

Wednesday, 12 June 2019



MID SUFFOLK DISTRICT COUNCIL

DECISIONS NOTICE

**DECISIONS BY THE MID SUFFOLK CABINET
CALL IN DEADLINE 5:00PM ON 21 June 2019**

The following decisions have been taken by the Cabinet and will come into effect on 21 June 2019 unless the call-in procedure is activated. For clarity, where an item is 'to be noted', 'received' or recommended to Council for a decision, this is deemed not to be a formal Executive decision and so the call-in provisions will not apply.

MCa/19/3 GENERAL FUND FINANCIAL OUTTURN 2018/19

It was **RESOLVED:-**

- 1.1 That the 2018/19 financial outturn set out in the report be noted.
- 1.2 That the following net transfers of £3.462m be noted;
 - a) Transfer to reserves of £363k being the net amount for the following specific earmarked reserves, referred to in section 5.8 and Appendix C of the report;
 - b) Of the remaining balance of the General Fund surplus £665k be transferred to the Growth and Efficiency Fund, £500k to the Commercial Development Risk reserve and £1.934m to the Business Rates Equalisation reserve, as referred to in section 2.1 (c) of the report.
- 1.3 That the General Fund carry-forward requests totalling £85k referred to in paragraph 5.9 of the report be approved.
- 1.4 That the total Capital carry-forward requests referred to in paragraph 5.17 of the report totalling £983k be approved.

Reason for Decision: To ensure that Members are kept informed of the outturn position for both General Fund Revenue and Capital and to approve the carry forward requests.

Alternative Options Considered and Rejected:

- a) Transfer surplus funds of £3.462m to the Growth and Efficiency (GEF) reserve.

- b) **Transfer surplus funds of £3.462m to the Business Rates Equalisation reserve.**
- c) **Transfer surplus funds of £1.934m to the Business Rates Equalisation reserve, surplus funds of £665k to the Growth and Efficiency reserve, £500k to the new Commercial Development Risk reserve and net transfers of £363k to specific earmarked reserves as detailed in 5.8 below.**
- d) **To recommend carry forward requests for the General Fund (£85k) and Capital (£983k).**

Any Declaration of Interest declared: **None**

Any Dispensation Granted: **None**

MCa/19/4 HOUSING REVENUE ACCOUNT FINANCIAL OUTTURN 2018/19

It was RESOLVED:-

- 1.1 That the 2018/19 financial outturn as set out in the report be noted.**
- 1.2 That the transfer of £495k, being the HRA deficit for the year (£167k less than planned) as per paragraph 5.5 of the report, from the Strategic Priorities Reserve be noted.**
- 1.3 That the HRA Capital carry-forward requests referred to in paragraph 5.14 of the report totalling £675k be approved.**

Reason for Decision: To ensure members are kept informed of the outturn position for both Housing Revenue and Capital and to approve the carry forward requests.

Alternative Options Considered and Rejected: To recommend the carry forward of £675k HRA Capital costs.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

MCa/19/5 QUARTER FOUR PERFORMANCE OUTCOME REPORTING

It was RESOLVED:-

That the performance report and the performance outcome information tabled at Appendices A to H of the report be agreed as reflecting Mid Suffolk District Council's performance for January – March 2019.

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

Alternative Options Considered and Rejected: It is a requirement to report this information to Cabinet, therefore there are no other available options.

Any Declaration of Interest declared: None

Any Dispensation Granted: None

MCa/19/6 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) - USE OF LEGISLATION AND UPDATED POLICY

It was RESOLVED:-

That the refreshed Joint RIPA Policy and the changes in respect of officer roles be approved and the change in the judicial oversight in the United Kingdom noted.

Reason for Decision: The Protection of Freedoms Act requires members to be advised about the use of powers under RIPA and to note the Councils' policy for the use of surveillance.

Alternative Options Considered and Rejected: The Codes of Practice that cover RIPA require the Councils to report the use of its powers under the Act and require Cabinet notification for its policy on the use of RIPA. This report fulfils the Councils' requirements under the Code of Practice. There are no alternative reporting or notification options under the Codes of Practice.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

MCa/19/7 END OF YEAR RISK POSITION STATEMENT AND PROGRESS REPORT AND REVISIONS TO RISK MANAGEMENT STRATEGY

It was RESOLVED:-

That the contents of the report, supported by Appendix A, B and C of the report, be approved.

Reason for Decision: To provide assurances that risk management processes in place are robust and effective.

Alternative Options Considered and Rejected: Risk Management as an activity must accomplish the following tasks: identify and agree objectives; identify risks and assess (i.e.: Treat, Transfer, Tolerate or Terminate the risk); allocate risk owners; manage and control and monitoring and reporting.

Any Declaration of Interest Declared: None

Any Dispensation Granted: None

MCa/19/8 THURSTON NEIGHBOURHOOD PLAN

It was RESOLVED:-

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

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

Alternative Options Considered and Rejected:

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

Any Declarations of Interest Declared: **None**

Any Dispensation Granted: **None**

MCA/19/9 AWARD OF CONTRACT FOR AFFORDABLE HOUSING DEVELOPMENT SCHEME AT LAND KNOWN AS OLD ENGINE MEADOW, MENDLESHAM

EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

Resolution to Exclude the Public

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

Note: Information is exempt only if:

It falls within one of the 7 categories of exempt information in the Act and; In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

It was RESOLVED:-

That subject to a minor amendment the recommendation set out in report MCA/19/9 be approved.

Reason for Decision: To secure the most cost-effective way of delivering the affordable housing on this site and to enable the development to proceed with the adjacent landowners/developers.

Alternative Options Considered and Rejected: That the recommendation set out in report MCA/19/9 not be approved.

Any Declarations of Interest declared: None

Any Dispensation Granted: None