

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK CABINET** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Monday, 9 July 2018 at 2:30pm

PRESENT:

Councillor: Nick Gowrley (Chair)

Councillors:	Gerard Brewster	David Burn
	Rachel Eburne	Julie Flatman
	Glen Horn	Jill Wilshaw

In attendance:

Councillor Roy Barker
Councillor Diana Kearsley
Councillor Suzie Morley

Chief Executive (AC)
Corporate Manager – Communications (ZB)
Corporate Manager – Countryside and Public Realm (PG)
Corporate Business Coordinator (SM - Notes)
Strategic Director (KN)
Project and Research Officer (KP)
Corporate Manager - Democratic Services (JR)
Strategic Director (JS)
Assistant Director for Customer Services (SW)

14 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Otton, Councillor Whitehead and Councillor Whybrow.

15 TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY COUNCILLORS

There were none.

16 MCA/18/07 - CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 4 JUNE 2018

The minutes of the meeting held on 4 June 2018 were confirmed as a correct record.

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

None received.

18 QUESTIONS FROM COUNCILLORS

The following questions were received:

18.1 Question 1

Councillor John Matthissen to Councillor Jill Wilshaw

“What is the most recent estimate available for empty homes (all tenures) in the District, and what are comparable figures over the last 5 years?.”

Response from Councillor Wilshaw

“The following statistics are those that we have available, in relation to those properties that have been empty in excess of 6 months:

May 2018: 302, 79 of which empty in excess of 2 years.

May 2017: 314, 79 of which empty in excess of 2 years.

May 2016: 270, 69 of which empty in excess of 2 years.

May 2015: 297, 88 of which empty in excess of 2 years.”

18.2 Question 2

Councillor John Matthissen to Councillor David Burn

“When will Council take any effective action to save Fisons Warehouse, bearing in mind that my questions to March Cabinet were either rejected as “a planning matter” or as “submitted too late – written answer to follow” which I cannot trace ever receiving, and that councillor Field’s question at June Council was rejected as not arising from the Leader’s report, while the emphasis of Council media statements has been on securing the perimeter of the site, not ensuring the survival of the magnificent listed building?”

Response from Councillor Burn

“The Council continues to work in both a proactive and robust way with the owners of the Fison’s building. There are two main issues the Council is dealing with, a sustainable planning proposal and the management of a potentially dangerous structure. The Council is currently in detailed discussion with the owners of the site on a revised pre-application proposal. The Council has also been undertaking significant action on an enforcement front. A detailed structural report has been commissioned and received. The Council has taken legal advice and is progressing with actions against the owners of the site to ensure the building’s ongoing safety.”

18.3 Question 3

Councillor John Matthissen to Councillor Suzie Morley

“Why has a proposed “Customer” Strategy come forward when:

- **As long ago as 2011 over 60 members of Mid Suffolk and Babergh decided in a joint meeting to use the term “Citizens” in future mission statements etc**
- **There has been no consultation of all members regarding the strategy**
- **Research has repeatedly shown that residents respond significantly less positively to be called “customers” thus imposing greater demands on hard-pressed public bodies**
- **There are many more accurate terms to describe those who live and work in Mid Suffolk, depending on their particular interaction with the council’s staff**
- **The Council is not a business but uniquely an elected public body, answerable to its residents?”**

Response from Councillor Morley

“Thank you for your question Cllr Matthissen. I am not aware of the context or the discussions that took place some 7 years ago in respect of using the term ‘Citizens’. We recognise that indeed, there are lots of different terms that describe those who live and work in Mid Suffolk and additionally who visit our District and who have a variety of different interactions with the Council. We have outlined in the report at paragraph 4.6 the reasons why we are using the term ‘customer’. I note the other comments you have made.”

18.5 Question 4

Councillor John Matthissen to Councillor Nick Gowrley

“What progress has been made in implementing the MSDC Executive Committee decision (5/10/2015) to delegate X/45/15 (Development in Victoria Road) and the subsequent update provided at Council 21 November 2016 in answer to my question to councillor Gowrley? What are the implications for the MSDC-owned land of the adjacent planning permission 2896/15 which is currently being built?

The relevant minutes are appended below:

From confidential minutes of Oct 15 Executive :

1.Resolution One -*That the intention to submit a request for change of use of the council owned land marked red on the plan attached to Report X/45/15 be noted.*

2. Resolution Two -*That the Strategic Director be delegated authority to:*

- Implement the recommendation of the best option available for the Council (following an options appraisal as mentioned in paragraph 1.3 to be exercised within the annual approved budget levels and within the***

approval levels for the Strategic Director).

- ii) ***Subject to legal advice, to complete the appropriate legal documents to secure the acquisitions and / or disposals required for the implementation of the option appraisal.***

Update:

The proposal continues to be developed with Mr Porch the private landowner.

- **Negotiations took place with the neighbouring land owner, Mr Porch. Both sides agreed that negotiations would be re-established after Mr Porch had his planning permission for his site. Permission for 3 units has now been given. The agent has recently contacted (23.11.16) and Anne Bennett will be arranging to meet them in the New Year.**

What next:

- **We will meet with the agent of Mr Porch to start discussions around making any proposed development a viable proposal for both sides.**
- **If discussions give grounds for further work:**

We will seek specialist advice around release of covenant, values of land and easement; and change of use.”

Response from Councillor Gowrley:

“Further to your question at Council in November 2016 and your most recent question, with regards to the land on Victoria Road, Mr Porch has only recently (24th April 2018) discharged his planning obligations and is currently on site (since the beginning of July 2018) developing the 3 dwellings, as per planning application ref 2896/15.

The Council’s property department will now open further dialogue, in the first instance, with Mr Porch to discuss the opportunity around the site, currently owned by the Council on Victoria Road, as per the agreement at Executive in 2015.”

18.6 Question 5

Councillor Rachel Eburne to Councillor Gerard Brewster

“Many high-street retail companies have recently been closing stores and issuing profit warnings. Given that Mid Suffolk District Council’s investments (via CIFCO Capital Limited) are in commercial property, which has retail tenants (such as Marks & Spencer), has the risk of tenant default been assessed? When was this done and how is this information provided to the Council?”

Note that I wanted to ask this at Council and got the following response (see below). This response, however, did not answer my question fully which was “when was this done” (meaning I expected a date to be provided) and “how is this reported to Council” (as in when are all members of the Council, and hence the public, aware of this).”

Response from Councillor Gerard Brewster

“Tenant default is a risk we take when investing in commercial property for rental income. To mitigate this risk we do have limits in place for sector and individual tenant exposure and always look at the quality of the tenant when deciding on investing or re-letting. Jones Lang LaSalle Ltd (Fund Manager and Acquisitions adviser) provides quarterly advice on the economic, investment market and property market outlook upon which the Board, in part, can base its investment decisions. In the most recent financial quarter JLL reported on the national outlook and on individual sector attributes and the strength of each tenant covenant. In the case of Marks and Spencer, the tenant still represents a strong covenant, and the lease has strong unexpired lease term.

The risks of investment in individual asset classes such as high street retail and the effects of ‘clicks not bricks’ are implicit in the strategy and the limits imposed on exposure across the fully invested portfolio. The Board undertakes due diligence on all potential assets as and when they arise in the marketplace. Fund managers JLL independently review the portfolio covenant and provide quarterly reports to the Board. It was always the intention through the setup of the incorporated company structure for it to be the role of the Board and its appointed professional Non-Executive Directors to manage the due diligence and potential risks associated with any acquisition opportunities.

The Chair of CIFCO Capital Ltd reports into the Holding Companies on a quarterly basis to provide them with a comprehensive performance report of the portfolio, and the Holding Companies provide a Performance and Risk report to the Councils on a twice-yearly basis.

Risks are reviewed quarterly in line with the Board’s approved Risk Management Strategy and reported in to the Council’s Corporate Risk Team quarterly or by exception, if required.”

- 18.7 Councillor Eburne then asked a supplementary question. She was still very concerned about retail investments, how this was being reported, and whether there would be full report presented to Council on risk with investments, especially retail. Councillor Brewster explained questions dealing with this matter, around Governance and Risk, were asked at the recent Overview and Scrutiny Committee. These had been fully answered after debate by Members and were accepted by the Committee. CIFCO had taken all possible measures and were doing an excellent professional job. He was sure if Councillor Eburne had been present at the meeting she would have had her concerns fully answered.

18.8 **Question 6**

Councillor Wendy Marchant to Councillor Suzie Morley

“Now that a new library is planned for Needham Market, would it be possible to have public access, face to face, say just one day a week, for ‘customers’ of Mid Suffolk District Council who have any queries”

Response from Councillor Morley

“Thank you for your question Cllr Marchant. Within Mid Suffolk District Council, we do provide a public access point in Stowmarket, where customers can access self-service facilities as well as speak to one of our customer service staff in person. Within our refreshed Customer Strategy, we state that we will explore further opportunities to work in partnership with other organisations to provide self-service facilities including the provision of scanning information. We are already in discussions with Suffolk Libraries to pilot an approach where customers could potentially access self-serve facilities in Library locations. We will consider this provision where we can identify that a customer need exists”.

19 MATTERS REFERRED TO BY THE OVERVIEW AND SCRUTINY OR THE JOINT AUDIT AND STANDARDS COMMITTEE

There were none.

20 MCA/18/08 - FORTHCOMING DECISIONS LIST

20.1 The forthcoming decisions list was noted.

20.2 A concern was raised over CNL11, Local Development Plan, as originally it had been scheduled for April 2018. It was hoped that the overall timing of the plan had not slipped. Members noted the full report, including the timetable, would be presented at July's Council meeting.

21 MCA/18/09 - RESPONSE TO QUESTIONS RAISED AT CABINET OR SUBMITTED POST CABINET ON THE END OF YEAR PERFORMANCE REPORT

21.1 Members noted report MCA/18/09.

21.2 Councillor Horn, as the Cabinet Member with responsibility for Organisational Delivery, was happy to continue conversations on performance. Councillor Eburne felt in future that it would be helpful to have the opportunity to discuss any concerns prior to the publication of the report. This was agreed.

22 MCA/18/10 - REFRESHED CUSTOMER STRATEGY

22.1 Councillor Morley, the Lead Member for Customer Service, introduced report MCA/18/10 and the Assistant Director for Customer Service gave an overview of the document.

22.2 Councillor Horn, the Cabinet Member for Organisational Delivery, thanked the Assistant Director for Customer Service for an excellent document and moved the recommendation which was seconded by Councillor Gowrley.

22.3 The use of the word “customer” was questioned due to there not being a choice in services, although the Council could be a customer focussed organisation. There was a lack of context included in the report for the public to see. It appeared there

was only background information, rather than any form of consultation. There was a concern as to whether the document gone through the “Plain English” group to ensure what it is trying to say was understandable? Also, there did not appear to be any timescales listed within the strategy.

- 22.4 Members noted the Customer Strategy would ensure a consistent level of service delivery as being overarching. It was acknowledged it would be useful to have further information about the background and challenges in terms of the context. An action plan would be part of a further document and would be different across service areas. Councillor Horn, the Cabinet Member with responsibility for Organisational Delivery had consulted with his Babergh District Council Cabinet colleague, as well as speaking with Parish councillors, citizens and tax payers, of which he had received positive feedback.
- 22.5 Members were pleased that customers who did not use digital services had been recognised, as well as improving the skills of the customer services staff, in order for them to direct people more quickly.
- 22.6 Members considered this to be a good document, which covered all of the points required. It was refreshing to see a more user-friendly presentation which caught the eye and encouraged people to read it. The use of graphics was well chosen. It acknowledged it would be an ongoing “live” document which would be reviewed, adapted and evolved over time as services continued to be developed.

By 6 votes to 1.

It was RESOLVED:-

- (1) That the Refreshed Customer Strategy be agreed.
- (2) That in consultation with the Cabinet Member and Lead Member, minor amendments to the Strategy be delegated to the Assistant Director for Customer Services to ensure the Strategy is kept up to date, and reflective of emerging strategies which overlap.
- (3) That an action and communication plan be developed, which will ensure the Customer Strategy is widely shared across the organisation and provides for an opportunity to engage with our staff, embedding a customer focused organisational culture.

Reason for Decision: To provide an updated and refreshed Customer Strategy that states the Council’s organisational aim to put the customer at the heart of the organisation, and by doing so, improves the Council’s ability to better deliver our customer need.

23 MCA/18/11 - PUBLIC CONVENIENCES

- 23.1 Councillor Burn, the Cabinet Member with responsibility for the Environment, introduced report MCA/18/11 and moved the recommendation which was seconded by Councillor Brewster.

- 23.2 Members welcomed the report, but felt the bigger problem was business rates on public toilets, and as such Central Government should be lobbied on the issue. The Community Toilet Scheme should be actively promoted, and community groups encouraged to take these on.
- 23.3 Congratulations were given to the Task and Finish Group, especially Councillor Maybury as the Chair, it was recognised they had done a lot of excellent work in a short space of time.

By a unanimous vote.

It was RESOLVED:-

- (1) That the findings of the Public Realm Member Advisory Task and Finish Group in respect of public conveniences be noted.
- (2) That the Joint Public Convenience Policy to guide the Council's decisions about existing and future provision be approved.
- (3) That a Community Toilet Scheme be established.
- (4) That, where possible, third parties are encouraged to manage public conveniences currently in the ownership of Mid Suffolk District Council.

Reason for Decision: To put in place a policy to guide decisions about existing and future provision of public conveniences in Mid Suffolk.

24 MCA/18/12 - FORMER HQ REGENERATION PROJECT - APPROVAL OF RECOMMENDED OPTION

- 24.1 Councillor Gowrley, the Cabinet Member for Assets and Investments, introduced report MCA/18/12 and moved the recommendation which was seconded by Councillor Wilshaw.
- 24.2 A small change was made to the recommendation as 3.1 should read (Option 1), not (Option 2).
- 24.3 Members welcomed the proposal and felt the sooner the development took place the better. The public now wanted to see something being done on the site. They were keen that as many examples of energy efficiency methods as possible were included. It should be an exemplar development of which the Council could showcase.

By a unanimous vote:

It was RESOLVED:-

- (1) That the comments made by Full Council on 19 June 2018 were considered and as a result no recommendations were made to the preferred option

(Option 1) and development scheme.

- (2) That Option 1 of Report MCA/18/12 be approved and responsibility be delegated to the Strategic Director, with responsibility for Assets and Investments, in consultation with the Cabinet Member for Assets and Investments, to submit a full planning application for the redevelopment of the former Council HQ site and Hurstlea Road Carparks in Needham Market.

Reason for Decision: This option provides for the comprehensive and sympathetic regeneration of the site enhancing the significance and setting of the important listed building and preserving the character and appearance of the Conservation Area, whilst retaining an element of employment.

25 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

By a unanimous vote

It was RESOLVED:

That 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 was likely there would be the disclosure to them of exempt information as indicated against each item. The authors of the reports 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.

26 MCA/18/14 - TO CONFIRM THE CONFIDENTIAL MINUTE OF 4 JUNE 2018 MEETING

The confidential minute of the 4 June 2018 meeting was confirmed as a correct record.

The business of the meeting was concluded at 3:15pm.

.....Chair (date)