (i) (b) above, and the Executive Committee does not accept the recommendations of the Scrutiny Committee, then in these circumstances the original decision of Executive Committee, together with the report and recommendations of Scrutiny Committee shall be referred to Council for consideration and Executive Committee cannot implement its original decision until Council has determined the matter.
- (iii) In undertaking such a review of any decision, the Scrutiny Committee may question Members of the Executive Committee and the Chief Executive, Directors and Heads of Service and any other person (with their consent) and shall consider whether the appropriate criteria were applied in reaching the decision in question, whether the decision accords with the policy of the Council, is lawful and/or within the powers of the Council and whether it contributes to the efficient, effective and economic discharge of the function.

GENERAL

To prepare an Annual Work Programme and to submit to the Council an Annual Report on the Committee's work which shall include suggestions for future Work Programmes and amended working methods as appropriate.

WHO MAY SIT ON A SCRUTINY COMMITTEE?

All Councillors, except the Members of Executive Committee, may be Members of a Scrutiny Committee. No Member may be involved in scrutinising a decision in which he/she has been directly involved.

Non-Elected Members could be representatives of other local authorities, emergency services, voluntary groups, health providers, social landlords.

NON-ELECTED MEMBERS

The Scrutiny Committees or any Sub-Committees shall be entitled to recommend to Council the appointment of a number of people as non-voting non-elected Members. Non-voting Members shall be subject to the same rules relating to declarations of interests as Members.

WORK PROGRAMME

The Scrutiny Committees/Sub-Committees will be responsible for setting their own work programme and in doing so they shall take into account wishes of Members on that Committee who are not Members of the largest political group on the Council.

AGENDA ITEMS

Any Member of a Scrutiny Committee or Sub-Committee shall be entitled to give notice to the Strategic Director (Corporate) that he/she wishes an item relevant to the functions of the Committee or Sub-Committee to be included on the Agenda for the next available meeting of the Committee or Sub-Committee. On receipt of such a request the Strategic Director (Corporate) will ensure that it is included on the next available Agenda.

Any Member of the Council who is not a Member of the Scrutiny Committees may give written notice to the Strategic Director (Corporate) that he/she wishes an item to be included on the Agenda of the relevant Scrutiny Committee. If the Strategic Director (Corporate) receives such a notification, then he/she will include the item on the first available Agenda of the relevant Scrutiny Committee for consideration by the Committee.

The Scrutiny Committees shall also respond, as soon as their work programme permits, to requests from the Council and, if it considers it appropriate, Executive Committee to review particular areas of Council activity. Where they do so, the Scrutiny Committees shall report their findings and any recommendations back to the Council via Executive Committee. Executive Committee and Council shall consider the report of a Scrutiny Committee within one month of receiving it.

REPORTS FROM SCRUTINY COMMITTEES

- (a) Once it has formed recommendations, the Scrutiny Committee will prepare a formal report and submit it to the Strategic Director (Corporate) for consideration by Executive Committee (if the recommendations are consistent with the existing budgetary and policy framework) or to the Council as appropriate (if the recommendation would require a departure from or a change to the agreed budget and policy framework).
- (b) If a Scrutiny Committee cannot agree on one single final report to the Council or Executive Committee as appropriate, then not more than one minority report may be prepared and submitted for consideration to the Council or Executive Committee with the majority report.
- (c) The Council or the Executive Committee shall consider the report of the Scrutiny Committee within two months of it being submitted to the Strategic Director (Corporate).

RIGHTS OF SCRUTINY COMMITTEE MEMBERS TO DOCUMENTS

- (a) In addition to their rights as Councillors, Members of Scrutiny Committees have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.
- (b) Nothing in this paragraph prevents more detailed liaison between the Executive Committee and Scrutiny Committees as appropriate depending on the particular matter under consideration.

MEMBERS AND OFFICERS GIVING ACCOUNT

- (a) Any Scrutiny Committee or Sub-Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions in accordance with the Committee's Terms of Reference and the Scrutiny Rules. As well as reviewing documentation, in fulfilling the scrutiny role, it may require any Member of the Executive Committee, the Head of Paid Service, and any Director or Head of Service to attend before it to explain in relation to matters within their remit:-
 - (i) any particular decision of the Executive Committee or series of decisions;
 - (ii) the extent to which the actions taken implement Council policy; and/or
 - (iii) their performance.

and it is the duty of those persons to attend if they are required, save that in exceptional circumstances where those persons are unable to attend they could nominate an Officer to attend on their behalf.

- (b) Where any Member or Officer is required to attend a Scrutiny Committee under this provision, the Chairman of that Committee will inform the Strategic

Director (Corporate). The Strategic Director (Corporate) shall inform the Member or Officer in writing giving at least five working days' notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee will require the production of a report, then the Member or Officer concerned will be given sufficient notice to allow for preparation of that documentation.

- (c) Where, in exceptional circumstances, (for example illness) the Member or Officer is unable to attend on the required date, and it is not appropriate for another person to substitute then the Scrutiny Committee shall, in consultation with the Member or Officer, arrange an alternative date for attendance to take place within a maximum of twenty-one days from the date of the original request.

ATTENDANCE BY OTHERS

A Scrutiny Committee may invite people other than those referred to in the paragraph above to address it, discuss issues of local concern and/or answer questions. It may, for example, wish to hear from residents, stakeholders and Members and Officers in other parts of the public sector and shall invite such people to attend, and these attendances of course are entirely optional.

CALL-IN

Call-in should only be used in exceptional circumstances. These are where Members of the Scrutiny Committees consider that one or more of the circumstances set out in Protocol 2 apply.

- (a) When a decision is made by the Executive Committee, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within two days of being made. All Members will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
- (b) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless it is called in.
- (c) During that period of time, a minimum of four Members (but not the Chairman of a Scrutiny Committee or a member of Executive) may request that a decision of the Executive Committee be called-in for scrutiny by the appropriate Scrutiny Committee. The request shall be submitted to the Strategic Director (Corporate) in the prescribed form set out in Protocol 1 in hard copy form, by fax or by email.
- (d) Upon receipt of a call-in request, the Strategic Director (Corporate) shall consult with the Monitoring Officer and the Chairmen of Scrutiny Committees to decide which would be the most appropriate Scrutiny Committee to

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consider the call-in having regard to the terms of reference of each Committee.

- (e) The Chairman of the appropriate Scrutiny Committee, determined in accordance with (d) above, shall consider the validity of a call-in request in consultation with the Strategic Director (Corporate) and the Monitoring Officer. Thereafter, if so requested by the Chairman, the Strategic Director (Corporate Services) shall call-in the decision for scrutiny by the appropriate Scrutiny Committee and shall then notify the decision-maker of the call-in.
- (f) The Strategic Director (Corporate) shall call a meeting of the Committee on such a date as he/she may determine, where possible after consultation with the Chairman (or Vice Chairman in his or her absence) of the Committee, such meeting to be held as soon as practicable.
- (g) Any Member named on the call-in request may attend and speak at the meeting of the Scrutiny Committee at which the call-in is considered.
- (h) If having considered the decision, the Scrutiny Committee is still concerned about it, then it may either:-
 - (i) refer it back to the Executive Committee for reconsideration, or
 - (ii) refer it to Council for a final determination, or for referral back to Executive Committee as provided in (k) below, or
 - (iii) defer the matter to a future meeting for further information.

in each case setting out in writing the nature of its concerns.

- (i) If referred to Executive Committee, that Committee shall then reconsider as soon as practicable. If Executive Committee does not accept the recommendations of the Scrutiny Committee the issue shall be referred to Council for consideration. If Executive Committee accepts the recommendations of the Scrutiny Committee, it may adopt the amended decision.
- (j) If following the setting up of the meeting for consideration of the call-in request the Scrutiny Committee does not meet on the date specified by the Strategic Director (Corporate), the decision shall take effect on the date it is known that the meeting will not take place. If the Committee does meet but does not refer the matter back to the Strategy Committee, or refer it to Council the decision shall take effect on the date of the Scrutiny Committee meeting.
- (k) If the matter was referred to full Council under (h) (ii) above or in circumstances where the Executive Committee did not accept the recommendations of the Scrutiny Committee (as set out in (i) above) and Council does not object to the original decision, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if Council does object, Council will either make a final determination on the matter or refer any decision to which it objects back to

the Executive Committee, together with the Council's views on the decision. The Executive Committee shall then make its decision in accordance with the views expressed by Council at a meeting convened to reconsider the matter as soon as practicable following Council's referral.

- (l) If the Council does not meet, or if it does but does not refer the decision back to Executive Committee, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
- (i) A proposal should only be called in once. If, however, the Executive Committee substantially amends the original proposal in a way which the Scrutiny Committee has not considered, nor could reasonably have foreseen, to the extent that in reality it is a different proposal, the Scrutiny Committee has the right to call it in again.

PROCEDURE ON CALL-INS

The end of the call-in period will normally be 5.00 p.m. on the fifth working day after the publication of the Executive Committee decision. The Strategic Director (Corporate) will be responsible for informing the Chairman of the Executive Committee, the Chief Executive, Directors/Heads of Service of any item that has been called-in.

Officers need to bear in mind that if a call-in is registered, then the Executive Committee decision cannot be actioned until finally dealt with. Only work that can be undertaken without presuming the ultimate decision can be undertaken.

The item called in will require the following papers:-

- (a) the report that was presented to the Strategy Committee;
- (b) the relevant extract of the Executive Committee Minutes;
- (c) any supplementary report, either updating figures and information which was supplied orally to the Executive Committee or giving further updated information available to the Executive Committee, or both.

Members who have exercised call-in can withdraw their request at any time before the meeting either individually or "en bloc".

Officers may be approached for information before the Scrutiny Committee and they are referred to the Member/Officer protocol to deal with any such issues. Generally any information which is necessary for the Member's understanding of the item coming to Scrutiny Committee is a matter that must be dealt with by the Officer. In cases of confidential/exempt matters the same applies but for good administrative practice this should be limited to Members of the Executive Committee, Scrutiny Committee and Members who have called-in the item.

At the meeting, the Scrutiny Committee shall determine whether the called-in item shall be further considered having regard to the reasons given in the call-in request in relation to the criteria specified in the call-in Protocol against which a call-in request is to be determined. If the reason for the call-in is not, in the opinion of the Committee, a valid reason for call-in, no further consideration of the item shall take place and the decision of the Executive Committee shall take immediate effect but if the Committee is satisfied that the call-in request cites a valid reason for call-in, it will proceed to determine the merits of the reason. The Committee will determine the focus of the evidence that it wishes to hear in relation to the Decision, and with regard to the hearing of that evidence, the following will be the usual order of appearance:-

- (a) The author of the call-in report notifies Members of the Scrutiny Committee of the updated position.
- (b) The “call-in” Members (one or all) make a presentation of their reasons for call-in.
- (c) Members of the Scrutiny Committee may question them.
- (d) The Chairman of the Executive Committee (or his or her nominated representative) explains why the decision was made.
- (e) Members of the Scrutiny Committee may question him/her.
- (f) Any other contributions from representatives from outside the Council.
- (g) Members of the Scrutiny Committee may question him/her.
- (h) The author of the report presents his/her papers with or without comments. The Officer is not expected to make a further presentation.
- (i) Members of the Scrutiny Committee may question him/her.
- (j) Member of the Executive Committee (as in (d) above) to respond.
- (k) Discussion takes place.
- (l) There will be a vote giving the reason for the Scrutiny Committee’s decision (if the Executive Committee Member has indicated that he/she is prepared to take the matter back to the Committee that will be noted and referred to together with the reason).
- (m) The Chairman of the Scrutiny Committee will have the discretion to operate the above process flexibly where it is considered that changes would be conducive to the effective performance of the Scrutiny role.

QUESTIONING

Scrutiny Committee Members may ask any questions which are supplemental or related to the reason(s) attributable to call-in. The decision as to whether such questions are appropriate will be a matter for the Chairman of Scrutiny Committee.

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CONSIDERING EVIDENCE

A Member of the Scrutiny Committee should participate in the determination and voting on a matter that has been called-in, only if he or she has been present during the Committee's consideration of the item.

EXCEPTIONS

In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:-

That each Scrutiny Committee may only call-in ten decisions per year (save that Council may decide at any time to increase the number of call-ins each year as provided for in Article 4 of this Constitution);

CALL-IN AND URGENCY

The call-in procedure set out above shall not apply where the decision being taken by the Executive Committee is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision-making body, the decision is an urgent one, and therefore not subject to call-in. The Chairman of the Council must agree both that the decision proposed is reasonable in all circumstances and to it being treated as a matter of urgency. In the absence of the Chairman the Vice-Chairman's consent shall be required. In the absence of both, the Head of Paid Service or his/her nominee's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

COUNCILLOR CALL FOR ACTION (PROTOCOL 3)

Any Councillor may request a Councillor Call for Action (CCfA) under the terms of the CCfA Protocol contained in Part 4 of this Constitution. The operation of CCfA will be in full compliance of the Protocol.

PROCEDURE FOR SCRUTINY COMMITTEE MEETINGS

- (a) Scrutiny Committees shall consider the following business:-
- (i) Minutes of the last meeting;
 - (ii) Declarations of interest,
 - (iii) Consideration of any matter referred to the Committee for a decision in relation to call-in of a decision;

- (iv) Responses of the Executive Committee to reports of the Scrutiny Committee; and
- (iv) The business otherwise set out on the Agenda for the meeting.
- (b) Where the Scrutiny Committee conducts investigations the Committee may also ask people to attend to give evidence at Committee meetings which are to be conducted in accordance with the following principles:-
 - (i) that the investigation be conducted fairly and all Members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
 - (ii) that those assisting the Committee by giving evidence be treated with respect and courtesy and that they treat the Committee Members and Officers with respect and courtesy; and
 - (iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

In addition the following principles shall also apply:-

- (a) Where someone requested to attend is genuinely unable to attend, then he or she may nominate another Member or Officer who is able to speak on the topic to attend.
- (b) Anyone asked to speak to a Scrutiny Committee shall be entitled to see the Terms of Reference of the particular matter under consideration by the Scrutiny Committee before attending to speak.
- (c) Anyone asked to speak to a Scrutiny Committee shall be entitled to see the public papers which have been made available to the Scrutiny Committee and wherever possible on the same timescale for a Member of the Scrutiny Committee.
- (d) Anyone asked to speak to a Scrutiny Committee shall wherever possible be given access to statements submitted by people from whom the Scrutiny Committee has already heard but not those who have not yet given evidence. The Chairman and Members of the Scrutiny Committees shall have a discretion to disclose other papers, including statements submitted by following speakers and confidential (exempt) material, if he or she considers that will help the speakers to address a particular point or will otherwise assist the Scrutiny Committee's examination of the issue.
- (e) All speakers shall respect the confidentiality of any confidential or exempt information they receive and shall not disclose it without the authorisation of the Scrutiny Committee.
- (f) Speakers may submit papers in advance to the Scrutiny Committee but such papers shall be clear and succinct.

- (g) Speakers shall be able to bring such notes and diaries as are helpful to them in assisting the Scrutiny Committee, but shall expect to make available any such notes to the Committee on the request of the Chairman.
- (h) Papers submitted by speakers shall become public documents once they have presented their evidence and shall be cited as background papers to the Scrutiny Committee's published report unless they contain exempt information.
- (i) Scrutiny Committee Members may expect to ask searching questions but will always behave in a polite and respectful way to anyone contributing to Scrutiny Committee's proceedings.
- (j) The speaker shall have at least five minutes to contribute evidence or a longer period as the Chairman of a Scrutiny Committee may specify. If someone making such a contribution exceeds the time limit given the Chairman may stop him or her. The Chairman may also structure a discussion and limit the time allowed for questioning by Members of the Scrutiny Committee.
- (k) Speakers shall be entitled to a copy of any draft Minute or other record taken of their contribution for comment. Should they feel that such record is not accurate then they shall be given the opportunity to make a written representation asking for the correction to be submitted to the next meeting of the Scrutiny Committee.
- (l) Scrutiny Committee meetings shall be open to the press and public except where they are considering matters which would give rise to the disclosure of confidential or exempt information as defined in Schedule 12A of the Local Government Act 1972.
- (m) Following any investigation or review, the Committee/Sub-Committee shall prepare a report, for submission to the Executive Committee and/or Council as appropriate and shall make its report and findings public.

DOCUMENTATION

A Scrutiny Committee:-

- (a) may commission research or advice (including from external organisations) to assist in any deliberations.
- (b) shall have access to all relevant papers of the Council.

Scrutiny Committee Members who have access to confidential material shall at all times respect the confidentiality of that material and shall not use it in a context other than the Scrutiny Committee examination without the permission of the Scrutiny Committee.

Scrutiny Committees will also have access to background information for a range of sources, including:-

- The Policy Framework and Strategic Plan.
- Service plans.
- Audit Management letter.
- Internal and external audit plan.
- Government reports and national studies.
- CIPFA statistics.
- Complaints.
- Representations from the community (individuals, community groups, local Members, Area Committees and Forums, residents, surveys, etc.).
- Research published by other organisations or commissioned by Scrutiny Committees.
- Evidence from expert witnesses at the Scrutiny Committee's request.

DRAFT

PROTOCOL 1

Attn: **Strategic Director (Corporate)**

MID SUFFOLK DISTRICT COUNCIL

REQUEST FOR CALL-IN

Dated

We would like to call in the decision as detailed below:

Decision making body or individual Date decision made

What decision do you want the Scrutiny Committee to consider

Reason for calling in the decision *(continue on separate sheet if necessary)*

Desired Witnesses

Members calling in the decision*

1 Signed

2 Signed

3 Signed

4 Signed

*NB1 Call-in can be requested by any four Members excluding the Chairmen of the Joint Scrutiny Committees and Executive Committee Members.

*NB2 The Call-in request can be submitted by fax, email or paper copy.

PROTOCOL 2

MID SUFFOLK DISTRICT COUNCIL

PROTOCOL FOR USE OF CALL-IN PROCEDURE

Issues can be investigated in depth (in which case an Assessment Sheet should be drawn up as a first step), or be looked at over one meeting, or be for information only.

Members of the Scrutiny Committees also have the right to challenge an Executive Committee decision before it is implemented and ask Executive Committee or Council to reconsider, through the call-in procedure.

Set out below are the criteria against which the Council expects any request for call-in to be judged.

Members should refer to the Scrutiny Procedure Rules referred to in Part 4 of the Constitution, with particular reference to Paragraphs 1a.

The Council does **NOT** expect Members to call in an Executive Committee decision **UNLESS** one or more of the following circumstances applies –

- there is reasonable concern over the lawfulness of the decision;
- the decision appears to be contrary to the Budget or one of the policy framework plans or strategies;
- the decision appears to be inconsistent with any other policy approved by Council or the Executive Committee;
- the decision appears to be inconsistent with recommendations previously made by a Scrutiny Committee and accepted by Council or the Executive Committee;
- the Executive Committee has overlooked some relevant and material consideration in arriving at its decision;
- the Executive Committee appears to have acted unreasonably in failing to consult relevant stakeholders on some relevant and material issue before arriving at its decision;
- the Executive Committee has not taken its decision in accordance with the decision making principles set out in Article 11 of the Constitution; or
- the Executive Committee has taken a decision outside its Terms of Reference as set out in the Responsibilities for Functions in Part Three of the Constitution.

In addition, the Council expects Members to satisfy themselves, before deciding to call in a particular Executive Committee decision that the delay which will ensue, as a consequence of calling in the decision in question, is unlikely to cause prejudice to the interests of the Council or third parties.

SCRUTINY COMMITTEE

ASSESSMENT SHEET FOR REVIEWS

What is to be reviewed?	
Why?	
What benefits are expected?	
What needs to be examined and asked?	
Documents/evidence/research <i>What?</i> <i>Why?</i>	Questions to be asked
Site visits <i>Where?</i> <i>Why?</i>	Questions to be asked
Consultation <i>Who/what?</i> <i>Why?</i>	Questions to be asked
Witnesses <i>Who?</i> <i>Why?</i>	Questions to be asked
What resources will be needed for the review?	
Over what period should it be carried out?	Start Complete
Who will be the lead officer?	

PICK ANALYSIS

In developing its annual work programme, Scrutiny Committees should be clear about the reasons for selecting particular issues and what they are seeking to achieve.

The list of topics and issues for the work programme can be a very long one if not careful. PICK can be used to prioritise the types of issues to choose. PICK stands for:

- P Public Interest
- I Impact
- C Council Performance
- K Keep it Context

P for Public Interest

Councillors are the eyes and ears of the public, ensuring that the policies, practices and services delivered by both Mid Suffolk District Council and external organizations, are meeting local needs and to an acceptable standard. The concerns of local people should therefore influence the issues chosen for scrutiny.

I for Impact

Scrutiny is about making a difference to the social, economic and environmental well-being of the area. Not all issues of concern will have equal impact on the well-being of the community. This should be considered when deciding the work programme, and priority be given to those issues that have more impact.

C for Council Performance

Scrutiny is about improving performance and ensuring the people of Mid Suffolk are served well. Councillors will need good quality information to identify areas of poor performance both within the Council and externally. There are no shortage of Performance Indicators available in the public service arena, both national and local, although the quality and relevance will vary. There is a need to select the most relevant performance indicators and to seek an interpretation of results.

K for Keep it in Context

To avoid duplication or wasted effort priorities should take account of what else is happening in the areas being considered. Is there a Best Value Review happening or planned? Is the service about to be inspected by an external body? Are there major legislative or policy initiatives already resulting in change? If these circumstances exist councillors may decide to link up with other processes (e.g. Best Value Review) or defer a decision until the outcomes are known or conclude that the other processes will address the issues.

PICK CHECKLIST

More “ticks” across all four categories indicates that the topic is more suitable for in depth review.

<p>Public Interest</p> <ul style="list-style-type: none"> • There is evidence of significant public interest in this topic • It is a “high profile” topic for specific local communities or communities of interest • This is an area where we received a lot of complaints and / or bad press • The review will need to include participatory events and opportunities for local people and / or organizations to have their say • Substantial survey or research work is required
<p>Impact</p> <ul style="list-style-type: none"> • This review will have a significant impact on the “well being” of Mid Suffolk • A local community or community of interest have much to gain or lose • Work is needed to develop the routes to influencing change (e.g. with partners) • This could make a big difference to the way services are delivered • This could make a big difference to the way resources are used
<p>Council Performance</p> <ul style="list-style-type: none"> • The Council and / or other organizations are not performing well in this area • We do not understand why our performance differs from others • We are performing well but spending too much money in this area • There are few local or national performance measures / targets for this service • This service is fundamental to the achievement of Council objective(s)
<p>Keep it in Context</p> <ul style="list-style-type: none"> • This service will not be part of a BV Review or external inspection in the next 2 years • This service will be reviewed or inspected soon but Scrutiny can make a positive contribution by focusing on key areas of interest and making recommendations • This service has not been recently reviewed or inspected • There are no current major changes to service that reduce or pre-empt the value of review • Service changes are planned and Scrutiny can positively influence change

PROTOCOL 3

MID SUFFOLK DISTRICT COUNCIL

COUNCILLOR CALL FOR ACTION PROTOCOL

1. Introduction

- 1.1 The “Councillor Call for Action” (CCfA) was introduced under Section 119 of the Local Government and Public Involvement in Health Act 2007, and came into force on 1 April 2009.
- 1.2 The 2007 Act enables any member of the Council to refer to the Scrutiny Committee any local government matter which affects their Ward and is relevant to the functions of the Committee.
- 1.3 In addition, Section 119 of the Police and Justice Act 2006 came into force on 30 April 2009 and enables any member of the Council to refer to the crime and disorder Committee any local crime and disorder matter which affects their Ward. The Scrutiny Committee will discharge the function of the crime and disorder Committee.
- 1.4 The power to refer a matter is available only where the matter is of direct concern to the Ward or division which the Councillor represents. The matter may affect all or part of the Ward Member’s area or any person who lives or works in that area. A Councillor can refer a matter even if no citizen has asked him/her to consider it, and there is no requirement for Councillors in multi-member wards to agree – any of them can refer a matter.

2. Limitations

- 2.1 It is important to recognise that CCfA is not guaranteed to solve a given problem. CCfA can provide a method for discussing such problems and, through discussion, trying to overcome them.

3. Issues excluded from referral as a CCfA

- 3.1 The Scrutiny (Reference by Councillors) (Excluded Matters) (England) Order 2008 excludes the following matters from referral as a CCfA:
 - 3.1.1 Any matter relating to an individual or entity where there is already a statutory right to a review or appeal (other than the right to complain to the Local Government Ombudsman), for example:
 - Council Tax/Housing Benefit appeals
 - Issues currently under dispute in a court of law.
 - 3.1.2 Any matter relating to a planning or listed building application or enforcement decision.

- 3.1.3 Any matter relating to a licensing application, review or enforcement decision.
- 1.1.4 Any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a meeting of the Scrutiny Committee or any of its Sub-Committees.
- 3.2 A matter will not be excluded under 3.1.1 to 3.1.3 where the allegation consists of the function not being discharged at all or that the function has failed or is failing on a systematic basis.
- 3.3 A referral, provided it is covered by the legislation and is not an excluded matter (see above), will ensure that the matter is included on the agenda of the Scrutiny Committee. It is then up to the members of the Committee to decide whether or not to take the matter further.
- 3.4 A referral made to the Scrutiny Committee is seen as being the end of the CCfA process (the last resort) and not the first step.

4. Steps to be taken prior to making a Councillor Call for Action referral

- 4.1 Prior to a councillor referring a matter as a CCfA to the Scrutiny Committee, a Councillor **must** have tried to resolve the issue/problem themselves using all mechanisms and resources available to them at ward level. Councillors should:
- If a local crime and disorder matter, raise the issue through the Community Safety Partnership to find a way to resolve the issue.
 - Ensure that all relevant partner organisations have been informed of the issue and given enough time to resolve it, for example through formal letter written on behalf of constituents, discussion at public meetings, petitions, communication with local MPs and Councillors in other authorities etc.
 - Ensure that all relevant internal potential routes to solution have been followed, for example informal discussions with officers and/or members, questions at committees, motions on the agenda at full Council etc.
 - Ensure that this is not an issue that is currently being or should be pursued via the Council's complaints procedure.
 - Ascertain whether or not any other form of local scrutiny is investigating the issue, e.g. Suffolk County Council.

5. How to make a Councillor Call for Action referral

- 5.1 If the issue/problem is still not resolved the Councillor can refer it to the Scrutiny Committee as a "Councillor Call for Action". To do this the councillor should complete and submit to the Strategic Director (Corporate) a CCfA Request Form outlining what the issue is and what steps have been taken towards a resolution. The request form, a specimen is attached as Appendix 1, is available on the Council's website, or from the Strategic Director (Corporate). The request form for a CCfA includes:

- The name of the Councillor and ward they represent
- Title of the CCfA and date of submission
- Why you think the issue should be looked at by the Scrutiny Committee
- A brief synopsis of what the main areas of concern are
- What evidence you have in support of your CCfA
- Which areas or community groups are affected by the CCfA
- What you have done to try and resolve the issue prior to requesting a CCfA
- Whether the CCfA is currently the subject of legal action by any party (to your knowledge) or is being examined by a formal complaints process
- Whether there are any deadlines associated with the CCfA of which the Scrutiny Committee needs to be aware.

5.2 The Strategic Director (Corporate) will receive the referral form, log it to track its progress, and, after consultation with the Solicitor to the Council, assess the issue to ensure that it is covered by the legislation referred to above and is not a matter excluded from referral to the Scrutiny Committee. A decision that a matter is excluded pursuant to paragraph 3.1.4 above will only be taken by the Strategic Director (Corporate) in consultation with the Chairman of the relevant Scrutiny Committee.

5.3 The Strategic Director (Corporate) will inform the Chairman of the relevant Scrutiny Committee that the item will be included on the next Committee agenda. The Councillor will be informed whether or not their referral has been successful.

5.4 A successful referral will ensure that the CCfA will be placed on the next agenda of the Scrutiny Committee. It is then up to the members of the Committee to decide whether or not to take the matter further.

6. Decision of the Committee whether to take the matter further

6.1 In deciding whether or not to take the matter further the relevant Scrutiny Committee will consider:

- Anything that the Councillor has done in relation to this matter; and
- Representations made by the councillor as to why the Committee should take the matter up. (Councillors have the option of either presenting their CCfA form without supporting papers, or of preparing a report setting out their views).

6.2 The criteria the Committee will use to decide whether or not to take the matter further include:

- Is the Committee satisfied that all reasonable attempts have been made to resolve the issue by the Ward Councillor? And do the responses received by the referring Councillor demonstrate that the matter is not being progressed?
- Has the Committee considered a similar issue recently – if yes have the circumstances or evidence changed?
- Is there a similar or related issue which is the subject of a review on the current work plan? It may be more appropriate to link the new issue to an existing review, rather than hold a separate CCfA hearing. Relevant time pressures on resolving the CCfA should be taken into account.
- Have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response has the Councillor received?
- Is this a case that is being or should be pursued via the Council's complaints procedure?
- Is it relating to a "quasi-judicial" matter or decision such as planning or licensing?
- Is the issue part of an individual's own personal agenda (an issue of genuine local concern should have an impact on the local community).
- Is this an issue currently being looked at by another form of local scrutiny, e.g. Suffolk County Council?
- And, as with all scrutiny, does the matter referred have the potential for scrutiny to produce recommendations which could realistically be implemented and lead to improvements for anyone living or working in the referring Member's ward?

6.3 In considering the CCfA, the Scrutiny Committee may invite the Chief Executive or relevant Director, Head of Service or external organisation to discuss the issue with the Committee and answer any questions.

6.4 If the Committee decides not to accept the CCfA referral it must inform the Councillor and provide reasons.

6.5 If the Committee decides to accept the CCfA referral, it must decide how it intends to take the matter forward and include the CCfA in its work plan. This could include:

Before holding a formal hearing:

- Asking the service area(s)/partner organisation(s) to respond to the CCfA
- Setting up a research group to undertake a more in-depth review.

At formal hearings

- Asking for further evidence and/or witnesses to be brought to a future meeting then making recommendations to the Cabinet/partner organisation.

7. Potential outcomes

7.1 Following a formal hearing, there are a number of potential outcomes from the Committee meeting:

- The Committee could determine not to make a report or recommendations (perhaps because it is not considered the right time to consider a particular issue), with the ward Councillor notified in writing;
- The Committee could determine that it is a complex issue that requires further investigation and commission a scrutiny review of the issue;
- The Committee could write a report and make recommendations on the CCfA to the Executive Committee and/or relevant partners.
- The Committee could make a report or recommendations to full Council where the CCfA is a local crime and disorder matter.

7.2 Once the Committee has completed its work on the CCfA referral, the Councillor who made the CCfA referral will receive a copy of any report or recommendations made. The report will also be made available on the Council's website, unless the matter was an exempt item, in which case the report cannot be made public.

8. Timescales

8.1 Once the CCfA has been assessed as not being a matter which is excluded from referral to the Scrutiny Committee, the item will be included on the next Committee agenda.

8.2 If the Committee agrees to take the matter forward, the hearing will usually be held as an item on the next available agenda. In exceptional circumstances, for example where there are unavoidable time constraints, a separate meeting may be convened.

8.3 Should a CCfA hearing result in recommendations to Executive Committee or full Council being made, an item will be placed on the agenda for the next Executive Committee or Council, respectively.

8.4 Should a CCfA hearing result in recommendations to partner organisations, such organisations will also be requested to make a response to the recommendations, although they are under no legal obligation to do so.

Appendix 1 – Councillor Call for Action Request Form

This form should be used by any Councillor who would like the Scrutiny Committee to consider a Councillor Call for Action in their ward.

Councillor

The ward you represent:

Title of your Councillor Call for Action:
--

Date of Submission:

Have you approached the Scrutiny Committee on the same issue in the past six months?
Yes No <input type="checkbox"/> <input type="checkbox"/>

Why you think the issue should be looked at by the Scrutiny Committee:

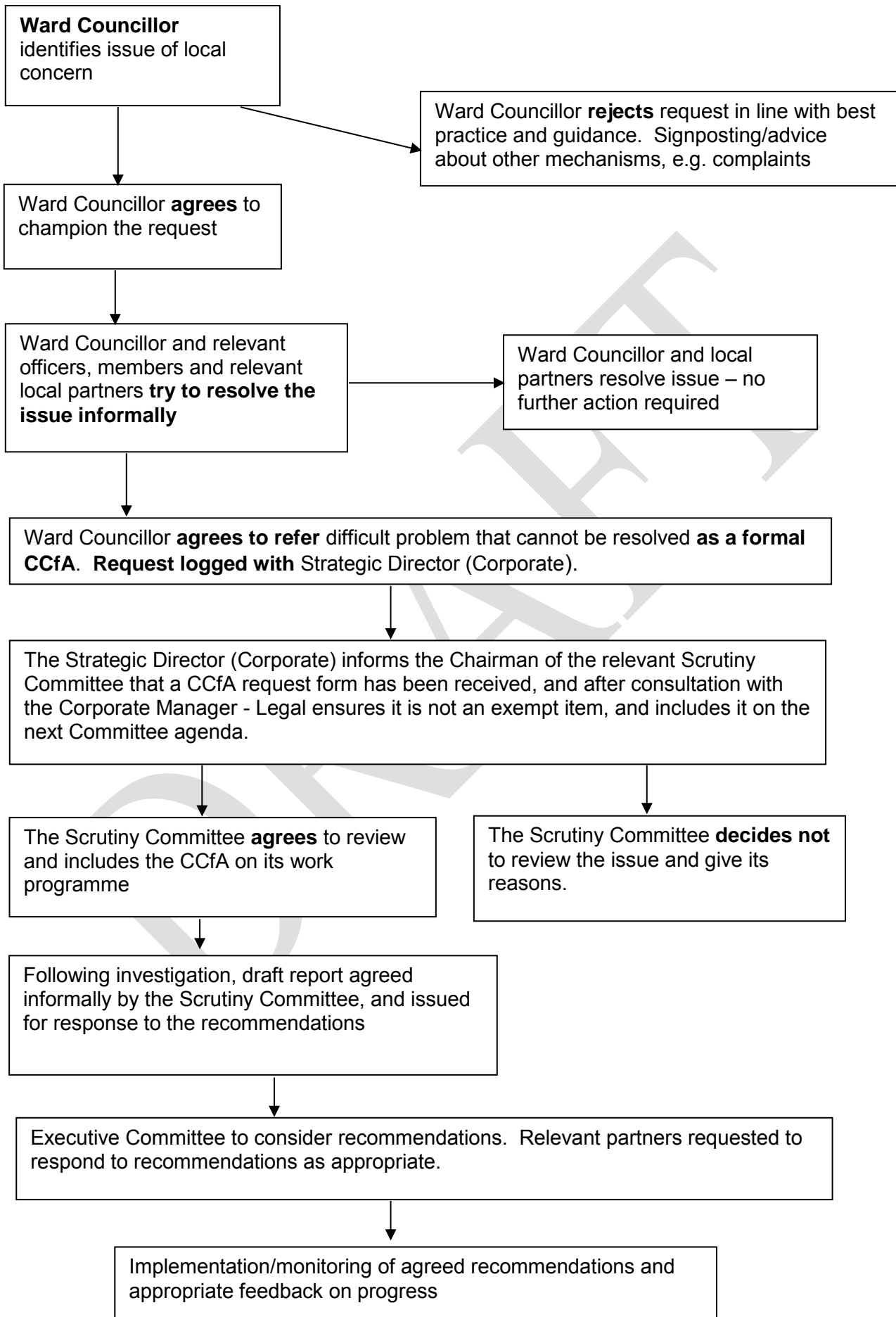
Please give a brief synopsis of the main areas of concern:

What evidence do you have in support of your CCfA:
Which areas or community groups are affected by the CCfA:
How have you tried to resolve the issue:
Is the CCfA currently the subject of legal action by any party (to your knowledge) or being examined by a formal complaints process?
Are there any deadlines associated with the CCfA of which the Scrutiny Committee needs to be aware:

Please complete and return the form to:

Strategic Director (Corporate)
Council Offices
High Street
Needham Market
IPSWICH
IP6 8DL

Appendix 2 – Summary of CCfA Mechanism



Appendix 3 – Explanatory Notes

1. Definition of a local government matter and a local crime and disorder matter

Local government matter

For the purpose of the 2007 Act a “local government matter”, in relation to a member of a local authority is one which:

- Relates to any discharge of any function of the authority;
- Affects all or part of the electoral area for which the referring member is elected or any person who lives or works in the area (i.e. it must be specific to a particular locality); and
- Is not an excluded matter.

However, the guidance produced by the Centre for Public Scrutiny and Improvement and Development Agency advises that, to give full effect to CCfA, the interpretation of “local government matter” needs to be broader. This includes issues relating to the Council’s partners, in line with the area focus of Comprehensive Area Assessment (CAA), and the fact that an authority’s duties increasingly impact on other organisations, and involve partners within and outside the Local Strategic Partnership (LSP).

Local crime and disorder matter

A “local crime and disorder matter”, in relation to a member of a local authority, has been defined in the 2006 Act to mean a matter concerning:

- (a) crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour adversely affecting the local environment); or
- (b) the misuse of drugs, alcohol and other substances that affects the electoral area represented by the member, or the people who live or work in that area.

2. Definitions of “vexatious”, “persistent”, “discriminatory” and “not reasonable”

Statutory regulations deal with matters that can be excluded from CCfA, stating that “any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a meeting of the Scrutiny Committee is to be excluded”.

Vexatious/Persistent

Deciding whether a request is vexatious is a balancing exercise, taking into account all the circumstances of the case. There is no rigid test or definition, and it will often be easy to recognise. The key question is whether the request is likely to cause distress, disruption or irritation, without any proper or justified cause.

Issues around persistency are implied by this definition. However, a persistent request may well be entirely valid – it may relate to a systematic problem that has not been effectively resolved.

CCfAs need to be looked at on their merits, rather than on the basis of who is bringing them, or whether somebody thinks there is an ulterior motive for them being brought.

Where a request for a CCfA is clearly vexatious, detailed reasons for coming to this decision will be given to the councillor concerned. There could, however, be instances where changes to the scope of the CCfA, or its focus, could make it more acceptable while still meeting the councillor's requirements.

Discriminatory

A modern interpretation of the word “discrimination” is provided at Section 45 of the Equality Act 2006, in relation to religion and belief, as follows:

A person (A) discriminates against another (B) if on the grounds of the religion or belief of B or of any other person except A, A treats B less favourably than he treats others. This definition can easily be amended to deal with other forms of discrimination, such as discrimination for reasons of sex and/or race. So a discriminatory CCfA might be one which implies or states that a group of people or an area should receive better, or worse, services on account of that group's predominant religion, race, gender or other characteristic, as covered by discrimination legislation.

Not reasonable

It is suggested that, in the interests of transparency, authorities do not interpret “not reasonable” as being the same as the legal word “unreasonable”. It is best to consider it as a qualifier to the word “vexatious”, as a vexatious request is likely not to be reasonable and a request that is not reasonable is likely to be vexatious.

3. Structure of the CCfA hearing

A CCfA hearing will be based on the Scrutiny Committee's protocol for dealing with call-in hearings.

The following protocol is intended to formalise the conduct of CCfA hearings and the preparation work carried out in the run-up to such a hearing. It should be noted, however, that the protocol may be varied by the Chairman of the Scrutiny Committee to meet the requirements of any particular circumstances.

Prior to the hearing

1. The CCfA Request Form and any additional papers provided by the referring councillor will be published with the agenda for the meeting.
2. The referring Councillor and relevant officers and partners will be invited to the meeting.

3. Any other relevant external witnesses will be invited to the meeting.
4. Seven days' notice of a request to attend the meeting will be given to all participants. If a question plan is to be produced, seven days' notice of the questions planned will also be given to participants.
5. Prior to the meeting any member who may have a conflict of interest will be given relevant advice by the Monitoring Officer.

The hearing

1. The CCfA hearing will normally be the first item of business on the agenda, in order that participants and other witnesses are not kept waiting.
2. Participants and witnesses will be placed around the table with the Committee if space permits, but if there is a large number of witnesses or other attendees at the meeting, they may be required to wait in a separate seating area or the public gallery.
3. The referring Councillor will be invited to make a presentation outlining his or her main reasons for referring the matter as a CCfA. A question and answer session will follow.
4. Any other parties relevant to the hearing, for example Portfolio Holders, officers or partners, will be invited to make presentations outlining their response to the CCfA. Question and answer sessions will follow.
5. Any other relevant external witnesses will be invited to make a presentation to the Committee without interruption, following which there will be a question and answer session.
6. Witnesses will be given the opportunity to add any points of clarification before any resolution or recommendation is moved.
7. The referring Councillor will be given the opportunity to add any points of clarification before any resolution or recommendation is moved.

FINANCIAL REGULATIONS AND PROCEDURES

INTRODUCTION

1. Financial Regulations

- 1.1 The following financial regulations take account of CIPFA guidance – with amendments to reflect the Council’s local arrangements and requirements.
- 1.2 They ensure that the Council has sound financial management policies in place and that they are strictly adhered to, with financial procedures and additional guidance issued by officers to support them.
- 1.3 The regulations also provide clarity about the financial responsibilities and accountabilities of, Members, the Chief Executive, the Monitoring Officer, the Chief Financial Officer (CFO), other officers. Each regulation sets out the key underlying principles in relation to these.
- 1.4 In addition, they provide the framework for managing the Council’s financial affairs. They apply to every Member and officer of the Authority and anyone acting on its behalf.
- 1.5 All Members and officers have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value.
- 1.6 The CFO is responsible for reviewing these financial regulations and submitting any additions or changes to Members for approval. The CFO is also responsible for reporting, where appropriate, breaches of the Regulations to the Council and/or to the Executive Committee.
- 1.7 The CFO is also responsible for providing advice to underpin the financial regulations that Members, officers and others acting on behalf of the authority are required to follow.
- 1.8 Heads of Service are responsible for ensuring that all staff in their service are aware of the existence and content of the authority’s financial regulations and associated procedures/guidance that is issued and that they comply with them.
- 1.9 There are five financial regulations which cover:
 - A: Financial Management
 - B: Financial Planning
 - C: Risk Management and Control of Resources
 - D: Systems and Procedures
 - E: External Arrangements
- 1.10 These Regulations (and associated procedures/guidance) are to be read in conjunction with the Constitution and Scheme of Delegation and the CFO shall determine any matter on which conflict may arise.
- 1.11 Failure to observe these Regulations may be classified as misconduct justifying disciplinary action.

2. Financial Procedures

The following matters, relating to the operational detail, are covered in financial procedures guidance issued to officers by the Chief Financial Officer (Section 151 Officer):

- Banking arrangements and Imprest Accounts (petty cash)
- Income collection and raising debts
- Ordering goods and services and paying invoices
- Procurement Cards
- Assets and Security
- Salaries, Wages and Pensions
- Insurances
- Budget virements (transfers) and carry forwards.

NOTE

The term “Chief Financial Officer (CFO)” refers to the post holder who, under section 151 of the Local Government Act 1972, is nominated by the Council as being responsible for its financial affairs.

A: FINANCIAL MANAGEMENT

INTRODUCTION

- A.1 Financial management covers all financial responsibilities and accountabilities of the Council, Committees and key officers in relation to the running of the authority, including the policy framework and budget (which is covered elsewhere in the Constitution).

THE COUNCIL

- A.2 The Council is responsible for approving the policy framework and budget within which the Executive operates. It is also responsible for approving and monitoring compliance with the authority's overall framework of accountability and control. The framework is set out in its Constitution. The Council has a statutory responsibility for setting the Council Tax, determining borrowing limits and considering reports by the CFO (under section 114 of the Local Government Act 1988).
- A.3 Arrangements for delegated powers are set out in the Scheme of Delegation in the Constitution.

EXECUTIVE COMMITTEE

- A.4 The Executive Committee is responsible for proposing the policy framework and budget to the full Council, and for discharging functions in accordance with this.

SCRUTINY COMMITTEES

- A.5 These are responsible for scrutinising Executive Committee decisions before or after they have been implemented and for holding the Executive to account. Scrutiny Committees are also responsible for reviewing the general policy and service delivery of the authority.

AUDIT AND STANDARDS COMMITTEES

- A.6 These are responsible for monitoring financial arrangements and the Treasury Management Strategy, consider the effectiveness of risk management and fraud prevention arrangements and receiving external and internal audit reports.

CHIEF FINANCIAL OFFICER

- A.7 The CFO is responsible for advising the Executive Committee and the Council about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be "contrary to the budget" include:
- initiating a new policy or spending not provided for in the approved budget
 - committing expenditure in future years to above the budget level
 - budget transfers above virement limits
 - causing the total expenditure financed from council tax, grants and corporately held reserves to increase, or to increase more than the reported amount.

A.8 The CFO has clearly defined statutory duties in relation to the financial administration and stewardship of the authority. This statutory responsibility cannot be overridden. The statutory duties arise from:

- Section 151 of the Local Government Act 1972
- The Local Government Finance Act 1988
- The Local Government and Housing act 1989
- The Accounts and Audit Regulations 2003
- Local Government Act 2003.

A.9 The CFO is responsible for:

- the proper administration of the authority's financial affairs
- setting and monitoring compliance with financial management standards
- advising on the corporate financial position and on the key financial controls necessary to secure sound financial management
- providing financial information and advice
- preparing the revenue budget and capital programme
- treasury management.

A.10 Section 114 of the Local Government Finance Act 1988 requires the CFO to report to the full Council, Executive Committee and External Auditor if the authority or one of its officers:

- has made, or is about to make, a decision which involves incurring unlawful expenditure
- has taken, or is about to take, an unlawful action which has resulted or would result in a loss of deficiency to the authority
- is about to make an unlawful entry in the Council's accounts.

A.11 Section 114 of the 1988 Act also requires:

- The CFO to ensure cover is arranged in the event of absence or sickness
- The Council to provide the CFO with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under section 114.

MANAGEMENT BOARD AND HEADS OF SERVICE

A.12 These are responsible for:

- Ensuring that Members are advised of the financial implications of all proposals and that the financial implications have been agreed by the CFO.
- Signing contracts in relation to their specific areas on behalf of the authority in accordance with the Procurement Scheme of Delegation.

- A.13 It is the responsibility of Management Board and Heads of Services to consult with the CFO and seek approval on any matter liable to affect the authority's finances materially, before any commitments are incurred.

CORPORATE MANAGERS

- A.14 Corporate Managers have responsibility for managing and monitoring budgets, under the guidance and direction of Heads of Service.

BUDGET MANAGEMENT, MONITORING AND CONTROL

- A.15 The CFO is responsible for putting into place effective procedures for ensuring that guidance and financial information is available to enable budgets to be managed, monitored and controlled effectively. The CFO will report to the Executive Committee on the overall position and variances compared to the Budget on a regular basis.
- A.16 It is responsibility of the Head of Service and Corporate Managers to control income and expenditure within their area and to monitor performance, taking account financial information and advice provided. They should take any action necessary to avoid exceeding their budgets and alert the CFO to any problems as soon as possible.

BUDGET VIREMENT (TRANSFERS)

- A.17 Details of the arrangements and procedures for virement (transfer) of expenditure or income between budgets and the limits that apply are set out in financial procedures.
- A.18 Management Board, Heads of Service and Corporate Managers are responsible for agreeing in-year virements within these limits, in consultation with the CFO where required.

YEAR-END BUDGET CARRY FORWARDS

- A.19 Details of the arrangements and procedures for carrying forward budget underspends at the end of each financial year are also set out in financial procedures.

ACCOUNTING POLICIES

- A.20 The CFO is responsible for selecting and reviewing accounting policies and ensuring that they are applied consistently.

ACCOUNTING RECORDS AND RETURNS

- A.21 The CFO is responsible for determining the accounting procedures and records that are required for the Council.

THE ANNUAL STATEMENT OF ACCOUNTS

- A.22 The CFO is responsible for ensuring that these are prepared in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice* (CIPFA). The Audit Committee is responsible for approving the annual Statement of Accounts.

B: FINANCIAL PLANNING

INTRODUCTION

B.1 The Council is responsible for agreeing the Council's policy framework and budget, which will be proposed by the Executive Committee. In terms of financial planning, the key elements are:

- Strategic Plan and Delivery Plans
- Medium Term Financial Strategy
- Asset Management Plan/Strategies
- Revenue Budget and Capital Programme (including associated Investment Strategies)
- Advice on the robustness of estimates and adequacy of reserves
- Treasury Management Strategy

B.2 The Executive Committee is responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework.

B.3 The Executive Committee is also responsible for taking in-year decisions on resources and priorities in order to deliver the policy framework and budget within the financial limits set by the Council.

MANAGEMENT BOARD AND HEADS OF SERVICE

B.4 These are responsible for:

- Drawing up the key elements of the Council's policy framework and budget
- Reviewing and proposing resource allocation processes (in conjunction with the CFO) to Members.

CORPORATE MANAGERS

B.5 Corporate Managers contribute towards the financial planning arrangements and ensure that Operational Delivery Teams operate within guidelines that are issued.

BUDGET AND CAPITAL PROGRAMME

FORMAT

B.6 The Executive Committee, on the advice of the CFO, will approve the general format of the budget. This will include allocation of resources, proposed changes to charges for services and proposed taxation/council house rent levels.

PREPARATION

- B.7 The CFO is responsible for ensuring that a revenue budget and capital programme is prepared on an annual basis and a rolling Medium Term Financial Strategy (MTFS) for consideration by the Executive Committee before submission of Council. The MTFS will be reviewed annually.
- B.8 It is the responsibility of Management Board and Heads of Service to ensure that the budget and capital programme reflects agreed objectives and strategic/service priorities and that these are prepared in line with guidance issued by the Executive Committee and CFO.
- B.9 Heads of Service and Corporate Managers are responsible for ensuring that budgets and capital programme are based upon reliable estimates and are prepared in accordance with guidance issued by the CFO.

RESOURCE ALLOCATION

- B.10 The CFO (in conjunction with Management Board and Heads of Service) is responsible for developing, maintaining and reviewing a resource allocation process that ensures it reflects the policy framework.

GUIDELINES

- B.11 Guidelines on budget and capital programme preparation are issued by the CFO. These take account of:
- legal requirements
 - medium-term financial planning
 - strategic/annual delivery plans
 - forecast available resources
 - spending/cost pressures
 - relevant government guidance
 - Council policies
 - Treasury Management Strategy

MAINTENANCE OF RESERVES

- B.12 It is the responsibility of the CFO to advise the Executive Committee and/or the full Council on the robustness of estimates and adequacy of reserves.
- B.13 The principles of reserves detailed in the MTFS/Annual Budget will be followed.

C: RISK MANAGEMENT AND CONTROL OF RESOURCES

INTRODUCTION

- C.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant business and operational risks to the Council.
- C.2 The Accounts and Audit Regulations 2011 require that the Council's financial management is adequate and effective and that there is a sound system of financial control that facilitates the effective exercise of the Council's functions and that includes risk management arrangements.
- C.3 Management Board, Heads of Service and Corporate Managers are responsible for reviewing the effective management of risks, internal controls and governance, supported by the Corporate Manager – Internal Audit and the S151 Officer.
- C.4 The CFO (was the Committee) is responsible for ensuring that proper insurance exists where appropriate.

RISK MANAGEMENT

- C.5 The Council is committed to establishing an effective risk management framework and culture to enable management at all levels to deliver their objectives in the light of those risks.
- C.6 The Corporate Manager – Internal Audit is responsible for preparing the Council's risk management strategy and for promoting it throughout the Council and maintaining and reporting on the Council's Integrated Significant Business Risk Register.
- C.7 The Joint Audit and Standards Committee is responsible for approving the Council's risk management strategy and reviewing and monitoring the arrangements for managing risk.

INTERNAL CONTROL

- C.8 Internal control refers to the systems of control devised by management to help ensure the Council's objectives and strategic/service priorities are achieved in a manner that promotes economical, efficient and effective use of resources and that the Council's assets and interests are safeguarded.
- C.9 The systems of internal control should ensure compliance with all applicable statutes and regulations, and other relevant best practice. They should also ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other policies that govern their use.
- C.10 It is the responsibility of Heads of Service and Corporate Managers to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

AUDIT REQUIREMENTS AND INSPECTION

- C.11 The basic duties of the external auditor are governed by Section 5 of the Audit Commission Act 1998. The Accounts and Audit Regulations require every local authority to maintain an adequate and effective internal audit. The CFO is responsible for ensuring that this is achieved.
- C.12 Internal Audit will advise and report to management and the Joint Audit and Standards Committee on whether the Council's governance – appropriate risk management processes, control systems and operational procedures – are in place and operating properly.
- C.13 This scope will extend to systems or services provided wholly by, or in conjunction with other organisations, including partnership arrangements.
- C.14 The Council may, from time to time, be subject to audit, inspection or investigation by external bodies including HM Revenues and Customs, who have statutory rights of access. It is the responsibility of Management Board, Heads of Service and all officers to co-operate and provide such information as require by those bodies.

PREVENTING FRAUD AND CORRUPTION

- C.15 The Corporate Manager – Internal Audit is responsible for:
- the development and maintenance of a Prevention of Financial Crime Policy and ensuring that Members and staff are aware of its contents.
 - ensuring that there is a pro-active approach to fraud prevention, detection and investigation and promote a council-wide anti-fraud culture across both organisations.
- C.16 All Members of staff are responsible for giving immediate notification to the Corporate Manager – Internal Audit on fraud matters where there are grounds to suggest that fraud or corruption have occurred.

MONEY LAUNDERING

- C.17 The Corporate Manager – Internal Audit for ensuring that proper procedures are in place to combat the possibility of the authority being used for money laundering purposes.

ASSETS

- C.18 Heads of Service and Corporate Managers are responsible for ensuring that records and assets are properly maintained and securely held. They must also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

STAFFING

- C.19 The Chief Executive is responsible for determining overall staffing establishments and requirements. The Executive Committee will consider changes to these within the overall policy and budget framework.
- C.20 Management Board are responsible for controlling total staff numbers in conjunction with Heads of Service.
- C.21 The Strategic Director (Corporate) is responsible for ensuring that there is proper use of the job evaluation or other agreed systems for determining the remuneration of a job.
- C.22 Appointments of all employees shall be made in accordance with the regulations of the Council and the approved establishments, grades and rates of pay.

TREASURY MANAGEMENT

- C.23 The Council has adopted CIPFA's *Code of Practice for Treasury Management in Local Authorities*, the code includes a 'Treasury Management Policy Statement'. The CFO is responsible for implementing and monitoring the statement and will advise the Executive Committee immediately of any significant amendment to the Code and any consequent or necessary amendment to the Treasury Management Policy Statement and/or Treasury Management Strategy.
- C.24 The CFO is responsible for submitting to the Executive Committee/Council:
- a proposed Treasury Management Strategy before the start of each financial year
 - a mid year and annual review of activity compared to the approved strategy by 30 September of the succeeding financial year.
- C.25 The CFO is responsible for reporting to the Executive Committee any significant variations to the approved strategy during the year.
- C.26 All executive decisions on borrowing, investment or financing shall be delegated to the CFO, who is required to act in accordance with CIPFA's *Code of Practice for Treasury Management in Local Authorities*.

D: SYSTEMS AND PROCEDURES

INTRODUCTION

- D.1 Sound financial systems and procedures are essential to an effective framework of accountability and control.

GENERAL

- D.2 The CFO issues guidance and requirements in relation to the above (see also Financial Regulation C: Risk Management and Control of Resources which covers advice and reports by the Corporate Manager – Internal Audit on systems of internal control).
- D.3 Management Board, Heads of Service and Corporate Managers have responsibility to ensure adherence to these.
- D.4 Any changes made by Heads of Service or Corporate Managers to the existing financial systems or the establishment of new systems must be approved by the CFO. Heads of Service are responsible for the proper operation of financial processes in their own areas.
- D.5 Any changes to agreed procedures by Heads of Service or Corporate Managers to meet their own specific service needs are to be agreed with the CFO.
- D.6 Heads of Service and Corporate Managers should ensure that staff receive relevant training and guidance.

INCOME AND EXPENDITURE

- D.7 Guidance and procedures on the collection of all money due to the Council will be under the supervision of the CFO.
- D.8 It is the responsibility of Heads of Service and Corporate Managers to identify staff authorised to act on their behalf in respect of making payments, receiving income and placing orders, together with the limits of their delegated authority.
- D.9 The Executive Committee is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control with the following exception:-

The process of debt write-off related to the functions of the Shared Revenues Partnership (SRP) which is delegated to authorised SRP officers in consultation with the SRP Committee, within limits as agreed by that Committee.

PAYMENTS

- D.10 The CFO is responsible for arrangement relating to all payments (no suppliers, contractors, employees and Members).

TAXATION

- D.11 The CFO is responsible for advising Heads of Service, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the authority.
- D.12 The CFO is responsible for maintaining the authority's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

TRADING ACCOUNTS

- D.13 It is the responsibility of the CFO to advise on the establishment and operation of trading accounts.

E: EXTERNAL ARRANGEMENTS

INTRODUCTION

- E.1 The local authority provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It must also act to achieve the promotion or improvement of the economic, social and environmental well-being of its area.

PARTNERSHIPS

- E.2 The Executive Committee is responsible for approving delegations, including frameworks for partnerships. The Council will continually look for opportunities to form partnerships with other local public, private, voluntary and community sector organisations to address local needs and priorities.
- E.3 The Executive Committee can delegate functions – including those relating to partnerships – to officers. Where functions are delegated, the Executive Committee remains accountable for them to the full Council.
- E.4 The Chief Executive or other senior officers represent the authority on partnership and external bodies.
- E.5 Heads of Service and Corporate Managers are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.
- E.6 The CFO ensures that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory.

EXTERNAL FUNDING

- E.7 The CFO is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Council's accounts.

CONTRACT STANDING ORDERS

(updated October 2015)

Introduction

- 1.1 These Contract Standing Orders are made in accordance with the requirements of Section 135 of the Local Government Act 1972 and the purpose is to provide a framework within which commissioning and purchasing decisions are undertaken to enable the Council to:
- furthers its priorities
 - use its resources efficiently
 - commission quality goods, services and works
 - operate in a fair, open and transparent manner
 - safeguard its reputation from the implication of dishonesty or corruption.
- 1.2 These Contract Standing Orders provide the minimum standards and requirements that should be met on all occasions when the Council enters into an agreement for the supply of goods, services or the execution of works. Further guidance that should be applied to all of the Council's commissioning and procurement is provided in the Council's Commissioning and Procurement Manual.
- 1.3 These Contract Standing Orders apply to all contracts, leases, concessions and agreements entered into by or on behalf of the Council; except where:
- The goods, services or works are provided by a wholly owned subsidiary of the Councils where the Councils control the subsidiary in a similar way to which control is exercised over their own departments, more than 80% of the subsidiary's activities are undertaken for the Councils and there is no direct private capital participation in the subsidiary.
 - The Councils collaborate with other Public Authorities to deliver a public service with a view to achieving objectives that they have in common and the collaboration is implemented in a manner governed solely by considerations relating to the public interest.
 - The Councils' have established a Mutual Organisation delivering a service contract in relation to education, healthcare and housing, health and social work services, or library and other cultural services. A contract may be awarded for no more than 3 years.
 - Circumstances where purchases are made or services rendered as a consequence of a contract made by another Local Authority, Government Department, Government Body or Agent, the benefits of which the Councils obtain as a result of participation in a consortium.

- Goods are purchased by public auction.
- The lending or borrowing of money.
- The appointment of any Officer directly employed by the Councils.
- The sale or purchase of any land or buildings.
- The provision of services by Legal Counsel.
- Agreements setting out the conditions which the Councils will provide funding to particular voluntary sector bodies.
- The goods or services are supplied at a fixed price or the prices are wholly controlled by trade organisations or Government order and no satisfactory alternative is available.

Delegated Authority

- 2.1 All commissioning and procurement activity by the Council should be undertaken in compliance with the Council's Procurement Scheme of Delegation which is provided in Table 1.

Table 1 – Standard Procurement Scheme of Delegation

£ Value excl. VAT	Approve the Selection of Suppliers to Invite to Tender	Approve the award of business	Signing contracts of	Approval of Purchase orders and invoices	Approval of certification of completion for services and works	Approval of contract extensions	Approval of exemption to undertake a competitive sourcing
Up to £10k	Not Applicable	Approved Officer	Approved Officer	Approved Officer	Approved Officer	Approved Officer	Corporate Manager
£10k to £75k	Not Applicable	Corporate Manager	Corporate Manager	Corporate Manager	Approved Officer	Corporate Manager	Corporate Manager
£75k to £250k	Corporate Manager	Head of Service	Councils' Monitoring Officer	Head of Service	Corporate Manager	Head of Service	Head of Service
Over £250k	Corporate Manager	Director and Mid Suffolk Executive and Babergh Strategy Committees for Strategic Contracts	Councils' Monitoring Officer	Director	Corporate Manager	Director	Director
All values	For the Best Value Exemption for to undertake a competitive sourcing process approval for all values is required by: Head of Legal and Governance and the Corporate Manager Commissioning & Procurement.						

2.2 Delegation of Authority to Approved Officers

Corporate Managers have responsibility to delegate authority to Approved Officers and should ensure that they have the appropriate levels of capability and understanding to undertake the role.

2.3 Recording of Delegations

Effective records of delegations should be maintained in the Councils' Authorised Signatory List which the Councils' Section 151 Officer or his/her nominee has responsibility for the compilation of. Corporate Managers have responsibility to ensure that details of Approved Officers are maintained in the Authorised Signatory List.

2.4 Approval of the Award of Business of Strategic Contracts

For the purpose of approval strategic contracts are defined as:

- Over £250k in value **and**
- The goods, services or works have a significant impact upon the delivery of the Councils' services are not replacements for an existing operation.

Following the completion of the evaluation phase of procurement for a Strategic Contract approval of the award of business must be obtained from the Executive Committee or/and Strategy Committees. This approval can be delegated from the relevant Committee(s) to an Officer with the appropriate level of responsibility, however the delegation must be in place before the procurement process commences.

2.5 Variation from the Procurement Scheme of Delegation

Where requirements for high value contracts and purchase orders occur on a regular basis the Section 151 Officer may approve a variation from the Standard Procurement Scheme of Delegation for requirements up to £250k. Any such variations should be recorded in the Councils' Authorised Signatory List.

Personal Interests

3.1 Employees of the Council and Members of the Councils should give notice in writing to the Council of any pecuniary interest, direct or indirect, which he/she has in a contract entered into (or to be entered into) by the Council.

3.2 Such notification should be given to the Council's Monitoring Officer.

Management of Records

4.1 Proper records of all communications, reports, minutes, meetings, quotes, tenders, contract and other relevant documents should be retained securely so as to protect

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the integrity of the process and managed in accordance with the Council's policy on The Management and Retention of Records.

4.2 A record of all Contracts should be entered into the Council's Contract Register.

Principles

5.1 The Councils are required to comply with the Fundamental Treaty Principles of the EU which should be applied to all of the Councils' commissioning and procurement, the principles are:

- Non-discrimination on the basis of nationality
- Transparency
- Equality and fairness

5.2 All of the Councils' commissioning and procurement should be undertaken in an open and fair manner which provides the same information to all suppliers and an equal opportunity to all potential suppliers.

5.3 The Councils should ensure that comparable situations are not treated differently and that different situations are not treated similarly.

5.4 The process of the Councils' commissioning and procurement and the impact of the outputs and outcomes achieved should not impact adversely upon any communities or groups within a community.

5.5 The Councils' commissioning and procurement should be undertaken with regard to the principle of proportionately. This requires that requirements placed upon suppliers should be appropriate for attaining the objective pursued and should not go beyond what is required to achieve the objectives of the procurement.

5.6 The selection of offers for goods, services or the execution of works from suppliers should be based upon achieving value for money for the Council, utilising sustainable and ethical sources of supply with minimal impact upon the environment.

5.7 Subject to the test of fairness and equality for potential suppliers the requirement to support specific regional economic and social development opportunities may be included.

Sourcing Processes

6.1 The sourcing process that should be used will depend upon the type and estimated value of the requirement (excluding VAT), refer to Table 2.

6.2 Requirements should not be broken down into smaller portions (lots) for the purpose of avoiding the application of the procurement thresholds.

Table 2 – Sourcing Processes

Value of Expenditure	Where an Approved List of Suppliers is Not Used	Where an Approved List of Suppliers is Used (see Section 7)
Less than £1k – All Categories	Verbal or email confirmation from supplier, pricing obtained from suppliers' catalogue.	Councils' Standing List – as required by the procedures of the relevant Standing List. Framework Agreement – as required by the procedures of the relevant Framework Agreement.
£1k to £10k – All Categories	At least one Informal Quote.	
£10k to £30k – All Categories	At least three Informal Quotes.	
Goods and Services- £30k to £75k	At least three Formal Quotes.	
Goods and Services £75k to £172k	Tender advertised nationally.	
Goods and Services (apart from Light Touch Services¹) over £172k	Tender advertised in EU and undertaken using the formal EU Procurement Regime.	
Light Touch Services £75k to £625k	Tender advertised nationally.	
Light Touch Services over £625k	Tender advertised in EU, the formal EU Procurement Regime does not have to be applied, however the EU Treaty principles should be applied and the Contract Award should be published in OJEU.	
Works £30k to £150k	At least three Formal Quotes.	
Works £150k to £4.3m	Tender advertised nationally.	
Works over £4.3m	Tender advertised in EU and undertaken using the formal EU Procurement Regime.	

1 – Light Touch Services are health, social and related services, administrative social, educational and cultural services, compulsory social services, benefit services, community social and personal services, religious services, catering services for private households, prison services, postal services, investigation and security services.

- 6.3 A Standing list of suppliers may be compiled where the business requirements of the Council require access to a number of suitably qualified suppliers for a specific category, value or quantity of goods, services or the execution of works. Invitations to quote for these categories will be limited to those suppliers whose names are included on the list compiled and maintained for that purpose. All suppliers included on a standing list should be given equal opportunities to respond to invitations to quote.

Exemptions to Undertaking a Competitive Sourcing Process

Exemptions to the requirement to undertake a competitive sourcing process should be approved in accordance with the Councils' Procurement Scheme of Delegation and can only be undertaken in the circumstances listed in Table 3.

Table 3- Exemptions to Undertaking a Competitive Sourcing Process

Type of Exemption	Criteria	£ Value for which this Exemption can be Applied
Sole Provider	<i>Where for technical or artistic reasons connected with the protection of exclusive rights only a single supplier can meet the requirements.</i>	<i>Unlimited</i>
Urgency A	Emergency action is required which acting diligently the Council(s) could not have foreseen and if not taken would provide an unacceptable impact upon on the delivery of the Councils' services. This exemption cannot be applied where insufficient time has been allowed to undertake the relevant procurement process.	<i>Goods and Services up to £172k</i> <i>Works up to £4.3m</i>
Urgency B	<i>In cases of extreme urgency, where the health and safety of the public is at stake and the likelihood of harm during the period of delay is considerable, for reasons unforeseeable by and not attributable to the Councils.</i>	<i>Unlimited</i>
Additional Works or Services	Where the Councils require a contractor to provide additional goods or carry out additional works or services beyond 50% of the original contract value (including any extension included in the original terms of the contract); which the Councils acting diligently could not have foreseen and undertaking a further competitive sourcing process is unlikely to deliver value for money and will impede upon the delivery of the Councils' services, an exemption may be used. The extension cannot include a variation in the scope of the contract.	The contract can be extended to its original value once again and the total expenditure (including the value of the original contract) cannot be above: <ul style="list-style-type: none"> • £172k for goods and services. • £625k for Light Touch Services • Works up to £4.3m

Type of Exemption	Criteria	£ Value for which this Exemption can be Applied
Best Value	Where there is sufficient evidence that only one supplier is able to undertake the work within the required timescale and undertaking a competitive sourcing process would be unlikely to deliver value for money and will impede upon the delivery of the Councils' services, an exemption may be used. This exemption cannot be applied where insufficient time has been allowed to undertake the relevant procurement process.	£75k for Goods and all types of Services £150k for Works

Extension of Contracts

The term of existing contracts may only be extended if satisfactory performance has been provided from the contracted supplier and there is adequate budgetary provision.

Contracts may be extended for any period that was provided for in the original terms of the contract.

Where the Councils require a contractor to provide additional goods or carry out additional works or services due to circumstances which acting diligently the Councils could not have foreseen an extension of up to 50% of the original value of the contract (which includes any extension periods provided for in the terms of the original contract) can be undertaken.

Contracts may not be varied with regard to the scope and the type of goods, services or works that they deliver unless, the variation has already been provided for in the original contract terms or the changes are not substantial and do not alter the nature of the Contract.

Purchase and Works Orders

With the exception of the requirements included on the Council's Purchase Order Exemption List an official Purchase or Works Order should be used to undertake all financial commitments on behalf of the Council.

STAFF EMPLOYMENT PROCEDURE RULES

Recruitment and appointment

- (a) Declarations
 - (i) The Council will draw up a statement requiring any candidate for appointment as an Officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing Councillor or Officer of the Council; or of the partner of such persons.
 - (ii) No candidate so related to a Councillor or an Officer will be appointed without the authority of the relevant Chief Officer or an Officer nominated by him/her.
- (b) Seeking support for appointment.
 - (i) Subject to paragraph (iii), the Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
 - (ii) Subject to paragraph (iii), no Councillor will seek support for any person for any appointment with the Council.
 - (iii) Nothing in paragraphs (i) and (ii) above will preclude a member from giving a written reference for a candidate for submission with an application for appointment.

Recruitment of Chief [officers], Monitoring Officer and Section 151 officer

Where the Council proposes to appoint any of the above posts and it is not proposed that the appointment be made exclusively from among their existing Officers, the Council will:

- (a) draw up a statement specifying:
 - (i) the duties of the Officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

- (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

Appointment of Head of Paid Service

This process will be subject to proposed mandatory standing orders regulations (see paragraph 8 later).

The full Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by a Committee or Sub-Committee of Council.

Appointment of Directors (including the Monitoring Officer and the Chief Financial Officer)

The Executive Committee or a Sub-Committee of the Executive Committee or a panel of Officers established by the Executive Committee will appoint Directors.

Other appointments

Officers below Director level. Appointment of Officers below Director level (other than assistants to political groups) is the responsibility of the Head of Paid Service or his/her nominee, and may not be made by Councillors.

Assistants to political groups. Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.

Disciplinary action

- (a) **Suspension.** The Head of Paid Service, Monitoring Officer and Chief Financial Officer may be suspended whilst an investigation takes place into any alleged misconduct by a resolution of the Council at an extraordinary or ordinary meeting. The suspension will be on full pay and last no longer than two months. The Monitoring Officer and Chief Financial Officer will not be suspended during the period during which they are undertaking a formal investigation under their statutory powers.
- (b) **Independent person.** No other disciplinary action may be taken in respect of any of those Officers except in accordance with a recommendation in a report made by a designated independent person.
- (c) **Councillors** will not be involved in the disciplinary action against any Officer below Director level except where such involvement is necessary for any investigation or inquiry into alleged misconduct though the Council's disciplinary capability and related procedures as adopted from time to time may allow a right of appeal to Members in respect of disciplinary action.

Dismissal

Councillors will not be involved in the dismissal of any Officer below Service Manager level except where such involvement is necessary for any investigation or inquiry into alleged misconduct though the Council's disciplinary, capability and related procedures as adopted from time to time may allow a right of appeal to Members in respect of dismissals.

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PART 4: Codes and Protocols

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4.1 MEMBERS' CODE OF CONDUCT

Suffolk Local Code of Conduct for Members

In accordance with section 26 to 37 of the Localism Act 2011, on 19 and 21 June 2012 respectively Babergh and Mid Suffolk District Councils (individually “the Council”) resolved to adopt the Suffolk Local Code of Conduct to take effect from 1 July 2012 for the purposes of discharging its duty to promote and maintain high standards of conduct within its area.

Until otherwise amended or replaced by a decision of the Council, the Suffolk Local Code of Conduct set out below shall hereafter apply to all elected members and any co-opted members entitled to vote on any decisions of the Council or its Committees, Sub-Committees or Joint Committees when acting in their capacity as a Member of the Council.

Preamble

The Suffolk Local Code of Conduct shall be interpreted in accordance with the following 7 principles of public life identified by the Committee on Standards in Public Life chaired by Lord Nolan:

Selflessness – Holders of public office should act solely in terms of the public interests. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity – In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness – Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in any way that protects the public interest.

Leadership – Holders of public office should promote and support these principles by leadership and example.

SUFFOLK LOCAL CODE OF CONDUCT APPLICABLE TO ELECTED MEMBERS AND CO-OPTES APPOINTED TO THE COUNTY, BOROUGH, DISTRICT AND PARISH COUNCILS IN SUFFOLK

1. You must treat others with respect.
2. You must not:-
 - (1) do anything which may cause your authority to breach any of the Council's duties under the Equality Act 2010;
 - (2) bully any person;
 - (3) intimidate or attempt to intimidate any person who is or is likely to be:-
 - (a) a complainant,
 - (b) a witness, or
 - (c) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
 - (4) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
3. You must not:-
 - (1) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:-
 - (a) you have the consent of a person authorised to give it;
 - (b) you are required by law to do so;
 - (c) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (d) the disclosure is reasonable, in the public interest, made in good faith and in compliance with the reasonable requirements of the authority; or
 - (2) prevent another person from gaining access to information to which that person is entitled by law.
4. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

5. You:-
- (1) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (2) must, when using or authorising the use by others of the resources of your authority:-
 - (a) act in accordance with your authority's reasonable requirements;
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (3) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
6. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by:-
- (a) your authority's Chief Finance Officer; or
 - (b) your authority's Monitoring Officer,
- where that officer is acting pursuant to his or her statutory duties.
- (2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.
7. **Registration of Interests**
- (1) You must register within 28 days of becoming a member of the Council (and to notify the Council's Monitoring Officer of any changes within 28 days) any Disclosable Pecuniary interests you may have for publication in the Register of Members' Interests.
 - (2) You may not at any time discharge any function or participate in any Council business or discussions, or vote on any issues that relate to or concern any of your Disclosable Pecuniary Interests where you are aware that you have a relevant Disclosable Pecuniary Interest. You may not remain in the chamber or meeting room or in the public gallery when any matter that relates to any of your Disclosable Pecuniary Interests is under discussion or debate unless you have requested and obtained a written dispensation from your Council's Monitoring Officer or other arrangement in advance of the relevant meeting.
 - (3) You must register within 28 days of becoming a member of the Council and to notify your Council's Monitoring Officer of any changes within 28 days any non-statutory Local Non Pecuniary Interests set out in Appendix A to this code, but you may participate in any discussions or

debates relating or concerning any of your Local Non Pecuniary Interests after the date of registration.

- (4) You must declare any Disclosable Pecuniary Interest or Local Non Pecuniary Interest to a meeting where business is relevant to those interests, including those interests that are already registered with the Monitoring Officer or where registration is pending.
- (5) You must register, within 28 days, any gifts and hospitality received by you in accordance with the instructions issued within your Council by the Monitoring Officer.
- (6) The Council's Register of Interests will be available for inspection at the Council offices during normal office hours, and will be published on the Council's website.

8. Sensitive Interests

You may also apply to your Council's Monitoring Officer for non-publication of the full details of any of your Disclosable Pecuniary Interests or Local Non Pecuniary Interests where you reasonably believe that publication of the details of a particular Disclosable Pecuniary Interests or Local Non Pecuniary Interests could result in your being subjected to violence or intimidation. In considering such applications the Monitoring Officer shall have regard to any representations made by you in determining whether he or she considers the relevant Disclosable Pecuniary Interest or Local Non Pecuniary Interest should be treated as a Sensitive Interest and excluded from the published version of the Register of Members' Interests.

Part 1
Description of categories of Disclosable Pecuniary Interests

1. Any employment, office, trade, profession or vocation carried on by you or a relevant person for profit or gain.
2. Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 other than from a registered political party.
3. Any beneficial interest in securities of a body where –
 - (1) that body (to your knowledge) has a place of business or land in the area of the Council and,
 - (2) either:
 - (a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - (b) the beneficial interest exceeds one hundredth of the total issued share capital of the share capital of that body, if of more than one class, the total nominal value of the shares of any one class.
4. Any contract which is made between the Council and (1) you, (2) your spouse or civil partner, (3) a person with whom you live as husband and wife, (4) a person with whom you live as if you are civil partners (or a body in which you or they have a beneficial interest) –
 - (1) under which goods or services are to be provided or works are to be executed; and
 - (2) which has not been fully discharged.
5. A beneficial interest in any land in the Council's area.
6. Any tenancy where to your knowledge (a) the landlord is the Council and (b) the tenant is a body in which you or a relevant person has a beneficial interest.
7. A licence of any land in the Council's area (alone or jointly with others) that you or a relevant person occupy for a month or longer.

Part 2

Description of categories of Local Non Pecuniary Interests

1. Anybody of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Council;
2. Anybody –
 - (1) exercising functions of a public nature;
 - (2) directed to charitable purposes; or
 - (3) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);of which you are a member or in a position of general control or management;
3. The interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25.

Confidential Information Protocol

1. A Protocol to support Paragraph 4(a)(iv) of the Members' Code of Conduct which allows for the disclosure of confidential information by a Member where the disclosure is reasonable, in the public interest, made in good faith and complies with the reasonable requirements of the Council.
2. **This Protocol sets out the reasonable requirements of the Council:**
 - (1) That careful consideration is given to the question of whether to make the disclosure and if the disclosure is made, the Member retains a note of the main considerations in reaching that decision.
 - (2) That the content of Committee reports, minutes or appendices that are marked as confidential items will not be disclosed without the prior written agreement of the relevant Head of Service or author of the report who will re-consider the need to retain confidentiality under the provisions relating to exempt information under Schedule 12A of the LGA 1972 and the Freedom of Information Act 2000.
 - (3) That the detail of legal or other professional advice is not disclosed without the prior written agreement of the relevant Head of Service.
 - (4) That the Council's [Whistleblowing Procedure](#) (Appendix 5) (found within the Anti-Fraud and Corruption Policy, and available on the Council's website) together with the guidelines for reporting concerns (also on the website) are considered.

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- (5) That the current Member/Officer Protocol (found in Part 5 of the Constitution) is considered.
 - (6) That the Members' Code of Conduct and associated guidance is considered.
 - (7) That the advice of the Monitoring Officer or Deputy Monitoring Officer is sought prior to disclosure of the information unless agreement has already been secured under (2) or (3) above.
3. Agreement to the disclosure of confidential information may be with or without conditions.
 4. In instances involving particularly sensitive or highly confidential information, a Member may be asked to sign a confidentiality notice before information is released to them. In such cases, it would be the Council's expectation that the information is not disclosed.

4.2 CODE OF CONDUCT FOR EMPLOYEES

1. Introduction

- 1.1 The public is entitled to expect the highest standards of conduct from all employees who work in local government.
- 1.2 This Code is based on a model produced by the Local Government Management Board and the Local Authority Associations. The Babergh and Mid Suffolk branch of UNISON and the Mid Suffolk branch of Unite have been consulted on this Code and has given its full support.
- 1.3 Throughout the Council many of the professional groups, and others, will have their own codes of practice which will be complementary to this Code. In addition it may be necessary to introduce special procedures, rules etc for specific matters which will be issued to appropriate employees, as and when necessary.

2. Status of the Code

- 2.1 This Code has been adopted by Babergh District Council and Mid Suffolk District Council. It sets out the minimum standards that must apply. The aim of the Code is to lay down guidelines for employees which will help maintain and improve standards and protect them from misunderstanding or criticism.

3. Interpretation

- 3.1 In this Code unless the context otherwise requires the following expressions have the following meanings:

"Employees" means all persons employed under a contract of employment by Babergh District Council and Mid Suffolk District Council.

"Council" includes both Babergh and Mid Suffolk District Councils

"Councillor" includes both Babergh and Mid Suffolk District councillors.

"Contractor" includes contractors engaged by Babergh or Mid Suffolk District Council or the two councils jointly."

4. Scope of the Code

- 4.1 The Code applies to all employees.
- 4.2 Inevitably some of the issues covered by the Code will affect senior, managerial and professional employees more than it will others. Activities carried out by

employees acting on behalf of the Council as members of companies or voluntary organisations will be subject to the minimum standards within this Code.

5. Standards

- 5.1 Local government employees are expected to give the highest possible standard of service to the public, and, where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality.
- 5.2 Employees will be expected to report directly to the Chief Executive, their Director or Head of Services, or in exceptional circumstances through their trade union, and without fear of any recrimination:-
- (a) any deficiency in the standard or provision of any service;
 - (b) any breach of the policies, procedures, standing orders or financial regulations of the Council;
 - (c) any favouritism or discrimination shown to any person;
 - (d) any impropriety or misconduct.
- 5.3 Employees shall immediately bring to the attention of the Director (or in the case of a Director the Chief Executive) if they believe that there is an actual or potential conflict of interest between Babergh District Council and Mid Suffolk District Council or between roles and responsibilities which the Employee undertakes for each Council.

6. Disclosure of information

- 6.1 It is generally accepted that open government is best. The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. The Council may decide to be open about other types of information.

Employees must be aware of which information the Council is and is not open about, and act accordingly.

- 6.2 Employees must not use any information obtained in the course of their employment and which is not available to the general public, for personal gain or benefit, nor should they pass it on to others who might use it in such a way unless there is a legal requirement to do so. Any particular information received by an employee from a councillor which is personal to that councillor and does not belong to the authority must not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by the law.

7. Political neutrality

- 7.1 Employees serve the Council as a whole. It follows that they must serve all councillors and not just those of the controlling group (if there is one), and must ensure that the individual rights of all councillors are respected.
- 7.2 Subject to any rules approved by the Council, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality. An Employee shall, therefore, be entitled to be accompanied by a colleague when advising any political group.
- 7.3 Employees, whether or not politically restricted, must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.
- 7.4 Any Political Assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from the standards set out in paragraphs 7.1 to 7.3.

8. Relationships

8.1 Councillors

Employees are responsible to the Council through its senior managers. For some, their role is to give advice to councillors and senior managers and all are there to carry out the authority's work. Mutual respect between employees and councillors is essential to good local government. However close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors and, wherever reasonable and possible, should be avoided.

8.2 The Local Community and Service Users

Employees must always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial delivery of services to all groups and individuals within that community as defined by the policies of the Council.

8.3 Contractors

If there is likely to be a conflict of interest, employees must make known in writing to their Director all relationships of a business or private nature with existing or potential Council contractors known to the employee. Orders and contracts must be awarded on merit, by fair competition against other tenders, where appropriate, and no special favour must be shown to potential contractors (particularly those run by, for example, friends, partners or relatives) in the tendering process. No part of the community should be improperly or illegally discriminated for or against.

- 8.4 Employees who, in the course of their job, engage or supervise contractors or have any other official relationship with contractors and have previously had, or currently have, a relationship in a private or domestic capacity with contractors (or their senior staff), must declare that relationship in writing to their Director.

9. Appointments and other employment matters

- 9.1 Employees involved in appointments must ensure that these are made on the basis of merit. There is a strong risk of illegality if an employee makes an appointment based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees must not be involved in appointments where they are related to an applicant, or have a close personal relationship outside work with him/her.
- 9.2 Similarly, employees must not be involved in decisions relating to discipline, promotion or pay adjustments of any employee who is a relative, partner, etc.

10. Outside Commitments

- 10.1 The NJC Scheme of Conditions of Service for APT&C staff states at Section 7, paragraph 70(b) on Official Conduct:

"An officer's off-duty hours are his personal concern but he should not subordinate his duty to his private interests to put himself in a position where his duty and his private interests conflict. The employing authority should not attempt to preclude officers from undertaking additional employment, but any such employment must not, in the view of the authority, conflict with or react detrimentally to the authority's interests or in any way weaken public confidence in the conduct of the authority's business."

(This quotation applies equally to women).

The national conditions of service for chief officers and those for chief executives also mirror the above points.

- 10.2 All employees have conditions of service which require them to obtain written consent from their manager to take any outside employment. All employees must be clear about their contractual obligations and should not take outside employment which conflicts with either Council's interests. Employees can appeal their manager's decision in writing to their Head of Service.
- 10.3 The Council will not consent to employees engaging in any other business which would result in plans or drawings prepared by them outside their official duties with the Council, being presented with applications for determination by the Council or its Directors.
- 10.4 Employees must adhere to any Council rules on the ownership of intellectual property created during their employment - this could include patents, copyrights, trademarks and other intellectual property.

11. Personal interests

- 11.1 Employees must declare in writing to their Director any financial or non-financial interests which could reasonably be considered to conflict with the Council's interests.
- 11.2 Employees must declare in writing to their Director membership of any organisation not open to the public without formal membership, and with commitment of allegiance, and which has secrecy about rules or membership or conduct (eg. the freemasons, some friendly societies etc.).
- 11.3 The Director will treat any such declarations in confidence and will only disclose them in appropriate situations.
- 11.4 For the avoidance of doubt declarations must be made under clause 11.1-11.3 above if the interest conflicts with either or both Babergh or Mid Suffolk District Council's interests.

Note: The Local Government Act 1972 provides that if employees know that a contract in which they have a financial interest is before the Local Authority, they must give notice of that interest to the Local Authority.

12. Equality issues

- 12.1 Employees must ensure that any Council policies relating to equality issues are complied with in addition to the requirements of the law. All members of the community, customers and other employees have a right to be treated with fairness and equity.

13. Separation of Roles During Tendering

- 13.1 Employees involved in the tendering process and dealing with contractors must be clear on the separation of client and contractor roles in the Council. Senior employees who have both a client and contractor responsibility must be aware of the need for accountability, separation of activity as appropriate, and openness.
- 13.2 Employees in contractor or client units must exercise and display fairness and impartiality when dealing with all customers, suppliers, contractors and sub-contractors.
- 13.3 Employees who are privy to confidential information on tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- 13.4 Employees contemplating a management buyout, or otherwise considering tendering for Council work, should, as soon as they have formed a definite intent, inform their Director in writing and withdraw from the contract awarding processes.

- 13.5 Employees must ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to a business run by them or a business employing them in a senior or relevant managerial capacity.

Note: Attention is also drawn to the Council's Standing Orders on Contracts and the Financial Regulations.

14. Corruption

- 14.1 It is a serious criminal offence for employees corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person. If a substantiated allegation is made it is for the employees to demonstrate that any such rewards, given or received, have not been corruptly obtained.

15. Use of Financial Resources

- 15.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid any action, which by its nature, could lead to a legal challenge against the Council.

16. Hospitality and Gifts

- 16.1 The NJC Scheme of Conditions of Service for APT&C staff states at paragraph 70(a) on Official Conduct:

"The public is entitled to demand of a local government officer conduct of the highest standard and public confidence in his integrity would be shaken were the least suspicion to arise that he could in any way be influenced by improper motives."

(This quotation applies equally to women).

- 16.2 Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the community (including the business community). Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. They should be properly authorised and recorded in the Council's Gifts and Hospitality Register.
- 16.3 When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council.
- 16.4 When receiving authorised hospitality employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

16.5 Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal; such hospitality does not need to be recorded. In receiving such corporate hospitality employees must ensure that any purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

16.6 Employees should only accept gifts in accordance with the following guidance:

- i. There can be little doubt that the acceptance of gifts by Council employees from persons who have, or may seem to have, dealings with the Council would be viewed with suspicion by the general public and would make the employee concerned and the Council extremely vulnerable to criticism. Therefore an employee should tactfully refuse any personal gift which is offered to him/her or to a member of his/her family by, or indirectly attributable to, any person who has, or may have, dealings of any kind whatsoever with the Council.
- ii. The only exception to this rule is small gifts; i.e. items of a value up to £10.00. In such cases, however, whilst the gift may be accepted, it must be entered into the Gifts and Hospitality Register.
- iii. If there is any doubt about whether a gift may be accepted, the gift should be politely and tactfully refused.
- iv. Employees are reminded that, under the provisions of Sections 1 17 of the Local Government Act 1972, Officers employed by a Local Authority are forbidden under the colour of their office and employment to accept any fee or reward other than their proper remuneration and any person who contravenes this provision would be liable on summary conviction to a fine not exceeding £2,500 (currently). It is also an offence under the Bribery Act 2010 to offer, promise or give a financial or other advantage in respect of the award or performance of a contract.
- v. In the event of an employee receiving a gift without warning (this would include bequests under a will for example) which does not fall within the exception mentioned in (ii) above, this should be reported immediately to the Chief Executive who, in consultation with the Chairman of the appropriate Committee, will decide whether the gift should be retained by the employee, returned or forwarded to some charitable or other deserving cause.

17. Sponsorship - Giving and Receiving

17.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the

basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

- 17.2 Where the Council wishes to sponsor an event or service, special care must be taken to ensure that if any benefit accrues to employees, partners, spouses or relatives, full disclosure is made under the hospitality procedure above before the venture is pursued. Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees must ensure that impartial advice is given and conflicts of interest avoided.

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4.3 PROTOCOL ON MEMBER/STAFF RELATIONS

1. Introduction

- 1.1 The relationship between Members and Staff is essential to the successful working of the organisation. This relationship within the authority is characterised by mutual respect, informality and trust. Members and Staff must feel free to speak to one another openly and honestly.

The purpose of this Protocol is to help Members and Staff to perform effectively by giving guidance on their respective roles and expectations and on their relationship with each other. The Protocol also gives guidance on what to do on the rare occasions when things go wrong. Responsibility for the operation of this protocol lies with the Head of the Paid Service.

- 1.2 The Protocol must be read and operated in the context of any relevant legislation and national and local Codes of Conduct and any procedure for confidential reporting.

2. Roles of Members and Staff

- 2.1 The respective roles of Members and Staff can be summarised as follows: Members and Staff are servants of the public and they are indispensable to one another however. Their responsibilities are distinct. Members are responsible to the electorate and serve only so long as their term of office lasts. Staff are responsible to the Council. Their job is to give advice to Members and to the authority, and to carry out the authority's work under the direction and control of the Council, the relevant committees and Panels. Mutual respect between Members and Staff is essential to good local government.

2.2 Members

Members have four main areas of responsibility:-

- (a) determining the policy of the authority and giving it political leadership;
- (b) monitoring and reviewing the performance of the authority in implementing that policy and delivering services;
- (c) representing the authority externally; and
- (d) acting as advocates on behalf of their constituents.

It is not the role of Members to involve themselves in the day to day management of the authority's services.

2.3 Staff

The role of Staff is to give advice and information to Members and to implement the policies determined by the authority.

In giving such advice to Members, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations. Whilst an Officer may report the views of individual Members on an issue, if the Member wishes to express a contrary view he/she should not seek to pressure the Officer to make a recommendation contrary to the Officer's professional view.

Certain Staff e.g. Chief Executive, Monitoring Officer, Section 151 Officer have responsibilities in law over and above their obligations to the authority and to individual Members, and Members must respect these obligations, must not obstruct Staff in the discharge of these responsibilities, and must not victimise Staff for discharging these responsibilities.

3. Expectations

3.1 Members can expect from Staff:-

- (a) A commitment to the authority as a whole, and not to any political group.
- (b) A working partnership.
- (c) An understanding of and support for respective roles, workloads and pressures.
- (d) Timely response to enquiries and complaints.
- (e) Professional advice, not influenced by political views or preference, which does not compromise the political neutrality of Staff.
- (f) Regular, up to date information on matters that can reasonably be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold.
- (g) Awareness of and sensitivity to the political environment.
- (h) Respect, dignity and courtesy.
- (i) Training and development in order to carry out their role effectively.
- (j) Integrity, mutual support and appropriate confidentiality.
- (k) That employees will not use their relationship with Members to advance their personal interests or to influence decisions improperly.
- (l) That Staff will at all times comply with the relevant Code of Conduct.
- (m) Support for the role of Members as the local representatives of the authority.

3.2 Staff can expect from Members:-

- (a) A working partnership.
- (b) An understanding of and support for respective roles, workloads and pressures.
- (c) Political leadership and direction.
- (d) Respect dignity and courtesy.
- (e) Integrity, mutual support and appropriate confidentiality.

- (f) Not to be subject to bullying or to be put under undue pressure. Members should have regard to the seniority of Staff in determining what are reasonable requests, having regard to the power relationship between Members and Staff, and the potential vulnerability of Staff, particularly at junior level.
- (g) That Members will not use their position or relationship with Staff to advance their personal interests or those of others or to influence decisions improperly.
- (h) That Members will at all times comply with the relevant Code of Conduct.

4. Relations between Members and Staff

- 4.1 Mutual respect between Members and Staff is essential to good local government. Personal relationships or close personal familiarity between individual Members and Staff can damage this relationship and prove embarrassing to other Members and Staff.
- 4.2 It is not enough to avoid actual impropriety. Members and staff should at all times avoid any occasion for suspicion and any appearance of improper conduct.
- 4.3 Where there is a close relationship, it should be declared by both the Member and Officer to the Chief Executive who will treat them as confidential. The Member should also advise their Group Leader.
- 4.4 A close relationship includes any family business or close personal relationships. It is not possible to define exactly the range of relationships that would be considered close or personal. Examples however would include a family or sexual relationship and regular social mixing such as holidays or evening meals together.
- 4.5 In their dealings with Staff (especially junior Staff) Members need to be aware that it is easy for Staff to be overawed and feel at a disadvantage. Such feelings can be intensified where Members hold official and/or political office.
- 4.6 A Member should not pressure an Officer to do something he/she is not authorised to do and which is against his professional judgement. A Member should also not require an Officer to do something which is outside his normal duties or working hours.
- 4.7 An Officer must not seek to influence a Member to do something that may be advantageous to the member of staff personally or professionally or injurious to another Officer. Any approaches of this nature should be reported to the Managing Director.
- 4.8 No Member or Officer shall criticise or otherwise undermine the other at Council or other public meetings.

4.9 Members will take no part in the appointment or dismissal of staff below Chief Officer, nor should they seek to influence in any way the appointment or dismissal of a particular person.

5. **Staff relationships with Chairman, Vice-Chairman and Group Leaders**

5.1 It is important that there are close working relationships between senior staff and senior members. However, such relationships should never be allowed to become so close or appear to be close, so that the ability of a staff member to deal impartially with other Members or groups is questioned.

5.2 The Chief Executive and s151 officer are expected to work closely with the Leaders and Chairmen of the Committees and to meet regularly with them.

5.3 A Chairman should not seek to influence a member of staff to reduce the options or withhold information which should properly be reported to the appropriate Committee.

5.4 Any issues arising relating to such reports that cannot be resolved will be referred to the Chief Executive for resolution. The Chief Executive has the ultimate responsibility for the content of the agenda.

5.5 Staff are accountable to the Head of Service and whilst Staff should always seek to assist any Member, they should not go beyond the limits of whatever authority they have been given by their manager.

5.6 Prior to the Council and Committee meetings, it is normal for the appropriate Staff to meet informally with the Chairman and Vice-Chairman in the case of the Council and other group spokesmen to discuss matters on the agenda, answer any questions that Members have which might improve the running of the meeting and also to enable specific issues to be highlighted for which Staff and members may need to prepare. These meetings should be regarded as confidential meetings.

6. **Political Groups**

6.1 The operation of political groups is an integral feature of local government, and such political groups have an important part to play in the development of policy and the political management of the authority.

6.2 Staff serve the Council as a whole and not exclusively any political group, combination of groups or any individual Member of the Councils.

6.3 Officer Attendance

(a) Any political group may request the Chief Executive to attend a meeting of the group, consisting of Members of the Councils only, to advise on any particular matter relating to the authority.

- (b) The Chief Executive may arrange for the attendance of a representative in their stead, or may decline to attend or to provide a representative where they are of the opinion that the particular issue is of such a political nature that it would be inappropriate to attend.
- (c) Staff' advice to political groups will be limited to a statement of material facts and identification of options and the merits and demerits of such options for the authority. Advice will not deal with any political implications of the matter or any option, and Staff will not make any recommendation to a political group.
- (d) Staff will respect the confidentiality of any matter which they hear in the course of attending a political group meeting.

7. When things go wrong

7.1 Procedure for Staff

From time to time the relationship between Members and Staff may break down or become strained. Whilst it will always be preferable to resolve matters informally, through conciliation by an appropriate senior Manager or Members, Staff will have recourse to their Head of Service or to the Council's Monitoring Officer, as appropriate to the circumstances. In the event of a grievance or complaint being upheld, the matter will be referred to the Chief Executive, who, having advised the Leader of the Council and the appropriate group leader will decide on the course of action to be taken.

7.2 Procedure for Members

In the event that a Member is dissatisfied with the conduct, behaviour or performance of a member of staff, the matter should be raised with the appropriate Head of Service. Where the member of staff concerned is a Head of Service, the matter should be raised with the Chief Executive. If the matter cannot be resolved informally, it may be necessary to invoke the Council's Disciplinary Procedure.

8. Members in their ward role

- 8.1 Staff should inform Members about major issues concerning the Council and more specifically about issues affecting the wards that Members represent.
- 8.2 Whenever the Council undertakes any form of consultative exercise on a local issue, the Ward Members should be informed and involved, as appropriate. Similarly whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the Ward or Wards affected should as a matter of course, be invited to attend the meeting.

9. **Support services**

- 9.1 The only basis on which the Council can lawfully provide support services (e.g. stationery, typing, printing, photocopying room bookings etc) to Members is to assist them in discharging their role as a Member of the Council. Such support services should only be used for Council business. They should never be used in connection with party political or campaigning activity or for private purposes.
- 9.2 All Members are required to agree to adopt and abide by the Council's Corporate Internet and E-mail Policy.

10. **Members' access to information and Council documents**

- 10.1 If a Member requires information or advice from a member of staff they should approach a senior member of staff. It is not usually appropriate for Members to deal directly with a junior member of staff.
- 10.2 Members have a statutory right to inspect any Council document which contains material relating to business which is to be transacted at a Council or Committee meeting. This right applies irrespective of whether the Member is a member of the Committee and extends not only to reports which are to be submitted to that meeting, but to any relevant background papers. This right does not apply to certain documents which disclose exempt information.
- 10.3 A Member does not have a right to request information out of curiosity. They must demonstrate a need to know the contents of a document to enable them to carry out their duties as a member. It is for the Chief Executive or Head of Service to determine whether a Members' request for information is justified and can be met from within existing resources.
- 10.4 Any information provided to a Member must only be used for the purpose for which it is provided and a Member must never disclose or use any confidential information.

11. **Correspondence**

- 11.1 Members must not normally communicate in the name of the Council with any outside body or person. All such communications should be carried out by the appropriate member of staff.
- 11.2 It may be appropriate in some circumstances for a letter to be sent in the name of a Member, for example in response to a letter of complaint sent direct so that Member, but this should be the exception rather than the norm and it should only be done following consultation with the Chief Executive or Head of Service.
- 11.3 Letters which create contractual, legal or other obligations or which give instructions on behalf of the Council must never be sent out in the name of a Member.

11.4 Staff should consider when providing information to one Member, whether others should be informed e.g. in relation to a Ward or local matter, unless there are good reasons for not making the information more widely available.

12. **Media**

12.1 In general Members provide comment and views while Staff provide factual information. If a Member is unsure about the circumstances of a particular issue he should contact the appropriate Officer concerned or ask the Press Office to do so.

13. **Redress and breach of this protocol**

13.1 If a Member considers that they have not been treated with the proper respect and courtesy or that a member of staff is otherwise in breach of this protocol, they should raise the matter with the member of staff's Head of Service or the Chief Executive.

13.2 If a member of staff has similar concerns about a Member, they should raise the matter with their Head of Service or the Chief Executive. In such circumstances the Chief Executive will take appropriate action by approaching the individual Member or group leader.

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BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Assistant Director – Corporate Resources	Report Number: C/41/16
To: Council (Babergh) Council (Mid Suffolk)	Date of meeting: 28 June 2016 29 June 2016

RECRUITMENT OF THE NEW JOINT CHIEF EXECUTIVE

1. Purpose of Report

- 1.1 To outline the process and timetable that is being used to recruit the new Joint Chief Executive and to seek approval to set up a cross-party Task and Finish group to oversee the process and make recommendation to Council to appoint the successful candidate.

2. Recommendations

- 2.1 That a Task and Finish group is established to work with officers to select and make recommendation to Council on the recruitment of a new Joint Chief Executive in accordance with the details set out in Appendix A.

3. Financial Implications

- 3.1 There will be a financial commitment in respect of the use of an Executive recruitment agency (sum to be confirmed following the procurement process), but this will be funded from savings through vacancies across the Senior Leadership Team.

4. Legal Implications

- 4.1 Section 4 of the Local Government and Housing Act 1989 states that it shall be the duty of every Local Authority to designate one of their officers as the head of its paid service and to provide that officer with such staff, accommodation and other resources as are, in his/her opinion, sufficient to allow his/her duties under this section to be performed.
- 4.2 It is common to designate the role of head of paid service to the Chief Executive. The process as outlined at Appendix A which is attached to this report is lawful; in that the final decision to designate the Chief Executive as the head of paid service is reserved to Council.

5. Risk Management

- 5.1 This report is not directly linked to the Council's Corporate / Significant Business Risks, but the key risk is set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Failure to recruit a suitable candidate	Unlikely	Bad	Use of a suitably qualified specialist

the Joint Chief Executive role.			recruitment agency in this field to advertise the benefits of the role and to search for suitable candidates.
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6. Consultations

6.1 None

7. Equality Analysis

7.1 This report does not raise any equality issues that would affect those with protected characteristics.

8. Shared Service / Partnership Implications

8.1 This report covers the process to appoint a new Joint Chief Executive across Babergh and Mid Suffolk District Councils and will involve councillors and staff across the two councils. Appointment of a suitable candidate will ensure the continuation of the successful integration between the two councils and the wider working across Suffolk and beyond.

9. Links to Joint Strategic Plan

9.1 The Joint Chief Executive role is key (along with the Senior Leadership Team) to ensuring the successful delivery of the vision and ambition within the refreshed Joint Strategic Plan.

10. Key Information

10.1 Currently, the Councils' Constitution provides that the Joint Appointments Committee (JAC) undertakes and determine all aspects of the process for the recruitment, selection of the Chief Executive, Directors and Statutory Posts but it cannot appoint a head of paid service; this decision is reserved to Council.

10.2 The Joint Member Integration Board (JMIB) on 19th May 2016 provided a steer on the recruitment process for the new Joint Chief Executive and the Joint Appointments Committee acknowledged the steer on the 23rd May.

10.3 The JAC acknowledged at its meeting on 23rd May 2016 that the current format and membership of the Committee was not sufficiently flexible to support the recruitment of the new Joint Chief Executive.

10.4 Ideally, all six main Group Leaders (three from each Council) should be involved in the recruitment process because the new Joint Chief Executive will need the confidence that he/she has the unanimous support of all the Political Groups within the Councils. The current membership of the JAC includes only three of the six main Group Leaders.

- 10.5 Following discussion with the Chairs of the JAC and acknowledging the importance of recruiting the right person for the Joint Chief Executive role, it was decided to seek Council approval to establish a Task and Finish group to oversee the process.
- 10.6 The proposed membership of the Task and Finish group and a high level summary of the process and timetable are set out in Appendix A.

11. Appendices

Title	Location
(a) Task and Finish Group Membership and Work Programme	Attached as Appendix A

Authorship:
Katherine Steel
Assistant Director – Corporate Resources

Tel: 01449 724806 / 01473 826672
Email:
Katherine.Steel@baberghmidsuffolk.gov.uk

TASK AND FINISH GROUP MEMBERSHIP AND WORK PROGRAMME

Membership

Babergh District Council

Jennie Jenkins – Leader of the Conservative Group

Clive Arthey – Leader of the Independent Group

Sue Carpendale – Leader of the Liberal Democrat Group

Mid Suffolk District Council

Nick Gowrley – Leader of the Conservative Group

Andrew Stringer – Leader of the Green Group

Penny Otton – Leader of the Liberal Democrat Group

Due to the importance of all main Political Group Leaders being involved in the process, no substitutions will be made in respect of the membership of the task and finish group.

Work Programme

June 2016

Commission and appoint a specialist recruitment agency to advertise and seek suitable candidates for the Joint Chief Executive role.

July 2016

Work with the recruitment agency to select a long list, then short list of potential candidates.

August 2016

Oversee the final elements of the selection process of the shortlisted candidates.

September 2016

Make recommendation to Council to appoint the successful candidate.

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Assistant Director - Corporate Resources	Report Number: C/42/16
To: Council (Babergh) Council (Mid Suffolk)	Date of meeting: 28 June 2016 29 June 2016

AMENDED PAY POLICY STATEMENT FOR 2016/17

1. Purpose of Report

- 1.1 The Pay Policy Statement for 2016/17 was approved by Council in February 2016. Amendments to this Policy are required in view of a change to the Chief Executive salary range, in advance of the recruitment of a new Joint Chief Executive, the introduction of a Deputy Chief Executive post and some other minor changes as outlined in paragraph 10.5.

2. Recommendations

- | |
|--|
| 2.1 That the amended Pay Policy Statement for 2016/17, as attached at Appendix A, is approved. |
|--|

3. Financial Implications

- 3.1 The resignation of the current Joint Chief Executive and the need to recruit a successor has prompted a review of the salary range contained within the Pay Policy, to ensure it is still competitive and will attract a suitable candidate.
- 3.2 The current salary range for the Joint Chief Executive role is £103,335 - £120,499. As a result of the review the salary range has been increased slightly to £110,000 - £128,000 and the Pay Policy Statement updated to reflect this change.
- 3.3 The top of the new salary range for the Joint Chief Executive is £7,500 higher than the current range. This will be built into the budgets of the two councils as and when the new post holder reaches the top of the grade. There may be an initial saving depending upon where the successful candidate is appointed within the grade.
- 3.4 The Deputy Chief Executive role is a new post in the structure, so needed to be included within the Pay Policy Statement and has been funded from the savings achieved from the recent focused management review.
- 3.5 The employment costs (salary and on-costs) of the Chief Executive and Deputy Chief Executive are shared equally between Babergh District Council and Mid Suffolk District Council.

4. Legal Implications

- 4.1 The Council is required by the Localism Act 2011 to annually approve and publish a pay policy statement that sets out:
- (a) the remuneration of its chief officers
 - (b) the remuneration of its lowest paid employees, and
 - (c) the relationship between – the remuneration of its chief officers and the remuneration of its employers who are not chief officers.

This report is seeking to amend the annual pay policy statement that was approved in February 2016.

5. Risk Management

- 5.1 This report is not directly linked to the Council's Corporate / Significant Business Risks, but the key risk is set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
That the salary ranges for the Chief Officers are set too low to attract suitable candidates or too high, thus attracting adverse publicity.	Unlikely	Noticeable	The salary ranges are based on current market data.

6. Consultations

- 6.1 There is no requirement to consult on this policy statement.

7. Equality Analysis

- 7.1 The publication of the Pay Policy Statement supports the Council in delivering its equality duty and links closely with the duty to publish workforce data.

8. Shared Service / Partnership Implications

- 8.1 This is a single pay policy reflecting the integrated workforce across both councils.

9. Links to Joint Strategic Plan

- 9.1 The pay policy supports our enabled and efficient organisation outcomes.

10. Key Information

- 10.1 The Localism Act 2011 and supporting guidance provide information and detail on the matters that must be included within this statutory pay policy. However, they also emphasise that each local authority has the autonomy to take its own decisions on pay and pay policies. The Pay Policy Statement must be formally approved by Full Council. The statement can be amended in-year, which is the purpose of this report, it must be published on the Council's website and it must be complied with when setting the terms and conditions of those in Chief Officer posts.

- 10.2 In the context of managing scarce public resources, remuneration at all levels needs to be adequate to secure and retain high quality employees, but at the same time needs to avoid being unnecessarily generous.
- 10.3 In reviewing the current Chief Executive salary range, in preparation for external recruitment of the new Joint Chief Executive, information was gathered on the salary for Chief Executive posts within the market. Regional median salaries, 40 Authorities which have a shared Chief Executive and local Councils were used for comparison to ensure a competitive salary was identified. This data has been used to amend the salary range from the current £103,335 - £120,499 to £110,000 to £128,000.
- 10.4 Limited data exists with regard to salaries for Deputy Chief Executives, but what could be sourced has been used to establish the new grade to sit between the Strategic Director and Chief Executive salary ranges and has been included in the amended Pay Policy Statement.
- 10.5 Some changes to the Policy are required as a result of this report and some other minor amendments since it was approved. The changes are;
- (a) Addition of Deputy Chief Executive to the list of chief officers (Paragraphs 3.3 and 5.1).
 - (b) Salary scale information has been amended for the Chief Executive and added for the Deputy Chief Executive (Paragraph 5.4).
 - (c) Reporting lines have been amended to reflect the Deputy Chief Executive post (Paragraphs 5.4.2 and 5.5.1).
 - (d) Heads of Service have been retitled Assistant Directors (Paragraphs 3.3, 5.1, 5.5.4).
- 10.6 The amended Pay Policy Statement for 2016/17 is attached at Appendix A for approval and will be published on the Councils' websites.

11. Appendices

Title	Location
(a) Amended Pay Policy Statement for 2016/17	Attached at Appendix A

Authorship:
Tracey Taylor-Huckfield
Interim HR Manager

Tel: 01449 724929 or 01473 826650
Email: Tracey.Taylor-Huckfield@baberghmidsuffolk.gov.uk

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BABERGH AND MID SUFFOLK DISTRICT COUNCILS' PAY POLICY STATEMENT 2016/17

1. Introduction

- 1.1 Babergh and Mid Suffolk District Councils recognise that, in the context of managing scarce public resources, remuneration at all levels needs to be adequate to secure and retain high quality employees dedicated to the service of the public, but at the same time needs to avoid being unnecessarily generous or otherwise excessive.
- 1.2 It is important that local authorities are able to determine their own pay structures in order to address local priorities and to compete in the local labour market. In particular, it is recognised that senior management roles in local government are complex and diverse, functioning in a politicised environment where often national and local pressures conflict.
- 1.3 The Councils' ability to continue to attract and retain high calibre leaders capable of delivering this complex agenda, particularly during times of financial challenge, is critical if the Councils are to retain and improve their current performance levels and to deliver for local people.
- 1.4 The Councils publish their joint Pay Policy Statement and details of their Chief Officers' remuneration on their websites: www.babergh.gov.uk and www.midsuffolk.gov.uk.

2. Context

- 2.1 Babergh and Mid Suffolk District Councils have an integrated workforce structure, supported by a single pay and grading structure and supporting policies, terms and conditions of service which were achieved through a collective agreement across both Councils.
- 2.2 The national job evaluation scheme for local government was used to create the grading structure for all posts within the operational delivery teams and the management structure.

3. Legislation

- 3.1 Section 38 (1) of the Localism Act 2011 requires local authorities to produce a Pay Policy Statement for each financial year.
- 3.2 This document comprises the Pay Policy Statement being recommended for adoption.
- 3.3 This statement must include the Councils' policy on the following:
 - (a) Level and elements of remuneration for each chief officer. This is defined by the Councils as Chief Executive (Head of Paid Service), Deputy Chief Executive, Strategic Directors (Non Statutory Chief Officers), Assistant Director - Corporate Resources (Section 151 Statutory Chief Officer), Assistant Director - Legal and Governance (Monitoring Officer) and Assistant Directors (Deputy Chief Officers).

- (b) The remuneration of the Councils' lowest paid employees.
- (c) The relationship between the remuneration of the Councils' chief officers and others.
- (d) Other specific aspects of chief officers' remuneration; remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments and transparency.

4. Remuneration of Employees who are not Chief Officers

- 4.1 For employees subject to the 'National Agreement on Pay and Conditions of Service of the National Joint Council for Local Government Services' (commonly known as the 'Green Book'), the Councils currently use a total of 11 pay grades. Posts have been allocated to a pay band through a process of job evaluation.
- 4.2 Each grade has between 1 and 7 increments. The value of the pay increments (known as the "Spinal Column Points") increases when the Councils are notified of an increased pay award by the National Joint Council for Local Government Services. In addition, the Councils review all pay levels every April, to determine who is eligible for incremental progression.
- 4.3 There is also a group of staff on the 'National Agreement on Pay and Conditions of Service for Local Authority Craft and Associated Employees (commonly known as the 'Red Book'). The Councils use a spot salary for this staff group and all are currently paid at £26,757 per annum (p.a.)
- 4.4 For the purpose of this Policy Statement, employees on the lowest increment within the Grade 1 pay band are defined as our lowest paid employees. This is because no employee of the Council is paid at an hourly salary level that is lower than this grade. At 31 March 2016, the full time equivalent (FTE) annual value of the lowest increment used within Grade 1 will be £15,207, which is the same as the national Spinal Column Point 11. This rate exceeds the National Minimum Wage and the Living Wage set by the Living Wage Foundation. This excludes apprentices who are paid the National Minimum Wage rates for apprentices.

5. Remuneration of Chief Officers

- 5.1 The Councils share the following posts, which fall within the definition of "Chief Officer" for the purposes of this Pay Policy:
 - Chief Executive (the Councils' head of paid service)
 - Deputy Chief Executive
 - Strategic Directors x 2 (reporting directly to the Deputy Chief Executive)
 - Assistant Directors x 7
- 5.2 The posts were evaluated in 2011 using the Local Government Senior Managers' job evaluation scheme. The pay grades for these posts were established following recommendations by an independent Local Government Association (LGA) consultant who drew on current data on salary levels within the sector.

5.3 The value of the incremental points or Spinal Column Points within each of the pay grades will be increased by the pay awards notified from time to time by the Joint Negotiating Committee for Local Authorities.

5.4 Chief Executive and Deputy Chief Executive

5.4.1 The Chief Executive is the Councils' head of paid service. As from 1 September 2016, the annual Full Time Equivalent (FTE) salary range for the grade of this post will be £110,000 - £128,000. There are five incremental points in the grade.

5.4.2 The Deputy Chief Executive reports to the Chief Executive and has line management responsibility for the Strategic Directors and Statutory Officers (other than Head of Paid Service). As from 1 June 2016, the annual FTE salary range for the grade of this post will be £89,658 - £103,335. There are five incremental points in the grade.

5.4.3 It is the Councils' policy that the FTE salary range for the post of Chief Executive and Deputy Chief Executive will normally be no greater than 8 x the FTE salary range of a Grade 1 'Green Book' employee. The FTE salary for Chief Executive and Deputy Chief Executive does not exceed this range.

5.4.4 The Chief Executive also receives a Returning Officer fee in respect of District and Parish Council Elections, and a Deputy Returning Officer fee for County Council elections. Each Council has agreed a scale of fees for this function dependent upon the number of contests at any given election. Fees for conducting UK Parliamentary Elections, European Parliamentary Elections and national referenda are determined by way of a Statutory Instrument.

5.5 Strategic Directors and Assistant Directors

5.5.1 The Strategic Directors and Statutory Officers (other than Head of Paid Service) report to the Deputy Chief Executive. As at 1 April 2016, the annual FTE range for the Strategic Director Grade will be £75,352 - £88,771. There are five incremental points in the grade.

5.5.2 It is the Councils' policy that the FTE salary range for the post of Strategic Director will normally be no greater than 7 x the FTE salary range of a Grade 1 'Green Book' employee. The FTE salary for Director does not exceed this range.

5.5.3 The Assistant Directors (excluding Statutory Officers), report to a Strategic Director. As at 1 April 2016, the annual FTE salary range for the Assistant Director Grade will be £54,708 - £68,127. There are five incremental points in this grade.

5.5.4 It is the Councils' policy that the FTE salary range for the Assistant Director posts will normally be no greater than 4.5 x the FTE salary range of a Grade 1 'Green Book' employee. The FTE salary for Assistant Directors does not exceed this range.

5.5.5 The Councils' Monitoring Officer and Section 151 Officer are shared between both councils at Assistant Director grade (Salary £54,708 - £68,127). In addition, there is an allowance for the Council's Monitoring Officer and Section 151 Officer for undertaking a statutory officer role across two councils within the range of £7,665 - £11,242 per annum.

6. General Principles Applying to Remuneration of Chief Officers and Employees

Recruitment

6.1 On recruitment, individuals (including Chief Officers) will be placed on an appropriate pay increment within the pay grade for the post that they are appointed to. Access to appropriate elements of the Councils' Relocation Scheme may also be granted in certain cases, when new starters need to move to the area.

Pay increases

6.2 Pay increments within the grades may increase as a result of the Joint Negotiating Committee for Local Authorities. Individuals (including Chief Officers) may also progress within their pay grade. Individuals cannot progress beyond the top increment within their pay grade. Progression arrangements within the grade will be dependent upon competency and performance.

Termination of office/employment

6.3 On ceasing to hold office or be employed by the Councils, individuals (including Chief Officers) will only receive compensation:

- (a) in circumstances that are relevant (e.g. redundancy), and
- (b) that is in accordance with our published Policy Statement on how we exercise the various employer discretions provided by the Local Government Pension Scheme (LGPS), and/or
- (c) that complies with the specific term(s) of a settlement agreement.

Additional remuneration

6.4 The Councils do not currently pay market supplements, but will keep pay under review and may develop a policy on this if required.

6.5 The Councils do not pay honoraria awards.

6.7 The Councils pay Essential and Casual Car User allowances in accordance with agreed policy. The rates for essential car user mileage are based on the rates set by the National Joint Consultative Council for Local Government Services. The Councils only apply the rates up to a 1199cc engine size; and do not pay the 1200cc to 1450cc (ie the top) band. The rates for casual car user mileage are based on the rates set by HMRC. There are also rates in force for individuals who use their bicycle or motorcycle which are also based on the rates set by HMRC.

6.8 Subsistence allowances that are paid will be determined locally.

6.9 Chief Officers are not paid a bonus or any other performance-related pay.

7. Review

7.1 The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each financial year. Our next Statement is scheduled to be for 2017/18 and will be submitted to Full Council for approval.

7.2 If it should be necessary to amend this 2016/17 Statement during the year that it applies, an appropriate resolution will be made by Full Council.

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BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Interim Assistant Director – Law and Governance and Monitoring Officer	Report Number: C/43/16
To: Babergh District Council Mid Suffolk District Council	Date of meeting: 28 June 2016 Date of meeting: 29 June 2016

CONSTITUTIONAL UPDATE – PHASE 2

1. Purpose of Report

- 1.1 To provide the Council with an update on progress being made with regard to updating the Council’s Constitution, which also forms part of the on-going Strengthening Governance review.
- 1.2 To ask that Council approve the recommendations as set out below.

2. Recommendations

- 2.1 That the Constitution be updated as set out in this report and the changes to be carried out be delegated to the Monitoring Officer.
 - 2.2 That on completion of the proposed changes the Monitoring Officer to report back to Council with a revised Constitution for further approval.

3. The Joint Strategic Plan

The core of an Enabled and Efficient organisation is Good Governance. The Constitution is a key document reflecting the strength in our Governance.

4. Background and Key Information

- 4.1 The Council, as part of its on-going Strengthening Governance review earlier this year established a Task and Finish group consisting of the following Councillors:-

BDC

Jennie Jenkins
Simon Barrett
Clive Arthey
Sue Carpendale
Margaret Maybury

MSDC

Derrick Haley
Nick Gowrley
Andrew Stringer
Penny Otton
John Levantis

- 4.2 Members of the Task and Finish group have been reviewing the contents of the Constitution over a numbers of sessions. It is recognised that the purpose of the Constitution is to set out clearly how the Council operates, how decisions are made and the procedures it follows to ensure it is well organised, transparent and accountable to local people.

- 4.3 Therefore, it is essential to have clarity around the roles and purpose of Committees. Accordingly, the terms of reference of some Committees could be refined to give further clarity as to their functions. For example, the Joint Audit and Standards Committee role overlaps with the Joint Standards Board with Suffolk County Council. There should be a clear and transparent delegation of functions from the Council to its Committees and officers.
- 4.4 It should also be made clear which Committees have been established under the Local Government Act 1972 and are therefore subject to the Access to Information Rules.
- 4.5 The relationship between Council Committees and the Procedure Rules also needs some clarity. For example, the role and functions of the Council are reflected in the Procedure Rules and unhelpfully conflict with each other. It is difficult to carry out changes to one without the other being affected.
- 4.6 In addition to above, the Procedure Rules could be simplified for example, the Rules could include an explanation of the difference between rules of debate, motions and questions. Currently, the Rules relating to Committees' processes are cumbersome and can be difficult to follow.
- 4.7 In order to make swift progress and to be able to move forward with these (Phase 2) changes the Monitoring Officer seeks a delegation to carry out the relevant changes.
- 4.8 On completion of the proposed changes the Monitoring Officer will bring back to Council a revised Constitution for further approval.

5. Financial Implications

- 5.1 None.

6. Legal Implications

- 6.1 Local Government Acts 1972 and 2000 (as amended) require all Local Authorities to have in place and maintain an updated written Constitution.
- 6.2 A Local Authority must prepare and keep up to date a document (referred to as its Constitution), which contains –
- (i) a copy of the authority's Standing Orders (to govern the general function of that authority).
 - (ii) to maintain Contract Standing Orders
 - (iii) a copy of the authority's Code of Conduct for Members (under section 28 of the Localism Act 2011),
 - (iv) such information as the Secretary of State may direct, and
 - (v) such other information (if any) as the Authority considers appropriate.

7. Risk Management

7.1

Risk Description	Likelihood	Impact	Mitigation Measures
It is a high risk not to regularly review the Constitution and ensure it reflects current practice and Legislation.	Unlikely	Bad	As a core tenet of good governance the Council will keep its Constitution under regular review and amend it, both to reflect experience and changing circumstances.

8. Equality Analysis

8.1 There are no immediate equality issues.

9. Shared Service / Partnership Implications

9.1 The new Constitution has been implemented on the basis that the Constitution should be aligned across both Councils as far as possible.

10. Background Documents

10.1 None.

Authorship:

Suki Binjal
Interim Assistant Director – Law and
Governance and Monitoring Officer

01473 825811 or 01449 724854
suki.binjal@baberghmidsuffolk.gov.uk

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Assets and Investments Portfolio Holders Report

Key Outcomes:



1. Property investment to generate income and regenerate local areas

Members have prioritised property investment to generate income and regenerate local areas in the Joint Strategic Plan Refresh 2016 – 2020, and they have approved £25m borrowing headroom in the Capital Programme 2016/17 of the Council for the purpose of supporting investment in land and property to generate new income streams and delivering the Councils Strategic Priorities. To ensure that investment meets the Council’s aims in the Medium Term Financial Strategy and delivers Strategic Priorities, we require a Capital Investment Strategy to provide the parameters, governance framework and delivery model for investment.

We met with a range of potential partners from the property and investment sector in May, who will assist us with developing the Strategy to support our investment aspirations. Details about the approach we will take; which will be cross party, will be available in July. We are not missing opportunities for investment in the meantime, our first investments in sites which will provide housing opportunities are underway.

2. Manage our corporate assets effectively

Work to review all of the Councils property assets is about to commence. An option appraisal will confirm an asset’s performance, including costs and benefits and make recommendations for future options. This work will be woven into the Investment Strategy ensuring we make best use of our existing assets.

The project to map all land and property assets on GIS Cadcorp Database is nearing completion. The completed database will be transferred to our new UNIFORM database when it goes live in November. The information held on UNIFORM will be accessible to departments across Babergh and Mid Suffolk Councils making it easier for officers to access details about our assets.

3. Manage our housing assets effectively

We are continuing to re-invest receipts from Right to Buy sales. We have invested/committed £2.2m to date. With this investment we have purchased 17 new homes for families from our Housing Register. All of the new homes are rented at affordable rent levels.

Councillor Nick Gowrley

**EXECUTIVE COMMITTEE
FORWARD PLAN 2016/17**

11 July 2016

Report Title	Purpose	Portfolio Holder / Lead Officer
2015/16 General Fund, HRA and Capital Outturn	To note how the Council's resources contributed towards the strategic priorities and approve any carry forwards into 2016/17	Finance / Corporate Manager (Financial Resources)
Appointment of Capital Investment Strategy Advisers	To appoint Capital Investment Strategy advisers	Assets and Investments / Assistant Director (Investment and Commercial Delivery)
New Anglia 'Space to Innovate' Enterprise Zone – Stowmarket Enterprise Park Site	To engage and support our businesses to thrive	Business Growth and Increased Productivity / Corporate Manager (Open for Business)
Responsive Repairs Review – Business Plan	Establishment of a new In-House delivery team for responsive repairs across Babergh & Mid Suffolk DC	Housing / Interim Corporate Manager (Responsive Repairs)
Property Acquisition – CONFIDENTIAL	To gain Members approval for the purchase of a property	Assets and Investments / Assistant Director (Investment and Commercial Delivery)
Regal Theatre, Stowmarket – Regeneration Project – CONFIDENTIAL		Assets and Investments / Assistant Director (Investment and Commercial Delivery)

5 September 2016

Report Title	Purpose	Portfolio Holder / Lead Officer
General Fund, HRA and Capital Budget Monitoring – Quarter 1 2016/17	To understand whether the resources of the Council are aimed at and delivering the strategic priorities	Finance / Corporate Manager (Financial Resources)
Delegation of Authority to Dispose of Housing Revenue Account Assets	To request that authority to dispose of HRA assets be delegated to Assistant Directors	Finance / Assets and Investments / Assistant Director (Investment and Commercial Delivery)

Strategic Performance Outcome Reporting – Full Year Report	To review and monitor the achievement of the strategic priorities through key performance measures	Finance / Corporate Manager (Business Improvement)
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10 October 2016

Report Title	Purpose	Portfolio Holder / Lead Officer

7 November 2016

Report Title	Purpose	Portfolio Holder / Lead Officer
General Fund, HRA and Capital Budget Monitoring – Quarter 2 2016/17	To understand whether the resources of the Council are aimed at and delivering the strategic priorities	Finance / Corporate Manager (Financial Resources)
Sheltered Housing Review	To agree the proposals on the future of the Sheltered Housing Service	Landlord Function / Corporate Manager (Supported Housing)
Q2 Significant Risk Register	To approve the updated risk register	Finance / Corporate Manager (Internal Audit)

5 December 2016

Report Title	Purpose	Portfolio Holder / Lead Officer
Wingfield Barns CIC	Update report	Finance / Community Activities / Assistant Director (Communities and Public Access)

9 January 2017

Report Title	Purpose	Portfolio Holder / Lead Officer
Draft Budget 2017/18	To agree the setting and allocation of resources for 2017/18 in order to achieve the Council's strategic priorities	Finance / Corporate Manager (Financial Resources)

6 February 2017

Report Title	Purpose	Portfolio Holder / Lead Officer
General Fund, HRA and Capital Budget Monitoring – Quarter 3 2016/17	To understand whether the resources of the Council are aimed at and delivering the strategic priorities	Finance / Corporate Manager (Financial Resources)
Budget 2017/18	To agree the setting and allocation of resources for 2017/18 in order to achieve the Council's strategic priorities	Finance / Corporate Manager (Financial Resources)
Treasury Management Strategy 2017/18	To agree the approach for 2017/18 that will complement the allocation of resources in the budget	Finance / Corporate Manager (Financial Resources)

6 March 2017

Report Title	Purpose	Portfolio Holder / Lead Officer

10 April 2017

Report Title	Purpose	Portfolio Holder / Lead Officer

Dates to be agreed:

Passivhaus Design for Affordable Homes
 Leasehold Management and Service Charge Review (February 2017)
 Approach to Performance Management

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Business Growth and Increased Productivity Portfolio Report

1. Joint Local Plan

Reports have been taken to Executive Committee in May and June where Councillors endorsed the parameters for the new Joint Local Plan and then subsequently endorsed the Local Development Scheme which sets the timetable for the production of the plan. The Plan will cover a period to 2036 and involve consideration of a number of levels of growth to reflect the different economic and environmental conditions across Babergh and Mid Suffolk Districts.

The draft Joint Local Plan will be prepared over the next twelve months. The finished document must identify the jobs, housing and infrastructure needs of the communities of the area and demonstrate how those are going to be met.

As part of producing the plan a range of evidence documents will be published. One of the first of these, the Strategic Housing Land Availability Assessment (SHLAA), was published on the Councils' websites on Friday 27th May. In light of the many comments received from Members about the number of sites not included in this document and having regard to good practice in keeping the SHLAA up to date, it is intended to make a further Call for Sites commencing in June, in order to provide additional and comprehensive levels of information about development capacity to inform the new Plan.

2. Growth Engagement Campaign – Building a Sustainable Future

The Growth Engagement Campaign has commenced, which is covered in more detail within the Community Engagement theme. The first events have taken place now and we are learning as we go. We've had really positive feedback on the content of the messages but recognise that we haven't given some communities the advance notice they would have liked and that we need to continue to try new things to engage as widely as we would like.

3. 'Open for Business' Project

Various work streams continue in this key Mid Suffolk and Babergh project. Project outcomes and milestones have been recently refreshed so as to continue the momentum and better understanding of the local business community. The project team is exploring how we deploy our resources to overcome business barriers (whether real or perceived) and gain maximum value in the way we work collaboratively to effectively meet the needs of our businesses both now and in the future.

Recently a second 'Better for Business' evening was held successfully this time in Babergh, at the Delphi Centre in Sudbury.

Councillors and Officers have continued pro-actively engaging with businesses in our Districts, learning more about their business aspirations for growth, and where the districts can support or facilitate their next steps. This links closely into the Account Manager Trial work underway and with our engagement activities with the Chambers of Commerce.

4. New Anglia 'Space to Innovate' Enterprise Zone – Stowmarket Enterprise Park, (Gateway 14)

Several work strands including commissioned financial modelling and legal work are now coming together for reporting to the July Committee cycles.

Portfolio Holders and MSR's will shortly receive an update which will include:-

- Local Development Orders (LDOs) have been developed and are being progressed to support FEZ/EZ sites with a target approval date via the Planning process of late summer/early autumn 2016. Progression of the LDO for Mill Lane has utilised the separate FEZ DEFRA grant funding available, bringing efficiencies /savings to the EZ project.
- The inaugural Suffolk / Norfolk/ NALEP Enterprise Zone Development Group (EZDG) meeting took place at Diss on 28th April 2016. The EDDG will be a quarterly good practice and programme steering meeting in support of the full 'Space to Innovate' EZ.
- Leaders signed-off a letter to New Anglia LEP in early May 2016 reiterating commitment to the EZ as a precursor to the Memorandum of Understanding and legal agreement consideration to be reported to Members in July.
- The Council has created a multi service internal team of officers (EZ Delivery Team) to drive the project work, and this group meets regularly and includes Finance and Legal Team representatives to support and inform our view on the key project risks and develop ongoing monitoring arrangements.

5. Tourism Strategy

Following the Suffolk Growth PFH meeting in June 2016, and a follow up meeting of the Suffolk tourism Partnership where key outcome actions were discussed and agreed with Visit Suffolk, development of a roadmap is now underway to illustrate the links, interdependencies and work needed to deliver this strategy – from grass roots Local Tourism Action Groups up to regional, national and European tourism activity. The roadmap will allow the districts to focus their limited resource on the transitional shift towards a private sector-led tourism offer across Suffolk, which may vary place to place as the 'best fit' options emerge. A regional business-to business (Destination Management Organisation) support workshop is also being set up, co-ordinated by Visit Suffolk, for September 2016 available to Councillors, further details will be available in due course). This will showcase the variety of DMOs or equivalent in operation and aims to stimulate and enhance local activity and networking across our two districts.

Councillor Gerard Brewster

Environment Portfolio Holder Report

1. Waste

The Waste team is participating in a county-wide review of the collection process. The Suffolk Waste Partnership (SWP) has created a strategic opportunity to consider future waste service provision for the next 10-15 years, having established a co-terminus end-date for a number of key waste contracts in May 2019.

Defra minister, Rory Stewart, is currently advocating more consistency across the UK recyclables industry, including a drive for local authorities to collect a common set of materials, including glass and food waste, from the kerbside. This work is being led on Defra's behalf by The Waste and Resource Action Programme (WRAP). To ensure the SWP is playing its part, positive initial discussions have been held with WRAP regarding Suffolk becoming a pilot area.

2. Food and Safety

The Food and Safety team promoted the 'Eat Out Eat Well' award at the Suffolk Show. The team is playing its part in improving efficiency – one of our key strategic priorities – by currently trialling the use of tablet computers for food hygiene inspections in order to reduce double handling of data.

3. Licensing

The Licensing team is one of several work streams that are collaborating in our joint 'Open for Business' project. The project team is exploring how we deploy our resources to overcome business barriers (whether real or perceived) and gain maximum value in the way we work collaboratively to effectively meet the needs of our businesses. A second 'Better for Business' evening was held successfully at the Delphi Centre in Sudbury at the end of April 2016.

Team-to-team 'what we do' lunchtime workshops continue, with the latest session on the Councils' Licensing Services having been well received by colleagues at Needham Market earlier this month. We aim to have completed six of these cultural and learning improvement sessions by December 2016.

We have a comprehensive business survey underway in both districts – further details can be found on <http://www.babergh.gov.uk/news-archive/online-open-for-business-survey-now-open/>

4. Public Realm

The Public Realm team completed preparation of the site on the edge of Eye Airfield for the memorial to the US Air Force's 490th Bomb Group, which operated from there during the last war. Councillor Burn attended the impressive unveiling ceremony, organised by

the local fund-raising group. A number of Americans had flown over to attend the ceremony, including a 92-year-old B17 bomber pilot who had flown many missions from Eye in 1944/45.

Councillors Barker and Burn will shortly be judging the children's posters entered for the schools Litter Awareness campaign. This is organised by the Public Realm team and this year is sponsored by Tesco.

5. Environmental Protection

This is the busiest time of year for the Environmental Protection team, which is dealing with a myriad of nuisance, enviro-crime, public health and licensing complaints.

Investigation of the original perpetrator of the large fly-tip at Walsham-le-Willows is ongoing. This has been a complex case entailing significant criminal investigative work. It is at a critical point and the team hopes to formally identify the offender and summons them in the near future.

In conjunction with Assistant Director Chris Fry's review of the Council's leisure facilities, the team has been auditing the leisure centres for their environmental 'credentials' and will be making recommendations for improvements to potential cost savings from energy efficiency measures.

Development of the 3rd edition of the Suffolk Climate Change Action Plan is progressing according to timetable. A draft Plan will be produced and circulated by July 2016, for sign-off in August 2016.

Councillor David Burn

Community Engagement and Capacity Building Portfolio Holder Report

1. Community Engagement

We started a campaign across the District to increase our communities' understanding of why we have a need for growth, and what this means, in terms of new housing. The campaign will provide a useful 'warm up' to the Local Plan work which will require the Council to carry out a range of formal consultation exercises starting in the autumn. These events are specifically not part of this future consultation, they are designed to inform and engage our communities and aimed at having a richer discussion about growth.

We have started with the distribution of a leaflet to all households within the district. We have informed our MPs, County, District and Parish Councillors (and we have tailored our messages to recognise the commitments of communities involved in neighbourhood planning). We have also targeted community groups and partner organisations through the Community Action Suffolk network.

We want the campaign to be far reaching and involve as many elements of the community as we can, including those we have sometimes found hard to reach. Details of the events have been circulated to Members in a separate briefing pack. A copy of the leaflet was also included within this briefing pack.

Following on from the leaflets and our advance publicity, are a series of drop-in events. We have been canvassing within each locality in advance of these events to encourage participation and will adapt our approach as we go.

2. Suffolk Show

Members of the Administration and staff from the Communities Service supported the SCC Pavilion at the Suffolk Show. Community Resilience, Dementia Friendly Communities and Volunteering formed the core of our offer. The two days were very busy with many opportunities for engaging the community across these topics, we estimate that over 500 people met with staff and Councillors over the course of the two days.

3. The Stowmarket Dementia Action Alliance

This is now up and running and has an active steering group and partners who are delivering community events. The launch of the new living well class at Stowmarket Leisure Centre is on 6 June. We are now delivering community dementia friends awareness sessions across the District and will be undertaking a business engagement event in August.

4. Mid Suffolk and Babergh Year of Walking

The current brochure is out with around 55 different walks for the period May-October. A new brochure will be out for November 2016. This supports the Suffolk Year of Walking 2016.

5. Crucial Crew

This year Crucial Crew in Mid Suffolk will be organised and led by The Mix. As a specialist centre for young people within Stowmarket this is an exciting development and a good example of the community taking a lead role in delivery.

6. Mid Suffolk Armed Forces Day Event on Saturday 25 June 2016

The Event is being delivered in partnership with one of our Stowmarket Voluntary Sector Groups, the Friends of Pikes Meadow, to enable and encourage armed forces members and their families to take an active and enjoyable part in their local communities.

Councillor Julie Flatman

Enabled and Efficient Organisation Portfolio Report

1. Public Access Transformation

Work is underway to bring together Public Access with the Accommodation Review, IT and Telephony Strategy and service transformation work in order to manage the interdependent elements between these activities and support the Councils to move to a new enabled and efficient operating model. Initial priorities are:

- a) to support a tactical website refresh so that pages are clearer to understand and compatible with mobiles and tablets
- b) to develop new ways of delivering face to face public access arrangements as part of the accommodation review
- c) Moving the combined MSDC/BDC Call Centre based at Hadleigh onto modern telephony to improve the customer experience.

2. 2017/18 Budget and Financial Sustainability

The approach to the budget process for 2017/18 and how we achieve medium term financial sustainability, by responding to the changing funding arrangements for local government, is already being developed and discussed with the Administration. The high level plan will shortly be available to councillors under the Joint Strategic Plan work.

3. Organisational Culture and Effectiveness Audit

A critical part of the Enabled and Efficient Organisation theme is developing the organisation to achieve the vision of the Joint Strategic Plan. To support this we will be carrying out an audit over the next three months which will involve surveying all staff. The results will provide us with detailed data and analysis on the current organisational culture across the organisation and within different areas, the impact of the current culture at the individual, team and organisational levels and where to place focus to improve the culture and organisation.

4. Strengthening Governance

Senior officers have formed a Governance Working Group, under the sponsorship of the Monitoring Officer, focusing on strengthening governance across the organisation with specific reference to constitutional reform, scrutiny and schemes of delegation. Additional areas under consideration are the approach to equality and diversity, our approach to risk management and commissioning for outcomes. As part of this a number of reforms to the constitution have been implemented, with further proposals to be made.

Glen Horn – Enabled and Efficient Portfolio Holder

John Whitehead – Finance Portfolio Holder

Suzie Morley – Public Access Member with Special Responsibility

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Housing Delivery Portfolio Holder Report

1. Oakey Field, Thurston

Mid Suffolk completed its first new council house in nearly 30 years in April. This landmark was celebrated with a ribbon cutting event on the 26 April. Derrick Haley, Ward Member and former Leader of Mid Suffolk did the honours. The property is a specially adapted bungalow for a disabled child and their family. In an emotional speech, the mother of the family said that the bungalow would change their lives.

2. Housing and Planning Act 2016

The Housing and Planning Act received Royal Assent on 12 May 2016. Much of the detail, including the sale of high value council houses, will be determined by Regulation still to be announced. However, DCLG officials have set out the timetable for the introduction of the 'pay to stay' scheme for council tenants with household incomes of over £31,000 (£40,000 in London). The aim is to introduce the scheme from April 2017, a very short timescale.

The Act also includes a requirement to phase out 'life-time tenancies', to be replaced with fixed term tenancies of up to 10 years, potentially longer for families with children. Existing tenants will be unaffected unless they choose to move to alternative accommodation.

There will be protection for existing tenants who are forced to move, eg decanted due to a regeneration scheme, and discretion to offer lifetime tenancies for certain categories of applicant.

Further information is available on request from Gavin Fisk (Corporate Manager, HRA Income and Business Performance).

3. Review of Older Persons Housing - Sheltered Housing Review

The review considers the service currently provided and the needs of current and future residents. It also appraises the effectiveness of all schemes as sheltered housing in the long term. Consultation events for residents will be held throughout August and local Members will be notified, should they wish to attend.

4. HRA Income Performance

Current outstanding rent reduced by £56K from April 2015 to April 2016, and former tenant debt by £94K, putting Mid Suffolk into upper quartile performance nationally.

5. Suffolk Poverty Strategy

The Health and Wellbeing Board and Suffolk Chief Executives Group have agreed to sponsor the development of: 'A Strategy to Address Poverty in Suffolk'. The strategy is complete and work has begun to embed the five key themes within the work of both Councils.

1. Extend financial inclusion and improve people's financial skills
2. Reduce levels of food and fuel poverty
3. Reduce levels of child poverty
4. Improve people's skills and employment prospects
5. Reduce health inequalities

6. Supported Living management team

Following the Focused Management Review the Supported Living Management Team has restructured roles and responsibilities. The current arrangements are as follows:

- Heather Worton – Private Sector Housing, Tenant Services and Capital Projects
- Heather Sparrow - Supported Housing
- Sue Lister – Allocations, Assessments and Homelessness, Voids
- Gavin Fisk – HRA Income, Financial Inclusion, Home Ownership, Resident Involvement, Business Improvement and Responsive Repairs
- Calvin Fisher – Interim Project Manager, Responsive Repairs

Tricia Anderson, who currently works in the Finance Team, has been appointed to the post of Lead Professional, HRA Accountant. She will be joining the Supported Living team on 4 July, tasked with refreshing the HRA Business Plans and working with colleagues in a variety of teams to ensure that we are making the best possible use of the HRA's funds in delivering our strategic priorities.

Recruitment will begin for a permanent Corporate Manager, Responsive Repairs in the near future.

7. Home Ownership Project Officer – Transformation Fund

Transformation Fund money will be used to employ a Project Officer to implement the recommendations of a recent report into our Right to Buy, Leasehold and Service Charge services. The project will contribute to a number of the Councils strategic priorities, including: managing our housing assets effectively and financial sustainability.

Councillor John Levantis

C/51/16

Joint Scrutiny Committee Report for Council – 29 June 2016

1. Joint Scrutiny Committee Meeting of 15 June 2016 (Chaired by Rachel Eburne – Mid Suffolk District Council)

There was one main item on the Committee Agenda - for full details please see the reports and the minutes.

1.1 Community Grants: The third phase of the review of the Community Grants process was discussed.

1.2 Members heard from the Corporate Manage with regards to greater alignment of grants with strategic priorities; the focus of the new external funding communities office and the proposed healthcheck for grant recipients.

1.3 Members asked questions on these areas; on the relationship with other grant funders (including the county council); how to overcome difficulties in “form-filling” and how to learn from funders. It was agreed to revisit this area later in the year.

2. Joint Scrutiny Committee Workshop

After the Committee Meeting a workshop was held to discuss the development of the annual workplan.

2.1 The future workplan should allow for input from Portfolio Holders and Senior Management as well as all Members. The importance of coordination and consensus-building was discussed – ensuring that the work of the Joint Scrutiny Committee continued to add value to the work of the Council.

2.2 Members discussed a variety of topics for potential future inclusion on the Workplan and these included (in no particular order):

planning appeals; affordable housing targets; the accommodation process; the asset register; choice-based lettings; neighbourhood plan process; a review of the Community Infrastructure Levy (12 months from inception); a review of the housing repairs system (12 months from any changes); and delayed transfer of care.

The scrutiny of devolution was also briefly discussed in relation to wider scrutiny across many councils in accordance with good governance.

Next meeting: 17 August 2016 to be chaired by Babergh District Councillor Mark Newman and held in Hadleigh.

Councillor Rachel Eburne
Joint Chair (Mid Suffolk)

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