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COMMITTEE:	JOINT OVERVIEW AND SCRUTINY COMMITTEE
DATE:	MONDAY, 19 SEPTEMBER 2022 9.30 AM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

Members	
<u>Babergh Conservative Group</u> Melanie Barrett Siân Dawson	<u>Mid Suffolk Green and Liberal Democrat Group</u> Terence Carter Keith Scarff Keith Welham (Co-Chair)
<u>Babergh Independent Conservative Group</u> Adrian Osborne	<u>Babergh Green and Labour Group</u> Robert Lindsay
<u>Mid Suffolk Conservative and Independent Group</u> James Caston Paul Ekpenyong Dave Muller	<u>Babergh Independent Group</u> Kathryn Grandon John Hinton (Co-Chair)

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AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

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- 1 **APOLOGIES AND SUBSTITUTES**
- 2 **DECLARATION OF INTERESTS**
- 3 **JOS/22/7 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 27 JUNE 2022** 5 - 10
- 4 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

5 **QUESTIONS BY THE PUBLIC**

To consider questions from and provide answers to members of the public on any matter in relation to which the Committee has powers or duties and of which due notice has been given in accordance with the Committee and Sub-Committee Procedures Rules.

6 **QUESTIONS BY COUNCILLORS**

To consider questions from and provide answers to Councillors on any matter in relation to which the Committee has powers or duties and of which due notice has been given in accordance with the Committee and Sub-Committee Procedure Rules.

7 **JOS/22/8 BABERGH AND MID SUFFOLK DISTRICT COUNCILS 11 - 20**
PARKING STRATEGY

8 **JOS/22/9 SHARED REVENUES PARTNERSHIP - COUNCIL TAX 21 - 32**
REDUCTION SCHEME

9 **JOS/22/10 INFORMATION BULLETIN - SHARED LEGAL 33 - 38**
SERVICE PERFORMANCE MONITORING AND SPLIT OF NEW
LEGAL MATTERS

The Information Bulletin is a document that is made available to the public with the published agenda papers. It can include update information requested by the Committee as well as information that a service considers should be made known to the Committee.

This Information Bulletin contains updates on the following subjects:

1. Shared Legal Service – Performance Monitoring and Split of New Legal Matters

10 **JOS/22/11 RECOMMENDATIONS FROM THE JOINT OVERVIEW 39 - 40**
AND SCRUTINY TASK AND FINISH GROUP FOR RURAL
TRANSPORT

11 **JOS/22/12 OVERVIEW AND SCRUTINY COMMITTEE ACTION 41 - 44**
TRACKER

12 **JOS/22/13 FORTHCOMING DECISIONS LIST**

To review the Council's Forthcoming Decisions List and identify any items to be brought before the Overview and Scrutiny Committee.

Please note the most up to date version can be found via the Website:

[Forthcoming Decisions List » Babergh Mid Suffolk](#)

13 **JOS/22/14 BABERGH OVERVIEW AND SCRUTINY WORK PLAN** 45 - 48

To agree the Work Plan

14 **JOS/22/15 MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN** 49 - 52

To agree the Work Plan

Date and Time of next meeting

Please note that the next meeting is scheduled for 24th October 2022 at 9:30am.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils YouTube page: https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, B.Webb on: 01449 724683 or Email: Committees@baberghmidsuffolk.gov.uk

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Agenda Item 3

BABERGH AND MID SUFFOLK DISTRICT COUNCILS

Minutes of the meeting of the **JOINT OVERVIEW AND SCRUTINY COMMITTEE** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Monday, 27 June 2022

PRESENT:

Councillors:	Melanie Barrett	Terence Carter
	James Caston	Siân Dawson
	Kathryn Grandon	John Hinton (Co-Chair)
	Barry Humphreys MBE	David Muller
	Adrian Osborne	Keith Scarff
	Keith Welham (Co-Chair)	

In attendance:

Councillor(s): David Busby – Cabinet Member for Finance, Assets and Investments
Peter Gould – Cabinet Member for Assets and Investments
Rick Meyer - Director of CIFCO

Witness(es): Sir Christopher Haworth - Chair of the Board of Directors for CIFCO CAPITAL LTD.
Neville Pritchard – Director, Capital Markets JLL (Jones Lang LaSalle)
Helen Rumsey – Partner- Ensors

Officers: Director – Assets and Investment (EA)
Director - Corporate Resources (ME)
Corporate Manager Council Companies (HB)
Deputy Monitoring Officer (JR)
Senior Governance Officer (HH)
Governance Officer (BW)

Apologies:

Paul Ekpenyong
Robert Lindsay

1 DECLARATION OF INTERESTS

1.1 Councillor John Hinton declared an Other Registerable Interest as Director of BDC (Suffolk Holdings) Ltd. However, the Monitoring Officer granted him dispensation.

2 JOS/22/1 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 25 APRIL 2022

It was **RESOLVED**: -

That the minutes of the meeting held on the 25 of April 2022 be confirmed as

true record.

3 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

None received.

4 QUESTIONS BY THE PUBLIC

None received.

5 QUESTIONS BY COUNCILLORS

None received.

6 JOS/22/2 CAPITAL INVESTMENT FUND COMPANY ('CIFCO CAPITAL LTD') BUSINESS TRADING AND PERFORMANCE REPORT

6.1 Councillor David Busby introduced the report to the Committee including outlining that the value of the portfolio had risen over the previous year, that there had been greater investment in improving sustainability of the properties within the portfolio, and that the councils had received £3.75 million in income over the previous year.

6.2 The Director - Assets and Investments and Christopher Haworth presented a summary of the Business Plan to Members including the purpose of the Business Plan, the split of the portfolio between sectors, the Key Performance Indicators (KPI) for the next year, the Councils income for the previous year, and refurbishment that had been undertaken in properties over the last year.

6.3 Councillor Grandon questioned whether, in a changed marketplace following the pandemic, the balance of the portfolio was suitable going forward. Christopher Haworth responded that whilst the retail sector had struggled, retail warehousing had a rise in demand. Also, there had still been a demand for office space despite the rise in working from home. Neville Pritchard added that as the portfolio was balanced, where one sector may be in decline it was balanced out by other sectors.

6.4 Councillor Muller queried how arrears were dealt with. The Director for Assets and Investment responded that tenant engagement had been the most effective method, when dealing with arrears, as it gave reminders to the tenant and allowed for the set up of payment plans where necessary. In cases where this had not worked other methods, such as bailiffs, had been used.

6.5 Councillor Scarff questioned what the equivalent yield had been based on. The Director - Assets and Investments responded that it was a benchmark that had been used across the industry and reflected market conditions.

6.6 Councillor Barrett questioned whether CIFCO had been using grants and

additional funding for sustainability updates. The Director for Assets and Investment responded that where possible external funding would be used, options such as solar panels that gave a return would also be considered.

6.7 Members asked questions on the improvements to EPC (Energy Performance Certificate) ratings of properties and how these would be achieved, whether tenants' needs were considered during the improvement process, and whether there were short term targets ahead of the 2027 goal. The Director for Assets and Investments responded to these questions stating that there was currently £50,000 allocated in the budgets for improvements, and when tenants carried out their own refurbishments, suggestions were made by CIFCO on ways that sustainability could be improved. Additionally, EPC assessors took tenants needs into account when suggesting improvements. Lastly whilst there were no intermediate targets for improvements, progress would be monitored annually.

6.8 Councillor Welham questioned why the interest paid was different for both Councils. The Director - Assets and Investment responded that due to the different borrowing strategies of the Councils there were different interest rates, therefore the cost of debt was different.

6.9 Members debated whether the Business Plan should continue to be reported to Full Council following scrutiny by the Committee, or whether the Committee should only refer the Business Plan to Full Council if they were not satisfied with the performance.

6.10 Councillor Barry Humphreys proposed the recommendation as follows:

6.11 That the Overview and Scrutiny Committee recommend to Full Council that future CIFCO business plans are scrutinised by the Councils' Joint Overview & Scrutiny Committee and only reported to Council if the Committee is not satisfied with the Company's business plan and performance.

6.12 Councillor David Muller seconded this motion.

By 5 votes for and 6 votes against.

The motion was lost.

6.13 Councillor John Hinton proposed the recommendation as follows:

6.14 That the Overview and Scrutiny Committee recommend to Full Council that future CIFCO business plans continue to be scrutinised by the Councils' Joint Overview & Scrutiny Committee and then reported to Council.

6.15 Councillor Sian Dawson seconded this motion.

By 6 votes for, 4 votes against, and 1 abstention.

It was RESOLVED: -

That the Overview and Scrutiny Committee recommend to Full Council that future CIFCO business plans continue to be scrutinised by the Councils' Joint Overview & Scrutiny Committee and then reported to Council.

6.16 Councillor Kathryn Grandon proposed the following recommendations:

6.17 That the Joint Overview and Scrutiny committee notes the CIFCO Business Plan and Business Trading and Performance and ask that the minutes of this meeting be taken into account at Full Council.

6.18 That the Joint Overview and Scrutiny Committee is satisfied that the CIFCO Business Plan and Business Trading and Performance is robust for 2022 – 2023

6.19 Councillor Terence Carter seconded the motion.

By a unanimous vote.

It was RESOLVED: -

That the Joint Overview and Scrutiny committee notes the CIFCO Business Plan and Business Trading and Performance and ask that the minutes of this meeting be taken into account at Full Council.

That the Joint Overview and Scrutiny Committee is satisfied that the CIFCO Business Plan and Business Trading and Performance is robust for 2022 – 2023

6.20 Members considered paragraph 2.2 in the report:

The Business Plan has been approved by the Holding Companies and we seek the Councils' Joint Overview and Scrutiny Committee to consider whether:

- *the current performance of CIFCO delivers good value to the Councils*
- *the KPIs are appropriate measures of performance*
- *the business plan is robust and appropriate for the next 12 months*
- *there is sufficient confidence in the management of CIFCO*

6.21 Councillor James Caston proposed that the Joint Overview and Scrutiny Committee approves the statement as detailed in paragraph 2.2 in the report.

6.22 Councillor Barry Humphreys seconded the motion.

By a unanimous vote.

It was RESOLVED: -

That the Joint Overview and Scrutiny Committee approves the statement as detailed in paragraph 2.2 in the report.

6.23 A short comfort break was taken between 12:15 pm – 12:20 pm.

7 JOS/22/3 OVERVIEW AND SCRUTINY COMMITTEE ACTION TRACKER

The Overview and Scrutiny Committee Action Tracker was noted.

8 JOS/22/4 FORTHCOMING DECISIONS LIST

The Forthcoming Decisions List was noted.

9 JOS/22/5 BABERGH OVERVIEW AND SCRUTINY WORK PLAN

The Babergh Overview and Scrutiny Work Plan was noted.

10 JOS/22/6 MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN

The Mid Suffolk Overview and Scrutiny Work Plan was noted.

11 RESOLUTION TO EXCLUDE THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

12 JOS/22/2 CONFIDENTIAL APPENDIX C - CIFCO CAPITAL LTD BUSINESS AND INVESTMENT PLAN 2022-23

Note: Members' questions and debate did not necessitate that the meeting went into closed session.

The business of the meeting was concluded at 12:25 pm.

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Chair

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Agenda Item 7

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

TO:	JOINT OVERVIEW AND SCRUTINY COMMITTEE	REPORT NUMBER: JOS/22/8
FROM:	Cabinet Members for Environment – Elisabeth Malvisi and Jessica Fleming	DATE OF MEETING: 19 September 2022
OFFICER:	Fiona Duhamel, Director – Economic Growth and Climate Change	KEY DECISION REF NO.:

SCRUTINY AND REVIEW OF BABERGH AND MID SUFFOLKS PARKING STRATEGY

1. PURPOSE OF REPORT

- 1.1 Developing a parking strategy is the next logical step and builds upon the Joint Area Parking Management Plan (JAPMP), the subsequent Babergh Car Parking Study Report and the councils' climate emergency declaration. All of which have highlighted the increasing need to develop a parking strategy for the medium to long term.
- 1.2 This paper sets out the progress and steps taken by the councils to deliver a parking strategy which is a key means of enhancing our already strong and vibrant districts and reinforces the importance of everyone having access to sufficient, safe, and easy to use parking facilities for cars and other vehicle types, at suitable hours of the day (or night).
- 1.3 The purpose of this report is to discuss, provide feedback and recommendations to Cabinet on the process used to develop the councils' first parking strategy.

2. OPTIONS CONSIDERED

- 2.1 To continue without a parking strategy. This option is not recommended due to the previous Cabinet decision in August 2021 to pursue a clear and joined-up parking strategy that looks at all elements of parking, everything from on-street and off-street, through to the economic, environmental, and community impacts.

3. RECOMMENDATIONS

- 3.1 That the contents of this report be noted and taken forward as part of the report to Cabinet on 3 October 2022.
- 3.2 That the Overview and Scrutiny Committee review the contents of this report, provide scrutiny and, where appropriate, provide written and/or verbal recommendations to Cabinet.
- 3.3 That officers provide an update report at a future Overview and Scrutiny committee meeting to review progress of the parking strategy implementation plan.

REASON FOR DECISION

To inspect thoroughly the process undertaken to deliver the councils first parking strategy, with the ambition to shape the future growth of the districts, enhance the quality of the local environment, and provide a prospectus for investment.

4. KEY INFORMATION

- 4.1 It is important that the parking strategy at a high level reflects national policy guidance as it applies to both the future of town and village centres, sustainable travel, and transport as well as patterns of demand. The parking strategy must also align with the councils' Strategic Priorities, the United Nations Sustainability Goals and those of Central Government e.g ten-point plan for a green industrial revolution, to ensure consistency.
- 4.2 To achieve the councils' parking ambitions, it is important to introduce measures that:
- ensures everyone has access to sufficient, good quality, safe and welcoming parking opportunities.
 - will make a real difference to the way we plan for the future,
 - supports economic growth aspirations,
 - reduces the impact of our activities on the environment
- 4.3 Developing the parking strategy to this point has taken 14 months and involved a number of different stages which are outlined in sections 4.4 to 4.20 of this report. A detailed timeline is also shown in Appendix A of the report

INVESTIGATION AND DATA COLLECTION

- 4.4 **Benchmarking** - an exercise was undertaken to determine how both Babergh and Mid Suffolk's parking offer compares to that of neighbouring authorities and locations that share similar characteristics such as type of town offering, size, population, and provide key trip generators at a district level.
- 4.5 **Car park condition surveys** - each car park was assessed against a list of criteria to help inform recommendations for inclusion in the parking strategy.
- 4.6 **Vehicle occupancy surveys** were undertaken across all council operated car parks on different days of the week (including Saturday), and at different times of the day to understand parking behaviours and demand.
- 4.7 Both surveys took place during August 2021 when the impact of Covid-19 was still present.
- 4.8 **Forecasting and the future of car parking** – using the parking survey data collected from council owned car parks as the baseline, it is possible to determine the growth in car parks over a 20-year period.
- 4.9 The Department for Transport has developed a programme, called TEMPro, that supports the forecasting of future transport growth. The programme is designed to estimate growth in traffic and is based on predictions which include future housing, population, car ownership, trip rates and employment levels. The software produces growth factors based on a specified baseline and future years.

- 4.10 **Stage one engagement** - the first phase of engagement was a fact-finding opportunity, allowing anyone with an interest in parking to comment on the councils' existing parking arrangements through an online questionnaire. The questionnaire was open for seven weeks from 31 August to 15 October 2021 and received a total of 1,248 responses.
- 4.11 In addition to the online questionnaire, key stakeholders which included district, town and parish councillors, transport and business groups, education establishments, leisure providers etc. were invited to attend virtual workshops to share their thoughts on what parking issues are important to them.

CREATION OF THE STRATEGY

- 4.12 **Stage two engagement** – outputs from the investigation and research as well as the engagement work has enabled a series of potential recommendations to be developed for inclusion in the final version of the parking strategy. See graphics below.
- 4.13 The recommendations, which cover both off-street and on-street parking, can bring about real change to how we travel and how we support the wider ambition for our communities and places.



- 4.14 The councils have sought feedback on the recommendations, as part of our commitment to engage at each key milestone.

- 4.15 During April and May 2022, officers from the parking service and 2020 Consultancy delivered detailed briefings to members and town and parish councils which covered the work undertaken to date as well as to seek feedback on the potential recommendations for inclusion in the parking strategy
- 4.16 A second online questionnaire, open from 13 June to 31 July 2022 aimed to establish the level of support or opposition for each recommendation. 2,004 people completed the questionnaire meaning that across both stages of engagement, 3,252 questionnaires were completed.
- 4.17 To maximise engagement and promote the second questionnaire, there were a series of in-person roadshow events held in June 2022 which 175 people attended. Details of the events are shown in tables 1 and 2 below.

Table 1 – Babergh roadshow event locations

Location	Day	Date	Time	Venue
Sudbury	Tuesday	21 June	10:00 - 13:00	Sudbury Town Hall
Long Melford	Tuesday	21 June	14:00 - 16:00	The Old School, Long Melford (Chamberlain Room)
Lavenham	Tuesday	21 June	17:00 - 19:00	Lavenham Village Hall, Church St, Lavenham, Sudbury, CO10 9QT (St Peter & St Paul room)
Lavenham	Wednesday	22 June	10:00 - 12:30	Lavenham Village Hall, Church St, Lavenham, Sudbury, CO10 9QT (St Peter & St Paul room)
Hadleigh	Saturday	25 June	13:00 - 15:00	Hadleigh Pool & Leisure, Stonehouse Road, Hadleigh, IP7 5BH (social room)
Sudbury	Saturday	25 June	16:00 - 17:30	Kingfisher leisure Centre, Station Road, Sudbury, CO10 2SU
East Bergholt	Monday	27 June	10:00 - 12:00	The Lambe School Charitable Trust, Gaston Street, East Bergholt, CO7 6SD
Holbrook	Monday	27 June	19:00 - 21:00	Holbrook Village Hall, The Street, Holbrook, IP9 2PZ
Hadleigh	Tuesday	28 June	17:30 - 20:00	Hadleigh Leisure Centre

Table 2 - Mid Suffolk roadshow event locations

Location	Day	Date	Time	Venue
Woolpit	Wednesday	22 June	14:00 - 16:00	Woolpit Village Hall, Mill Lane, Woolpit, IP30 9QX
Thurston	Wednesday	22 June	17:00 - 19:00	New Green Avenue, Thurston, Bury Saint Edmunds IP31 3TG
Needham Market	Thursday	23 June	10:00 - 12:30	Community Centre, School Street, Needham Market, IP6 8BB (The Green Room)
Debenham	Thursday	23 June	14:00 - 16:00	Debenham Community Centre, Gracechurch Street, Debenham, Suffolk, IP14 6BL
Eye	Thursday	23 June	17:00 - 19:30	Eye Town Hall, Broad Street, Eye, IP23 7AF
Stowmarket	Saturday	25 June	10:00 - 12:00	The Mix, 127 Ipswich St, Stowmarket IP14 1BB
Great Blakenham	Monday	27 June	13:30 - 15:30	Village Hall, Mill Lane, Great Blakenham, IP6 0NJ.

Needham Market	Monday	27 June	16:00 - 18:00	Community Centre, School Street, Needham Market, IP6 8BB (The Green Room)
Eye	Tuesday	28 June	10:00 - 12:00	Eye Community Centre, Magdalen Street, Eye, IP23 7AJ
Stowmarket	Tuesday	28 June	13:30 - 16:00	The Mix, 127 Ipswich St, Stowmarket IP14 1BB

- 4.18 The parking strategy document itself will not deliver the action required to meet the councils' parking ambitions. Delivery of the proposed recommendations within the strategy will require strong support through a comprehensive, robust and focused implementation plan.
- 4.19 The implementation plan will require project support through a dedicated officer delivery group and more importantly dedicated financial support. Further details of which are included in section 6.2 and 6.3 of this report.
- 4.20 Whilst the parking strategy covers the 20-year period, 2022 to 2042, there will be a need to review in 3–5-years dependent on local economic and global factors, technological advancements etc.

5. LINKS TO CORPORATE PLAN

5.1 The Joint Corporate Plan identifies six strategic priorities as set out in the visual below. The parking service has several links to the councils' Joint Corporate Plan, namely:

- Community capacity building and engagement,
- maximising the use of our assets,
- engage with and support businesses to thrive,
- further develop the local economy and our market towns to thrive,
- to value enhance and protect our environment,
- local transport,
- community-led solutions to deliver services and manage assets
- financially sustainable councils.



6. FINANCIAL IMPLICATIONS

- 6.1 In bringing forward the parking strategy, combined costs for Babergh and Mid Suffolk include officer time, consultancy expertise (£41,000), venue hire for the roadshow events (£940) and costs associated with promotional materials e.g posters, social media etc (£550). A total of £42,490 shared equally between the two councils.
- 6.2 There will be financial implications in respect of delivering the recommendations included within the parking strategy. The need for a comprehensive, robust and focused implementation plan is crucial to the parking strategy's success. Where there are significant cost implications, a detailed business case will be required, and approval sought through the councils' governance process.
- 6.3 Approval of the parking strategy will provide the evidence framework needed to advocate for funding opportunities, whether that be internally through the councils' own budget setting and medium-term financial planning (MTFP) process or funding

opportunities such as external and national grants, community infrastructure levy bids etc.

7. LEGAL IMPLICATIONS

7.1 There are no expected legal implications linked to delivery of the parking strategy document. There are, however, recommendations in the parking strategy where it will be necessary to amend or create new Traffic Regulation Orders (TROs).

8. RISK MANAGEMENT

8.1 This report is most closely linked with the councils' Significant Risks: No. 8 - Decline in our key towns impacts upon economic prosperity of the districts; No. 13 - We may be unable to react in a timely and effective way to financial demands; Risk No. 14 - The council may be perceived to be untrustworthy and have a poor reputation; and Risk No. 18 - The council will not be carbon neutral by 2030.

8.2 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Imbalance in policy, paying for parking, town centre vitality, leisure, etc. impacting on visiting footfall in our towns and the economy.	1 - Highly unlikely	3 - Serious	Research has found that availability of parking, rather than charging, tends to impact town centre vitality and viability.
Inability to understand and prepare for future growth needs regarding parking provision e.g. impact of additional housing, businesses etc	1 - Highly unlikely	4 - Disaster	Work with colleagues across the organisation i.e., planning to ensure that any housing and business growth is fed into future plans for parking provision.
Insufficient engagement and leadership could have a negative impact on delivering the strategy.	2 - Unlikely	2 - Noticeable	Ensure that there is ample opportunity for engagement using various methods and that we are fair and consistent in our approach
Lack of financial support to deliver recommendations that provide meaningful improvements across the districts.	3 - Probable	3 - Serious	Ensure that the parking strategy is supported by a robust and comprehensive implementation plan that considers priority, timescales, costs and funding.
Unable to influence motorist behaviour into more environmentally friendly methods of transport resulting in traffic congestion and poor air quality – threatening the councils' climate emergency declaration and its aim to become carbon neutral by 2030.	1 - Highly unlikely	2 - Noticeable	Ensure that the councils' have a wide range of education and engagement tools and materials in place.

9. CONSULTATIONS

- 9.1 There were a number of consultation exercises undertaken as part of developing the parking strategy. Details of which are shown in the table below.

Consultation	Date
Stage one consultation questionnaire	Aug-Oct 22
All-member briefings	Oct-21
Cabinet briefings	Mar-22
All-member briefings	Apr-22
Town & parish councils	
Other local interest groups	May-22
Stage two consultation questionnaire	Jun-Aug 22
Senior Leadership Team	Jun-22
Cabinet briefings	
In-person roadshow events	
Senior Leadership Team	Aug-22
Council leaders briefing	
All-member briefings	Sep-22

10. EQUALITY ANALYSIS

- 10.1 An EQIA was undertaken in August 2021 as part of the work required to seek Cabinet approval for development a parking strategy. This has since been reviewed and updated to reflect any necessary changes.
- 10.2 All opportunities to mitigate any adverse impact or further promote positive impact will be taken forward as part of the detailed implementation plan. For example, those with a disability (including children with additional needs) – a review of parking space allocation i.e. spaces are of an appropriate size, ensure adequate provision of disabled parking, consider accessibility as part of any planned improvements (e.g., surfaces, removing steps, improved signage considering all users).

11. ENVIRONMENTAL IMPLICATIONS

- 11.1 Following its Climate Emergency declaration, the councils' must look at ways to influence motorist behaviour. A small but simple change could make large improvements in air quality, reductions in congestion and CO₂ emissions.
- 11.2 To encourage drivers to consider other more environmentally friendly methods of transport, wherever possible, the councils' need to take into consideration the following points:
- Traffic congestion, air quality and the availability of other modes of travel as key considerations in setting the quantities of parking available, the location, the restrictions or controls applied, and parking tariffs employed.
 - Support for low-car and car-free developments, cycleway improvements, support for other Active Travel initiatives and lower provision of car parking in appropriate areas.
 - Electric Vehicle (EV) charging points in shoppers and residential car parks encourage alternatives to internal combustion engine car travel, reducing air pollution at the point of use.

12. BACKGROUND DOCUMENTS

BCa/20/31 Babergh Car Parking Study report – 4 February 2021

BCa/19/39 and MCa/18/63 Joint Area Parking Management Plan – 11 February 2019

BCa/21/16 and MCa/21/15 The creation of a parking strategy for Babergh and Mid Suffolk District Councils' – 2 August 2021

13. APPENDICES

Title	Description	Location
APPENDIX A	Parking Strategy Timeline	Attached

Parking Strategy timeline

<u>Task</u>	<u>Completion Date</u>
STAGE 1 – investigation and data collection	
Agree the Parking Strategy process with Joint Overview and Scrutiny Committee	28 June 2021
Draft pre-consultation document	Jun / Jul 2021
Cabinet meeting - agree process / costs and sign off	2 August 2021
Data Gathering including: <ul style="list-style-type: none"> • legislative research • previous surveys • capacity • occupancy • churn • usage • costs • fees & charges 	Aug to end Sep 2021
STAGE 2 – creation of the strategy	
Consultation with key stakeholders	1 Sep 2021 to 31 Mar 2022
STAGE 3 – governance process	
Informal Cabinet discussion	Apr - Jul 2022
Public consultation inc town and parish councils	
All member workshops	
Early Warning Cabinet	Aug / Sep 2022
All member briefing	
Overview and Scrutiny	
Report to Cabinet	Oct 2022

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Agenda Item 8

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

TO: Joint Overview and Scrutiny Committee	REPORT NUMBER: JOS/22/9
FROM: Melissa Evans – Director Corporate Resources	DATE OF MEETING: 19 September 2022
	KEY DECISION REF NO.

Council Tax Reduction Scheme

1. PURPOSE OF REPORT

- 1.1 To discuss and receive feedback (before Cabinet approval is sought) on the proposed changes to the 2023/24 Council Tax Reduction (Working Age) Scheme that will come into effect from 1st April 2023.

2. OPTIONS CONSIDERED

2.1 Option 1

Renew the existing Working Age LCTR Scheme to allow an up to 100% maximum reduction for all households.

This is the simplest change to introduce but perpetuates the existing problems of Universal Credit customers being put through a secondary means-test process and then being subject to monthly means-tested reviews as UC awards change. As the UC caseload increases, the workload is likely to become unmanageable and lead to long delays for all customers (including those on Housing Benefit) unless there is to be further investment in additional resources.

2.2 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 'passported' claims to be automated based on the UC financial data without additional verification.

UC claims without additional earnings would be awarded a 100% reduction on their Council Tax automatically based on their calculated UC entitlement. Customers with additional earnings will be managed within the scheme based on the level of earnings they receive as evidenced to and reported by DWP.

This scheme will maximise the opportunity for automation of UC notifications, offer a transparent scheme that will allow customers to calculate their own entitlement 'at a glance' and dramatically reduce the number of transactions that would lead to new bills/notifications being produced.

2.3 Option 3

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 'passported' claims to be automated based on the UC

financial data without additional verification. Create a transitional protection scheme to support those households who would be worse off under the simplified UC scheme.

It has the same benefits as option 2 above but the added dimension ensuring no household suffers a loss in support through the implementation of the scheme while their circumstances remain the same.

2.4 Option 4

Continue with the current CTR scheme for 2022/23

Continuing with the current scheme perpetuates the existing problems of Universal Credit customers being put through a secondary means-test process and then being subject to monthly means-tested reviews as UC awards change. As the UC caseload increases, the workload is likely to become unmanageable and lead to long delays for all customers (including those on Housing Benefit) unless there is to be further investment in additional resources.

3. RECOMMENDATIONS
3.1 Overview & Scrutiny to make comments and recommendation to Cabinet for the approval of the preferred option for the changes to the Council Tax Reduction (Working Age) Scheme that will come into effect from 1 st April 2023.
REASON FOR DECISION
3.2 To increase the maximum reduction available to 100% and reduce the number of customers undergoing recovery processes.
3.3 To avoid unnecessary means testing and provide equitable access to CTR for all customers who receive welfare benefits.
3.4 To reduce the requirement for recalculation of awards for customers on UC with fluctuating earnings.

4. KEY INFORMATION

4.1 The Councils currently operates two Council Tax Reduction (CTR) schemes:

- CTR State Pension Age Scheme; and
- CTR Working Age (Local) Scheme

4.2 The State Pension Age Scheme is a prescribed scheme and councils are prohibited from changing any aspect of the scheme.

4.3 The Councils CTR Working Age (Local) Scheme (CTRS) was first introduced in April 2013 offering a maximum reduction in Council Tax to eligible households of 91.5% (Babergh) and 95% (Mid Suffolk).

- 4.4 The Scheme was subsequently revised in 2018 – increasing the maximum reduction available to 95% for both councils whilst allowing customers in receipt of the then new Universal Credit (UC) the same access to CTR as recipients of the legacy benefits which Universal Credit had replaced.
- 4.5 The CTR schemes ‘piggyback’ on the means-tested Housing Benefit (HB) scheme using the same calculation method & rules for entitlement. This works well for those customers who receive both Housing Benefit and Council Tax Reduction although, for a number of customers, this means-testing is undertaken solely to calculate entitlement to CTR. I will refer to these as CTR only cases.
- 4.6 The number of CTR only cases have grown as Universal Credit becomes the primary benefit claimed by new customers requiring help with rent. Additionally, the Department for Work and Pensions (DWP) have been migrating all existing working age HB claimants onto Universal Credit. This migration will continue for legacy benefits at an unspecified date in the future. Whilst a ‘natural’ migration had been planned, the Coronavirus pandemic caused a significant acceleration in this migration as many existing customers experienced a significant change in their circumstances which required a move from HB to UC.
- 4.7 Since the introduction of the revised scheme in 2018, the caseload profile for recipients of Council Tax Reduction has changed significantly and now almost 60% of CTR customers receive Universal Credit.
- 4.8 The operation of the current CTR scheme is administratively burdensome. UC has award periods which require reviews to entitlement of UC every month for people who work. These reviews generate new award notifications to Local Authorities (LA’s) for any change in circumstances which, in turn, prompt a reassessment of CTR awards.
- 4.9 These reassessments consequently create Council Tax (CT) adjustments which necessitate the production of a new CT bill. Each new bill notifies the customer that a new instalment plan has been set (satisfying the legal notice period) and of the date when the first instalment falls due. This effectively defers the customer from making CT payments and, just before that new instalment falls due, UC recalculates again, and the process is repeated. This constant deferral causes confusion for customers as to when and how much to pay and can lead to accrual of CT arrear debt.
- 4.10 As the current scheme requires that everyone contributes towards their Council Tax by at least 5%, many CTR customers are left with small balances to pay. These balances are difficult to collect, and recovery processes can lead to customers incurring costs – sometimes the cost of which exceeds the balance to pay.
- 4.11 Given the current challenges faced by customers and the Council described above, officers have undertaken a review of the CTR scheme and proposed some options for consideration.

5. OPTIONS TO BE CONSIDERED

Option 1

Renew the existing Working Age LCTR Scheme to allow an up to 100% maximum reduction for all households.

Moving to a 100% reduction maximum scheme would mean those customers who are living on welfare benefits alone would have no Council Tax to pay and would not be subject to recovery processes or related costs.

This is the simplest change to introduce but perpetuates the existing problems of Universal Credit customers being put through a secondary means-test process and then being subject to monthly means-tested reviews as UC awards change. As the UC caseload increases, the workload is likely to become unmanageable and lead to long delays for all customers (including those on Housing Benefit) unless there is to be further investment in additional resources.

5.1 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 'passported' claims to be automated based on the UC financial data without additional verification.

Like option 1 it would mean those customers who are living on welfare benefits alone would have no Council Tax to pay and would not be subject to recovery processes or related costs.

It would also be a mechanism which reduces the requirement to recalculate awards, provide clarity for customers with fluctuating earnings and allow for any Council Tax due to be spread over the year.

UC claims without additional earnings would be awarded a 100% reduction on their Council Tax automatically based on their calculated UC entitlement. Customers with additional earnings will be managed within the scheme based on the level of earnings they receive as evidenced to and reported by DWP.

This scheme will maximise the opportunity for automation of UC notifications, offer a transparent scheme that will allow customers to calculate their own entitlement 'at a glance' and dramatically reduce the number of transactions that would lead to new bills/notifications being produced.

5.2 Option 3

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 'passported' claims to be automated based on the UC financial data without additional verification. Create a transitional protection scheme to support those households who would be worse off under the simplified UC scheme.

It has the same benefits as option 2 above but the added dimension ensuring no household suffers a loss in support through the implementation of the scheme while their circumstances remain the same.

5.3 Option 4

Continue with the current CTR scheme for 2022/23

Continuing with the current scheme perpetuates the existing problems of Universal Credit customers being put through a secondary means-test process and then being subject to monthly means-tested reviews as UC awards change. As the UC caseload increases, the workload is likely to become unmanageable and lead to long delays for all customers (including those on Housing Benefit) unless there is to be further investment in additional resources.

6. LINKS TO CORPORATE PLAN

- 6.1 Ensuring that the Council makes best use of its resources is what underpins the ability to achieve the priorities set out in the Corporate Plan.

7. FINANCIAL IMPLICATIONS

- 7.1 The table below shows the total Council Tax liability and value of Working Age Council Tax Reduction for the current financial year. As CTR is a daily reduction, the value of liabilities and reductions changes on a daily basis as this is affected by the number of live claims and their entitlement to CTR as well as the impact of reliefs and discounts on liabilities for Council Tax itself.

	GROSS LIABILITY	CTR 22/23 95% SCHEME	NET LIABILITY
BABERGH – WORKING AGE	£3,263,608	£2,500,195	£763,413
MID SUFFOLK – WORKING AGE	£3,071,061	£2,352,436	£718,624

- 7.2 The financial impacts in respect of cost arising from the proposals within this report are detailed within the appendices.
- 7.3 In respect of savings, it is difficult to quantify as reductions in service cost will impact partner contributions in subsequent year depending on the churn of cases.

8. LEGAL IMPLICATIONS

- 8.1 Section 13A(1) of the Local Government Finance Act 1992 (as amended) states that the amount of council tax which a person is liable to pay in respect of any

chargeable dwelling and any day (a) is to be reduced to the extent if any required by the Council's council tax reduction scheme under section 13A(2). Subsection 13A(1)(c) allows that in any case the council tax liability may be reduced, or if the amount has already been reduced under section 13A(1)(a), to such further extent, as the Council thinks fit. Under Section 13A(2) the Council must make a scheme specifying the reductions which are to apply to amounts of council tax payable in respect of dwellings situated in its area, by (a) persons whom the Council considers to be in financial need, or (b) persons in classes consisting of persons whom the Council considers to be, in general, in financial need. Section 13A(6) confirms the power under subsection (1)(c) includes the power for the Council to reduce an amount of council tax liability to nil.

- 8.2 Schedule 1A sets the arrangements for council tax reduction schemes. Paragraph 2 details the matters to be included in schemes, for example Paragraph 2(1) states that a scheme must state the class of persons who are to be entitled to a reduction under the scheme, and paragraph 2(3) says a scheme must set out the reduction to which each person in each class are to be entitled, and different reductions may be set out for different classes. Paragraph 4(d) confirms a reduction may be the whole amount of council tax (so that the amount payable is nil). Paragraph 5 of Schedule 1A requires the Council each financial year to consider whether to revise its scheme or replace it with another scheme.
- 8.3 Before making a scheme, the Council has a duty to (in the following order): (a) consult any major precepting authority which has the power to issue a precept to it; (b) publish a draft scheme, and (c) consult "such other persons as it considers are likely to have an interest in the operation of the scheme." (Schedule 1A Paragraph 3(1)). Once the Council has made the scheme it must publish it in the manner it thinks fit (Paragraph 3(3) of Schedule 1A).
- 8.4 If a Council fails to consult in accordance with the Act and the so-called Gunning principles on consultation, there is a possibility that any scheme could be subject to a challenge of Judicial Review, and if successful may be set aside. These principles are: (1) proposals are still at a formative stage; (2) there is sufficient information to give 'intelligent consideration'; (3) there is adequate time for consideration and response; and (4) 'conscientious consideration' must be given to the consultation responses before a decision is made. The Council should therefore ensure that it consults with anyone who is likely to have an interest in the scheme, provide enough information of the scheme, and sufficiently reasonably time to respond, and it must then properly consider and take into account any responses received.

9. RISK MANAGEMENT

- 9.1 This report is most closely linked with the Council's Corporate / Significant Business. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
------------------	------------	--------	---------------------

Successful legal challenge to the Working Age CTR scheme changes	Highly unlikely	Bad/Serious	Follow legal requirements for public consultation
Failure to meet the deadlines for agreeing/ implementing the scheme	Highly Unlikely	Bad/Serious	Project Management Committee Scheduling Gateway Reviews Test system set-up

10. CONSULTATIONS

- 10.1 Before any such changes can be adopted, the Council is required to
- consult any major precepting authority which has power to issue a precept to it,
 - publish a draft scheme in such manner as it thinks fit, and
 - consult such other persons as it considers are likely to have an interest in the operation of the scheme.

- 10.2 In 10.1 above:

Major precepting authorities would be Suffolk County Council and the Police & Crime Commissioner for Suffolk, both of whom can be approached direct.

- 10.3 Publishing the scheme would be satisfied by publishing the revised CTR Scheme on the Council's Web Site, provided that attention is drawn to it on the "Home" page and elsewhere, such as:
- in Social Media posts,
 - in the signature panel of Council e-mails,
 - in a standard paragraph in every Council Tax, CTR and Housing Benefit letter sent, and
 - in a local press release.

- 10.4 Consultation would include:
- Council Tax liable persons.
 - Those currently in receipt of a Council Tax Reduction (CTR):
 - Advisers regarding debt problems – including SCC Financial Inclusion Advice Service, Citizens Advice, Anglia Care Trust, Step Change, Ipswich Housing Action Group and National Debt Line; and
 - Landlords, in particular, Social Landlords and the Council's Housing Departments.

Consulting those above can be carried out in tandem with the publication of the scheme by inviting comments from those who view it on-line and by the publicity suggested regarding publication above.

10.5 A draft timeline for the consultation and decision making is shown below

	Cabinet decision on consultation	6-week consultation	Earliest date to make a decision		Latest date to make the decision	
			Cabinet	Council	Cabinet	Council
Babergh	3 rd October 2022	13 th October to 24 th November	9th January 2023	24th January 2023	6 th February 2023	20 th February 2023
Mid Suffolk	3 rd October 2022	13 th October to 24 th November	13th January 2023	26th January 2023	6th February 2023	23 rd February 2023

11. EQUALITY ANALYSIS

11.1 The proposals in this report equalise the Pension Age CTR Scheme and the Working Age CTR Scheme by offering up to 100% Council Tax Reduction thus ensuring that as well as age, there won't be discrimination against the other protected characteristics under the Equality Act 2010 (disability, sex, gender reassignment, pregnancy, maternity, race, sexual orientation, religion, or belief or because someone is married or in civil partnership)

Equality Impact Assessment (EIA) not required for consultation but will be undertaken prior to any scheme change implementation.

ENVIRONMENTAL IMPLICATIONS

11.2 The proposal to amend the Local Council Tax Reduction Scheme does not have a detrimental impact on the Council's climate change objectives.

12. APPENDICES

Title	Location
(a) Financial Impact Option 1	Attached
(b) Financial Impact Option 2	Attached
(c) Financial Impact Option 3	Attached

13. BACKGROUND DOCUMENTS

13.1 None.

Appendix (a) - Option 1

Increase the maximum rate of CTR from 95% to 100% reduction of the Council Tax charge maintaining alignment with the Housing Benefit Scheme.

This provides for the simplest change and allows for all customers to be treated in the same way. The caseload changes on a daily basis but the table below demonstrates the approximate cost of change.

Table 1

Option 1	Council Tax Net Collectable Liability £	Cost of CTR 22/23 95% Scheme £	Cost of CTR 22/23 100% Scheme £	Cost of uplift to 100% Scheme £	Caseload on 30 th June 2022
Based on data as of 30 th June 2022					
BDC – Working Age	780,579	2,510,697	2,658,111	£147,414	2,469
MSDC – Working Age	727,118	2,352,038	2,494,807	£142,769	2,297

The cost of the CTR scheme is borne proportionally by precepting authorities.

Based on the 2022/23 Council Tax Band D figures, the increase in the scheme costs would impact the preceptors by the following amounts:

Table 2

Babergh

Cost of uplift to 100% Scheme	Suffolk County Council 73.7%	Police & Crime Commissioner 12.7%	Babergh Council 9.1%	Parish Average 4.6%
£147.4k	£108.6k	£18.7k	£13.4	£6.7

Mid Suffolk

Cost of uplift to 100% Scheme	Suffolk County Council 74.1%	Police & Crime Commissioner 12.8%	Mid Suffolk Council 8.8%	Parish Average 4.3%
£142.7k	£105.8k	£18.2k	£12.6k	£6.1k

Appendix (b) – Option 2

Increase the maximum rate of CTR from 95% to 100% reduction of the Council Tax charge maintaining alignment with the Housing Benefit Scheme for legacy customers and introduce a Banded Earnings element to the scheme to account for Universal Credit customers.

This scheme (as modelled) costs just £22,810 (BDC) & £16,014 (MSDC) more to support than option 1.

Table 3

Option 1	Council Tax Net Collectable Liability £	Cost of CTR 22/23 95% Scheme £	Cost of CTR 22/23 100% Scheme £	Cost of uplift to 100% Scheme £	Caseload on 30 th June 2022
Based on data as of 30 th June 2022					
BDC – Working Age	780,579	2,627,847	2,680,921	170,224	2,469
MSDC – Working Age	727,118	2,459,831	2,510,821	158,783	2,297

The cost of the CTR scheme is borne proportionally by precepting authorities.

Based on the 2022/23 Council Tax Band D figures, the increase in the scheme costs would impact the preceptors by the following amounts:

Table 4

Babergh

Cost of uplift to 100% Scheme	Suffolk County Council 73.7%	Police & Crime Commissioner 12.7%	Babergh Council 9.1%	Parish Average 4.6%
£170.2k	£125.4k	£21.6k	£15.5k	£7.7k

Mid Suffolk

Cost of uplift to 100% Scheme	Suffolk County Council 74.1%	Police & Crime Commissioner 12.8%	Mid Suffolk Council 8.8%	Parish Average 4.3%
£158.7k	£117.7k	£20.2k	£14.0k	£6.8k

Option 2 was modelled assuming the following income thresholds for customers on UC. These are completely flexible, and both the band thresholds and weekly contribution can be amended.

Table 5 – Income Bands

Income Bands (Monthly)	monthly contribution	Income Bands (Weekly up to)	Weekly contribution
Not in work or less than £290	£0	Not in work or less than £66.92	£0
£290 - £609.99	£35	£140.77	£8.08
£610 - £1159.99	£80	£267.69	£18.46
£1160 to £1844.99	£120	£425.77	£27.69
£1845 - £2369.99	£185	£546.92	£42.69
£2370 - £2899.99	£240	£669.23	£55.39
Over £2900	No entitlement to CTS	over £669.23	No entitlement to CTS

Only those UC customers who earn over £290 per month would need to make any contribution towards their Council Tax and, provided their earnings do not fluctuate greatly, payments would remain the same throughout the year.

The main groups of people who benefit from this scheme are those where the claimant or partner had Carers Allowance or Employment Support Allowance included within their Universal Credit. This is counted as income within the current scheme and 20% of that income is used to reduce weekly entitlement to CTR. Under the new scheme, those customers who do not work are 'passported' to full CTR. Those customers who work and have Carers/Employment Support Allowance, have this 'other' income disregarded as additional income and, as such, see less of a reduction to their weekly entitlement.

93.67% (BDC) 95.37% (MSDC) of customers receive the same/better reduction than under the current scheme.

The customers who are adversely affected by this change are those who have Housing Costs included within their UC. The current scheme assumes that the assessed UC level is equivalent to the 'basic living allowance' used for legacy benefit customers and results in higher entitlement to CTR.

Appendix (c) – Option 3

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 ‘passported’ claims to be automated based on the UC financial data without additional verification. Create a transitional protection scheme to support those households who would be worse off under the simplified UC scheme.

Introducing a Transitional Protection Scheme to preserve the award for 23/24 to at least that of the entitlement in 22/23 would have the following estimated cost:

Babergh	£28,500
Mid Suffolk	£23,500

These estimates assume a Transitional Protection award for the whole of the financial year 2023/24.



INFORMATION BULLETIN

Babergh and Mid Suffolk Joint Overview & Scrutiny Committee – 19 September 2022

Legal Services – Performance Monitoring

At a meeting of the Joint Overview & Scrutiny Committee on the 22 November 2021 the Committee resolved that:

- the Legal Services Steering board review the recharging mechanism for the costs of the legal service and consider whether the performance monitoring arrangements were sufficient and that those findings of the Legal Services Steering board be presented back to the Overview and Scrutiny Committee via an information bulletin after its meeting in December.
- the information bulletin in recommendation one also include historical and current performance monitoring data, which would enable the Committee to observe the trends in performance over time.
- that recommendation three would be that a further information bulletin be presented to the Committee in six months into the new financial year demonstrating the split of new matters between Babergh and Mid Suffolk.

Steering Board review of the recharge

The Legal Steering Group meets quarterly and agreed that it would review the Service's performance data on a six-monthly basis with the most recent review taking place on the 09 June 2022. Reports on the following data are presented to the Committee:

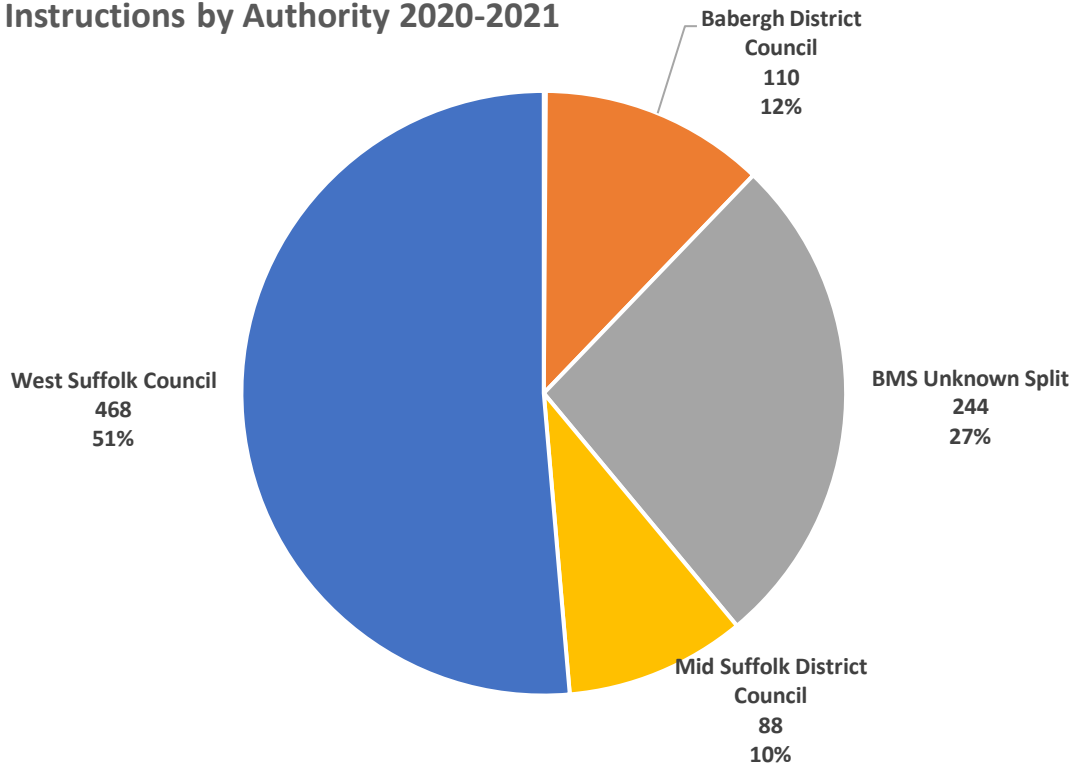
- No. of new legal instructions received per authority and legal team in preceding 6/12 months
- Percentage of complexity levels assigned to new legal instructions per authority
- Year by year comparison on legal instructions and complexity levels per authority

It was agreed by the Steering Group that this would be sufficient data in order to establish the correct budget costs split between the authorities under the shared service arrangement.

Performance trends

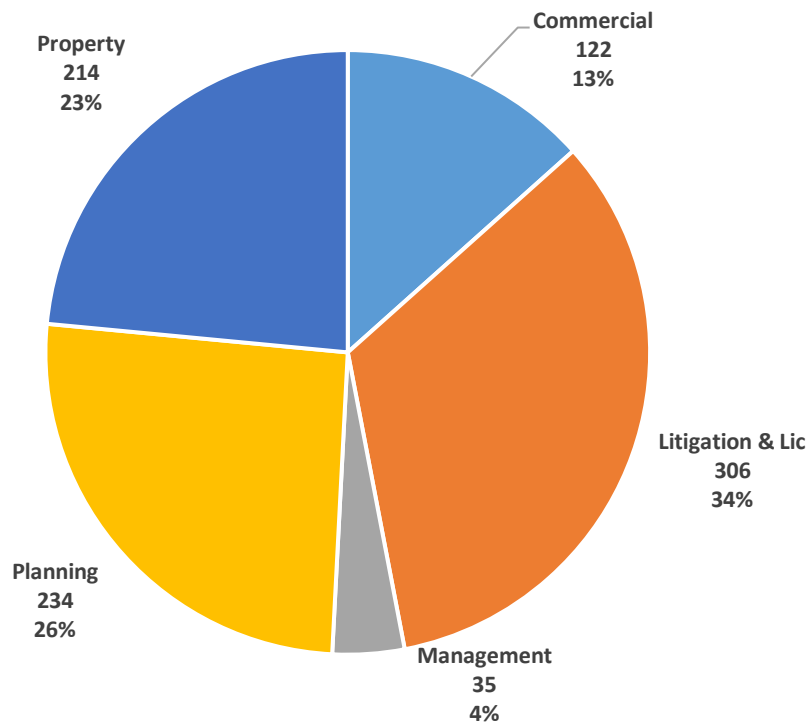
April 2020 to March 2021: the Legal Service received a total of 910 new instructions. During this period there were only two instances, BMSDC and WSC.

New Instructions by Authority 2020-2021



This information is then broken down by legal team which enables the Steering Group to determine whether each team is adequately resourced:

New Instructions by Team 2020-2021



The number of instructions alone does not provide the whole picture as each instruction has a different level of complexity. A complexity chart was therefore created and each instruction is given a complexity score based on the technical level required and time taken in completing the instruction:

COMPLEXITY	Very complex issues with significant consequence for the council (financial/corporate/reputational). Task usually undertaken by a senior member of the team with sufficient post qualification experience.	4	4	5	6	7
	Reasonably complex area of law. Some in-depth legal knowledge or research required. Task usually undertaken by a legally qualified or sufficiently experienced member of the team	3	3	4	5	6
	Reasonably simple task and/or undertaken on a regular basis. Basic knowledge required to undertake task. Typically carried out by a non-qualified member of the team with sufficient legal experience.	2	2	3	4	5
	Little or no research required and/or can normally be carried out by a member of the support team without direct supervision.	1	1	2	3	4
			1	2	3	4
			Quick tasks to turnaround (up to a week) and a one-person task.	May take more than one week to undertake tasks	Likely to take some time (up to about 3 months) to complete with input required. May require the input of more than one team member.	Likely to take over three months to complete/resolve and require the input of two or more team members.
T I M E						

Of the 910 new instructions the following complexity scores were added:

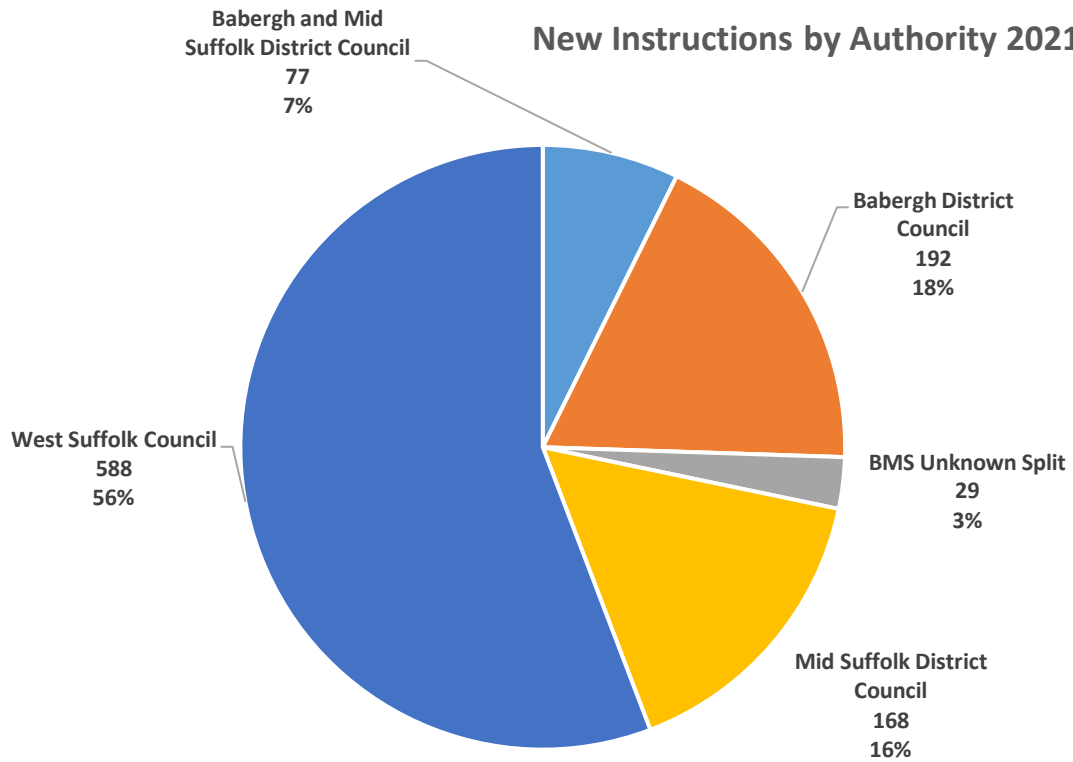
2020-2021					
Complexity Level	Babergh & Mid Suffolk District Council	Babergh District Council	BMS Unknown Split	Mid Suffolk District Council	West Suffolk Council
1					4
2		5	2		168
3		25	35	19	80
4	1	25	59	14	79
5		14	67	6	49
6		5	42	2	17
7		19	37	43	53
No Complexity		17	2	4	18
Grand Total	1	110	244	88	468

It is clear that although there were a higher number of instructions received from West Suffolk Council a large proportion of these instructions were given a complexity score of 1 and 2 whereas instructions received from Babergh and Mid Suffolk District Councils were more complex with 99 being the most complex.

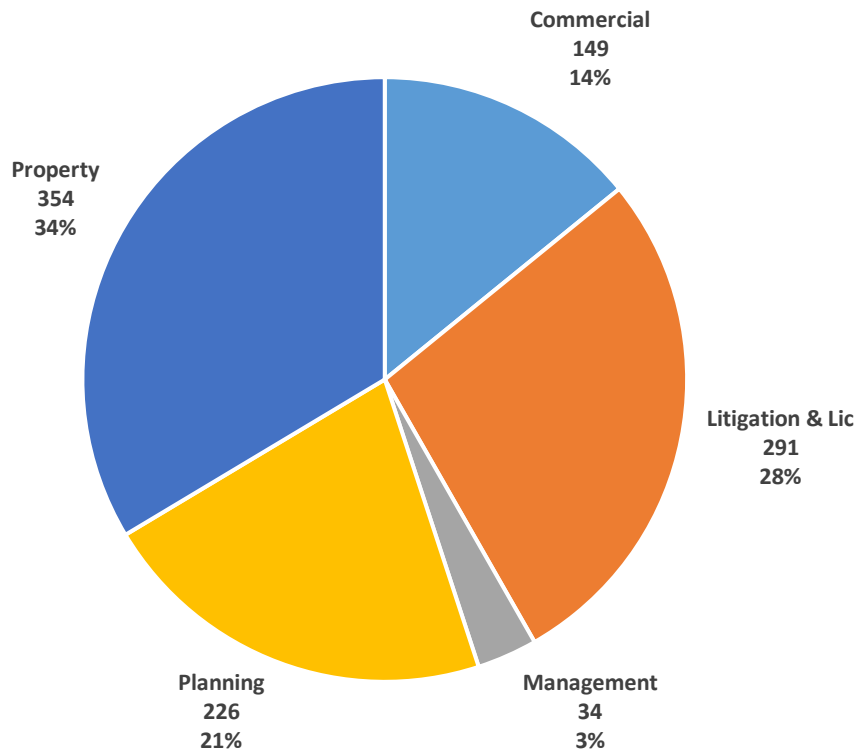
The type of instructions which would receive a score of 1-2 would be procedural matters like civil debt recovery, tree preservation orders. The type of instructions which would receive a score of 6-7 would include defending an application for Judicial Review, drafting a complex development agreement.

April 2021 to March 2022: the Legal Service received a total of 1054 new instructions.

New Instructions by Authority 2021-2022



New Instructions by Team 2021-2022



2021-2022

Complexity Level	Babergh & Mid Suffolk District Council	Babergh District Council	BMS Unknown Split	Mid Suffolk District Council	West Suffolk Council
1	7	2	1	15	48

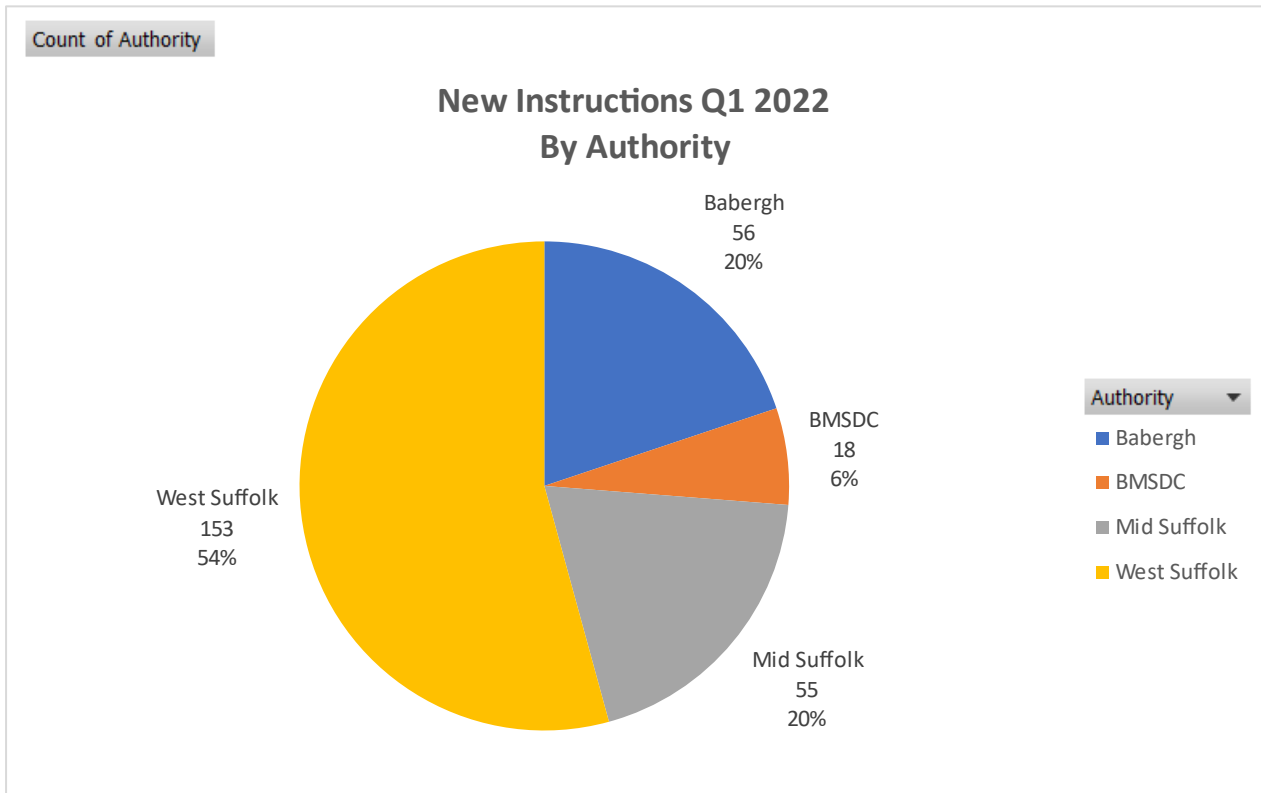
2	1	5	3	1	195
3	27	62	2	47	130
4	26	67	10	50	136
5	11	17	4	33	48
6	3	16	7	19	25
7	1	3	2	3	6
No Complexity	1	1			
Grand Total	77	192	29	168	588

Although there were less instructions at level 6-7, the number of lower level instructions remain higher for West Suffolk Council.

Babergh/Mid Suffolk split

From 01 April 2022, the case management system was adjusted to enable officers to record whether the BMSDC instruction was from BDC, MSDC or both and officers were requested to make this adjustment to ongoing matters as and when they worked on them. The above data is incomplete because some instructions had already been completed and closed prior to the adjustment being made on the system:

In Quarter 1 2022 the Legal Service received 282 new instructions. There is currently an even split of instructions received in relation to Babergh District Council and those received in relation to Mid Suffolk District Council. There are occasions when the instruction relates to both authorities:



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Agenda Item 10

JOINT OVERVIEW AND SCRUTINY COMMITTEE

TO:	JOINT OVERVIEW AND SCRUTINY COMMITTEE	REPORT NUMBER: JOS/22/11
FROM:	The Chair of the Mid Suffolk Overview and Scrutiny Committee	DATE OF MEETING: 19 September 2022

RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY TASK AND FINISH GROUP FOR TRANSPORT.

1. RECOMMENDATIONS

RECOMMENDATION TO BABERGH OVERVIEW AND SCRUTINY COMMITTEE

- 1.1 That Babergh Overview and Scrutiny Committee recommend to Babergh Cabinet that an analysis of the unmet demand for community transport in the district be carried out.
- 1.2 That the Babergh Overview and Scrutiny Committee recommend to Cabinet that Suffolk County Council be informed of the apparent lack of publicity of community transport across the district, and to encourage joint working between Babergh and Mid Suffolk District Councils and Suffolk County Council to promote community transport services.

RECOMMENDATION TO MID SUFFOLK OVERVIEW AND SCRUTINY COMMITTEE

- 1.1 That Mid Suffolk Overview and Scrutiny Committee recommend to Mid Suffolk Cabinet that, as part of the development of the electric bus project, local consultations to elicit unmet transport needs should be carried out – one covering an urban area and one covering a rural area.
- 1.2 That the Mid Suffolk Overview and Scrutiny Committees recommend to Cabinet that Suffolk County Council be informed of the apparent lack of publicity of community transport across the district, and to encourage joint working between Babergh and Mid Suffolk District Councils and Suffolk County Council to promote community transport services.

The Task and Finish Group for Rural Transport, set up by the Joint Overview and Scrutiny Committee, first met on 22 September 2021 and received evidence from the following invited witnesses:

Simon Barnett – Public Transport Development Manager, Suffolk County Council.

Joy Moran – Transport Services Manager, Connecting Communities, based in Hadleigh and serving Babergh District.

Daniel Davies – Connecting Communities Service Manager, Bury St Edmunds Voluntary Centre (BSEVC), based in Stowmarket and serving Mid Suffolk.

They provided an outline of transport services provision across the two districts, both timetabled services and Connecting Communities provision. The number of people using the services had fallen since the start of the Covid pandemic in March 2020.

Babergh and Mid Suffolk lost a large proportion of their timetabled services as a result of cuts in bus subsidies in 2018/19. However, Suffolk County Council had an opportunity to make significant improvements via the national Bus Back Better initiative and were preparing a Bus Service Improvement Plan for submission to Central Government. The work of the Task and Finish Group could provide useful input to the Bus Back Better initiative.

Connecting Communities is a service provided under a contract from Suffolk County Council and requires the passenger to book in advance. It is used predominately by people over 65. The Connecting Communities Service cannot meet every request; records are kept of these 'refusals'. The vehicle fleets would need to be replaced within a few years. Members felt that the Connecting Communities Service is not widely known and needs promoting.

Further meetings were held to address the key issue – to identify where improvements should be made to enable better access to public transport, community transport and volunteer transport across the two districts. There were two significant developments which required the Group to adapt its approach: Suffolk County Council failed to secure any funding for its Bus Service Improvement Plan and Mid Suffolk Council approved funding for the acquisition and running costs (for two years) of two electric minibuses.

Members agreed that provision of significant improvements District-wide would not be feasible and to focus on one area per council would be more appropriate. A different approach to improving services in each district would be needed.

Suffolk County Council would have no funding available for reinstating services or providing new services. It was suggested that Connecting Communities 'refusals' would form the basis of assessment of unmet need.

Babergh Members of the Group felt that a first step towards assessing the transport needs in their district would be to ask Cabinet to agree to an analysis of community transport 'refusals'.

Mid Suffolk Members felt that, as part of the development of the electric bus project, local consultations to elicit unmet transport needs should be carried out – one covering an urban area and one covering a rural area.

Joint Overview and Scrutiny Action Tracker

Date of Meeting	Report	Recommendation	Went to Cabinet	Cabinet Decision
27.06.22 (Joint)	JOS/22/2	<p>1.1 That the Joint Overview and Scrutiny committee notes the CIFCO Business Plan and Business Trading and Performance and ask that the minutes of this meeting be taken into account at Full Council.</p> <p>1.2 That the Joint Overview and Scrutiny Committee is satisfied that the CIFCO Business Plan and Business Trading and Performance is robust for 2022 – 2023.</p> <p>1.3 That the Overview and Scrutiny Committee recommend to Full Council that future CIFCO business plans continue to be scrutinised by the Councils’ Joint Overview & Scrutiny Committee and then reported to Council.</p> <p>1.4 That the Joint Overview and Scrutiny Committee approves the statement as detailed in paragraph 2.2 in the report.</p>		
25.04.22 (Joint)	JOS/21/30	<p>1.1 That the Overview and Scrutiny Committee compliments the officers on the report and presentation and recommend to Cabinet that the policy be adopted taking in to account the following recommendations:</p> <p>1.2 That Overview and Scrutiny considers that the maxim loan of £20k is insufficient and asked that Cabinet raise the level of loans and consider if a nominal rate of interest should be applied.</p> <p>1.3 That loans for works to improve for energy efficiency of homes should also be available.</p> <p>1.4 That the information in the communication plan is strengthened including publicity via Parish Council and local community groups and that a briefing note be circulated to Councillors when the policy is adopted.</p> <p>1.5 That Cabinet be asked to monitor the budget for empty homes this year and consider whether an increase is required for 2023/24.</p> <p>1.6 That further quantitative information is provided to members of the committee on the empty homes’ loans and the financial implications for the Councils.</p> <p>1.7 That close working is encouraged with the Homelessness Outreach officers (BDC only) That the Empty Homes workload be kept under review by Cabinet to explore additional funding options for an Empty homes officer.</p>	<p>MSDC MCa/22/9 (04.07.22) BDC BCa/22/9 (05.07.22)</p>	<p>MSDC: 3.1 Approve the new Empty Homes Policy, as set out in Appendix A of this report and considering the recommendations from Overview & Scrutiny Committee held on 25th April 2022.</p> <p>3.2 The Assistant Director for Housing, in consultation with the Portfolio Holder for Housing has delegated authority to make minor changes to the Empty Homes Policy.</p> <p>BDC: 3.1 Approve the new Empty Homes Policy, as set out in Appendix A of this report and considering the recommendations from Overview & Scrutiny Committee held on 25th April 2022.</p> <p>3.2 The Assistant Director for Housing, in consultation with the Portfolio Holder for Housing has delegated authority to make minor changes to the Empty Homes Policy.</p>

Date of Meeting	Report	Recommendation	Went to Cabinet	Cabinet Decision
21.03.22 (Joint)	JOS/21/25	<p>1.1 That the Committee note the contents of this report.</p> <p>1.2 That the comments made by the Committee regarding the name of the partnership and the format of the action plan be reported back to the WSCSP.</p> <p>1.3 That the reporting toolkit for all Members be updated and circulated</p> <p>1.4 That a training session be held for all Members to ensure that all Councillors have knowledge and awareness of their role in respect of identifying and reporting crime and safety issues in their area and are able to support their town and parish councils when discussing crime and safety.</p> <p>1.5 That a simplified version of the action plan is circulated to all councillors with the O&S chair's report to full council on this item.</p> <p>1.6 Review the timing of the WSCSP report based on the meeting cycle of the partnership and ensuring that the most up to date position is reported and to review the format of the report to ensure that the information is clear, concise and has a strategic focus.</p> <p>1.7 To explore whether the strategic assessment is available from the County Council</p>		
21.02.2022 (BDC)	CALL-IN OF THE BABERGH CABINET DECISION FOR BCA/21/38 ACCOMMODATION AND AGILE STRATEGY - ENDEAVOUR HOUSE	That the decision be upheld and implemented immediately.	Agenda item 6 pages 15-19 (07.03.22)	
	CALL-IN PROTOCOL FOR THE BABERGH CABINET DECISION 7 FEBRUARY 2022	That Members considered and agreed the scope of the Call-in.		
17.01.22 (BDC)	BOS/21/02	<p>1.1 That the Overview and Scrutiny Committee notes the Housing Revenue Account 2022/23 and Four-year Outlook.</p> <p>1.2 That the Overview and Scrutiny recommends that the Information about the use of sub-contractors be included in the quarterly performance monitoring report.</p>	Agenda item 6 pages 21 - 24 (07.02.22)	The recommendations were noted.

Date of Meeting	Report	Recommendation	Went to Cabinet	Cabinet Decision
	BOS/21/01	<p>1.1 That the Overview and Scrutiny Committee notes the General Fund budget 2022/23 and Four-year Outlook.</p> <p>1.2 That the Overview and Scrutiny Committee receives a report from Cabinet on the outcomes of the performance framework on a six-month basis.</p>	Agenda item 6 pages 15 - 19 (07.02.22)	The recommendations were noted.
13.01.22 (MSDC)	CALL IN OF THE DECISION FROM THE MID SUFFOLK CABINET MEETING 6 DECEMBER 2021 MCa/21/32	<p>Refer the matter back to the Cabinet for reconsideration, together with the observations of the Overview and Scrutiny Committee. Cabinet will then take a final decision and that decision cannot be called in.</p> <p>The Overview and Scrutiny Committee refers the matter back to Cabinet with the following observations:</p> <p>That Insufficient evidence of the pre-consultation regarding mandating conversion of vehicles to EV and further consultation with trade is recommended.</p> <p>That Cabinet needs further information in respect of plans to provide on-and off- taxi ranks and on-and off- street EV charging, following further consultation with taxi providers.</p> <p>That an action plan is needed to be agreed for the incentive scheme as mentioned in 6.1.1 of the Cabinet report.</p> <p>That Cabinet needs to give further consideration of the discussion of the licensing and regulatory committee and its reasons for recommending the policy to Cabinet</p>	MCa/21/44 (07.03.22)	That the Cabinet decision on 6 December 2021, to adopt the new Hackney Carriage and Private hire Vehicle Licensing Policy, be confirmed and that the matters raised by the Overview and Scrutiny Committee, particularly in relation to electric vehicles, be referred to officers and the Licensing and Regulatory Committee for further work before being presented back to Cabinet.
	CALL IN OF MID SUFFOLK CABINET DECISION 6 DECEMBER 2021	That the Protocol for the Call-in Procedure be Approved		
	MOS/21/02	<p>1.1 That the Overview and Scrutiny Committee notes the Housing Revenue Account 2022/23 and Four-year Outlook and</p> <p>1.2 That information is provided for the level of council rent compared with other authorities for benchmarking for the current year and the number of tenants receiving rent rebate in the current financial year be provided to Council in February and to the Overview and Scrutiny Committee for their review of the Budget in the next municipal year.</p>	Agenda item 6 pages 17 - 20 (07.02.22)	The recommendations in the report were noted.

Date of Meeting	Report	Recommendation	Went to Cabinet	Cabinet Decision
	MOS/21/1	<p>1.1 That the Overview and Scrutiny Committee notes the General Fund budget 2022/23 and Four-year Outlook and asks that the Cabinet Member for Finance and Officers take into consideration the comments made at the meeting.</p> <p>1.2 That the budget preparation process is reviewed by the S.151 Officer and the Monitoring Officer to ensure that the O&S Committee can be involved earlier in the development of the budget, enabling a more strategic approach to scrutinising the budget. Further that the Monitoring Officer and Constitution Working Group reviews the terms of reference for the O&S Committee and the JAS Committee to ensure that financial scrutiny is being undertaken in the most appropriate way.</p>	Agenda item 6 pages 11 - 14 (07.02.22)	The recommendations in the report were noted.
20.12.21 (Joint)	JOS/21/20	<p>1.1 To thank the LCA Chief officers and their respective staff for the work that they have carried out in the last year. Particularly during the pandemic.</p> <p>1.2 The Committee are reassured that both LCAs are operating effectively and efficiently and responded well to all questioning from Members.</p> <p>1.3 That the Councils take a single view of debt and implement an integrated system for dealing with housing rent, and council tax debt.</p> <p>1.4 That contact be made to foodbanks with a request that their clients are referred to the LCA for advice on nutrition and budgeting and cookery skills classes.</p> <p>1.5 Remote virtual operation capability for LCA and other bodies should be provided on an accelerated programme as a matter of urgency defining locations, IT equipment and applications, training, and connectivity.</p> <p>1.6 That Cabinets be asked to consider the previous resolution of Joint Overview and Scrutiny Committee that the 3 year rolling funding arrangements review be subject to indexation on an annual review basis.</p> <p>1.7 That the Joint Overview and Scrutiny Committee review the Local Citizens Advice in December 2022</p> <p>(BDC only) Recommendation to Babergh Cabinet that extra funding be provided to Sudbury Citizens Advice to enable greater provision for debt advice across the whole district.</p> <p>(MSDC only) Mid Suffolk Cabinet to confirm that funding previously allocated to Thetford and Diss LCA be allocated to Mid Suffolk LCA</p>	MSDC: MCa/22/4 (06.06.22) BDC: BCa/22/22 (05.09.22)	<p>MSDC: That Cabinet considered the report from Joint Overview and Scrutiny and agreed their response to the recommendations in the report as detailed in paragraph 4, in line with the Council's response to the Cost of Living Crisis and the five point plan that will look at a better system of connectivity between partners, including the LCA, the Council and system wide partners. Responses to the recommendations can be found on pages 3 & 4 of the report at the following link: https://baberghmidsuffolk.moderngov.co.uk/documents/s27316/MSDC%20Cabinet%20Report%20-%20OS%20Recommenations%20LCA.pdf</p> <p>BDC: That Cabinet considers the report from Joint Overview and Scrutiny and agrees its response to the recommendations in the report as detailed in paragraph 4, and in line with the Council's response to the Cost of Living Crisis and the five point plan that will look at a better system of connectivity between partners, including the CAB, the Council and system wide partners. Responses to the recommendations can be found on pages 3 & 4 of the report at the following link: https://baberghmidsuffolk.moderngov.co.uk/documents/s28235/BDC%20Cabinet%20Report%20-%20OS%20Receommendations%20CAB.pdf</p>

Agenda Item 13

BABERGH OVERVIEW AND SCRUTINY COMMITTEE WORK PLAN 2022/23:

TOPIC	PURPOSE	LEAD OFFICER	CABINET MEMBER	PREVIOUSLY PRESENTED TO COMMITTEE
24 OCTOBER 2022				
Annual Review of Joint Homes and Housing Strategy and Homelessness and Rough Sleeping Reduction Strategy		Director - Housing	Cabinet Member for Housing	
21 NOVEMBER 2022				
Review of Suffolk Association of Local Councils (SALC) and the support they provide to Parishes across Babergh and Mid Suffolk.				
Access and availability of services /leisure /education/ employment for residents.				
19 DECEMBER 2022				
Annual Review of Local Citizens Advice	To review the Funding Arrangements for LCA in the two Districts.	Corporate Manager Communities	Cabinet Members for Communities	
Information Bulletin on is the organisation protected against cyber attacks?				

Information Bulletin on education, skills and employment – including apprenticeships – what more can the council do to raise opportunities and attainment?				
23 JANUARY 2023				
Information Bulletin updating Members on the Electronic Complaints system				
(BDC) Scrutiny of the Cabinets’ Communication and Sharing of Information				
Are planning pre-application advice customers getting a valuable service				
20 FEBRUARY 2023				
20 MARCH 2023				
Crime and Disorder Panel meeting	The Committee conduct a scrutiny review of the WSCSP to fulfil the Councils Statutory requirements	Director – Sustainable Communities Community Safety Professional Lead - Communities	Cabinet Members for Communities	
24 APRIL 2023				
PRE-ELECTION PERIOD				
22 MAY 2023				

Topics identified for review but not currently timetabled:

Draft General Fund (GF) 2023/24 and Four-year Outlook

Draft Housing Revenue Account (HRA) and Four - year Outlook

Improving Access to the Private Rented Sector - Chairs to discuss the timing for bringing this to Committee

Scrutiny of the delivery of services for Transport for both Town and rural areas.

The Census reports to be scrutinised in 2022

The Infrastructure Delivery Plan

Outcome of Residents Survey to be reviewed

Other topics identified:

- Land Adoptions Policy
- Information Bulletin on the cost of maintenance of tenanted properties.

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Agenda Item 14

MID SUFFOLK OVERVIEW AND SCRUTINY COMMITTEE WORK PLAN 2022/23:

TOPIC	PURPOSE	LEAD OFFICER	CABINET MEMBER	PREVIOUSLY PRESENTED TO COMMITTEE
JOINT 24 OCTOBER 2022 (Original MSDC date 20 October 2022)				
Annual Review of Joint Homes and Housing Strategy and Homelessness and Rough Sleeping Reduction Strategy		Director - Housing	Cabinet Member for Housing	
17 NOVEMBER 2022 (Proposed Joint date 21 November 2022)				
Review of Suffolk Association of Local Councils (SALC) and the support they provide to Parishes across Babergh and Mid Suffolk.				
Access and availability of services /leisure /education/ employment for residents.				
15 DECEMBER 2022 (Proposed Joint date 19 December 2022)				
Annual Review of Local Citizens Advice	To review the Funding Arrangements for LCA in the two Districts.	Corporate Manager Communities	Cabinet Members for Communities	
Information Bulletin on is the organisation protected against cyber attacks?				

Information Bulletin on education, skills and employment – including apprenticeships – what more can the council do to raise opportunities and attainment?				
19 JANUARY 2023 (Proposed Joint date 23 January 2023)				
Information Bulletin updating Members on the Electronic Complaints system				
Are planning pre-application advice customers getting a valuable service				
16 FEBRUARY 2023				
16 MARCH 2023 (Proposed Joint date 20 March 2023)				
Crime and Disorder Panel meeting	The Committee conduct a scrutiny review of the WSCSP to fulfil the Councils Statutory requirements	Director – Sustainable Communities Community Safety Professional Lead - Communities	Cabinet Members for Communities	
20 APRIL 2023				
PRE-ELECTION PERIOD				
18 MAY 2023				

Topics identified for review but not currently timetabled:

Draft General Fund (GF) 2023/24 and Four-year Outlook

Draft Housing Revenue Account (HRA) and Four - year Outlook

Improving Access to the Private Rented Sector - Chairs to discuss the timing for bringing this to Committee

Scrutiny of the delivery of services for Transport for both Town and rural areas.

The Census reports to be scrutinised in 2022

The Infrastructure Delivery Plan

Outcome of Residents Survey to be reviewed

Other topics identified:

- Land Adoptions Policy
- Information Bulletin on the cost of maintenance of tenanted properties.

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