

**Monday, 9 January 2023**



**BABERGH DISTRICT COUNCIL**

**DECISIONS NOTICE**

**DECISIONS BY THE BABERGH CABINET  
CALL IN DEADLINE 5:00PM ON 18 JANUARY 2023**

The following decisions have been taken by the Cabinet and will come into effect on 19 January 2023 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.

**BCa/22/38 COUNCIL TAX REDUCTION (WORKING AGE) SCHEME 2023/24**

It was **RESOLVED**: -

To recommend to Council that **Option 3** (as set out in Appendix C of this report) be used as the basis for a revised (Working Age) Council Tax Reduction Scheme for 2023/24.

**REASON FOR DECISION**

- 1.1 To increase the maximum reduction available to 100% and reduce the number of customers undergoing recovery processes.
- 1.2 To avoid unnecessary means testing and provide equitable access to CTR for all customers who receive welfare benefits.
- 1.3 To reduce the requirement for recalculation of awards for customers on UC with fluctuating earnings.
- 1.4 To ensure that no customer is disadvantaged on the introduction of the new CTR Scheme

**Alternative Options Considered and Rejected:**

- 1.1 Option 1  
Renew the existing Working Age LCTR Scheme to allow an up to 100% maximum reduction for all households.
- 1.2 Option 2  
Renew the existing Working Age LCTR Scheme to allow an up to 100% maximum

reduction for all legacy benefit households and introduce a simplified scheme for UC customers that will allow 'passport' claims to be automated based on the UC financial data without additional verification.

1.3 Option 4

Continue with the existing Working Age LCTR Scheme of up to 95% maximum reduction for all households

**Any Declarations of Interests Declared:** None

**Any Dispensation Granted:** None

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**BCa/22/39 FEES AND CHARGES 2023/24**

It was **RESOLVED:** -

**That, the proposed Fees and Charges for 2023/24 as shown in Appendix A, be approved.**

**REASON FOR DECISION**

To ensure that the Council achieves sufficient income and thereby reduces the subsidy on non-essential services which may compromise the Council's ability to fund statutory services.

**Alternative Options Considered and Rejected:**

To make no change, leave them at the current year's level.

**Any Declarations of Interests Declared:** None

**Any Dispensation Granted:** None

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**BCa/22/40 TENANCY POLICY**

It was **RESOLVED:** -

**To approve the Tenancy Policy (Appendix A).**

**REASON FOR DECISION**

- 1.1 The Tenancy Policy meets the requirements of the Regulator for Social Housing, providing information for tenants to understand how their occupation of Council homes will be managed.
- 1.2 Consistent with the current political agenda for social housing the Tenancy Policy prioritises long-term security of tenure for tenants over tenancies of a fixed length. This will allow tenants and their families to create a home in Council properties and build thriving and diverse communities in our housing estates.
- 1.3 In the time elapsed since their introduction, fixed term tenancies have been proven to be a largely ineffective in providing their anticipated benefits of reducing housing

waiting lists. Managing and administering Flexible fixed term tenancies has proven to be costly and time consuming for landlords, and unsettling for tenants, particularly vulnerable tenants and those suffering with mental illness.

- 1.4 The Councils will create a new, separate policy which will support efficient use of the Councils' housing stock by encouraging tenants to downsize. Such policy is included in the Homes and Housing Strategy (objective 2g) and may include provide financial incentives, advice and practical support to tenants who are under-occupying their homes to assist and encourage them to free-up larger homes for families.

**Alternative Options Considered and Rejected:**

- 2.1 At an 'Early Warning' Cabinet Briefing on 26<sup>th</sup> September 2022, Cabinet members considered the following fundamental decision in the Tenancy Policy:
- 2.2 Option 1: to continue the current practice of granting Secure Tenancies which provide long-term security of tenancy, or;
- 2.3 Option 2: to grant Flexible (fixed term) Tenancies which only provide security for a short period of time (typically 5 years).
- 2.4 In light of the changes in Government agenda and the Housing Sector in recent years (please refer to explanatory note in Appendix B), and mindful of Government's intention to abolish fixed-term tenancies in private and social housing by 2030, Cabinet members voted in favour of Option 1, for Secure Tenancies to remain the primary form of tenancy for Council tenants. The Tenancy Policy has therefore been created to confirm and clarify the Councils' current practice of providing and managing tenancies.

**Any Declarations of Interests Declared:** None

**Any Dispensation Granted:** None

**BCa/22/41 SCRUTINY/CABINET PROTOCOL**

**It was RESOLVED: -**

**That Cabinet approved the Scrutiny/Cabinet protocol attached.**

**REASON FOR DECISION**

To promote a culture of accountability, openness, and transparency within Babergh and Mid Suffolk District Councils, recognising scrutiny as a key enabler within that culture.

**Alternative Options Considered and Rejected:**

The proposal to formulate a Scrutiny/Cabinet Protocol was an action from the Corporate Peer Review and is considered best practice by the Centre for Governance and Scrutiny.

**Any Declarations of Interests Declared:** None

**Any Dispensation Granted:** None

## **BCa/22/42 RISK MANAGEMENT IMPROVEMENT**

**It was RESOLVED: -**

**That Members of Babergh and Mid Suffolk Cabinets noted the progress so far to improve strategic risk management and agreed the new draft risk management policy and strategy which aligns with the Orange Book.**

### **REASON FOR DECISION**

Babergh and Mid Suffolk Cabinets are responsible for Strategic Risk Management and approval of the joint Risk Management Policy and Strategy.

### **Alternative Options Considered and Rejected:**

The Councils could have maintained the existing responsibility for risk rather than integrate it with performance and improvement, but it was felt this would not drive the improvement required or maximise the opportunities to join up with a new corporate approach.

**Any Declarations of Interests Declared: None**

**Any Dispensation Granted: None**

## **BCa/22/43 SUDBURY LAND SALE**

**It was RESOLVED: -**

- 1.1 To delegate authority to the Director of Assets and Investments in consultation with the Portfolio Holder for Assets & Investments to agree the detailed terms of the letter of comfort and headlease in accordance with this report.**
- 1.2 To delegate authority to the Directors of Assets and Investments and Finance in consultation with the Portfolio Holders for Assets & Investments and Finance to review the final IFRS16 calculation and implement the headlease in accordance with this report.**

### **REASON FOR DECISION**

To bring forward the development of the new health centre and subsequent capital receipt.

### **Alternative Options Considered and Rejected:**

- 1.3 Option 1 - Do Nothing**
  - 1.3.1 This will result in the sale and development of the land as a Health Centre not proceeding. The current sub-standard and dated facilities will be retained and used to best effect. This option has previously been discounted by Cabinet as Sudbury has an urgent need for improved medical facilities in the town.**
- 1.4 Option 2 - Assura accept a shorter lease commitment from the HHGP**
  - 1.4.1 Assura are committed to delivering this development and have invested significant time**

and finances into progressing the scheme for in excess of 8 years.

1.4.2 Reducing the lease term from 25 years to 15 years creates a development with negative viability which Assura is unable to pursue. This is therefore not a viable option.

**1.5 Option 3 - A headlease is entered into by NHS/ ICB with sub lease to HHGP**

1.5.1 HHGP are prepared to commit to a 15-year lease, however for the development to be viable a longer 25-year lease commitment is required. A third party, with a substantial covenant, could therefore enter into an agreement to take a headlease for a term of 25 years simultaneous to a 15-year sublease being granted to HHGP.

1.5.2 The obvious third party to take a headlease in this situation would be part of the NHS. This has been explored by NHS organisations however primarily for accounting (namely the NHS adopting IFRS16 from 2022) and lack of appropriate policy reasons this cannot be progressed at the current time. The transition from CCGs to ICBs will enable ICBs to hold property assets in the future, which the CCGs were prohibited from doing, however whilst this is now permitted by legislation the policy framework is still to be developed nationally.

**Any Declarations of Interests Declared: None**

**Any Dispensation Granted: None**