

Minutes of the Cabinet Meeting held on 22 March 2016 at 2.00 pm in the Conference Room, West Suffolk House, Bury St Edmunds.

Present: Councillors Colin Noble (Chairman), James Finch, Tony Goldson, Matthew Hicks, Beccy Hopfensperger, Matthew Hicks, Christopher Hudson, Gordon Jones and Sarah Stamp.

Also present: Councillors Peter Beer, Mary Evans, John Field, Jessica Fleming, Julian Flood, Derek Hackett, David Hudson, Leonard Jacklin, Sandy Martin, Guy McGregor, David Nettleton, Bert Poole, Stephen Searle, Reg Silvester, Jane Storey, Robert Whiting and David Wood.

Supporting officers present: Susan Cassedy (Democratic Services Officer).

87. Apologies for Absence

Apologies for absence were received from Councillor Richard Smith MVO, Cabinet Member for Finance.

88. Declarations of Interest and Dispensations

There were no declarations of interest or dispensations.

89. Minutes of the Previous Meeting

The minutes of the meeting held on 23 February 2016 were confirmed as a correct record and signed by the Chairman subject to the removal of Councillor Tony Goldson's name as it appeared twice under those present.

90. Public Questions

There were no public questions received.

91. Petitions

In accordance with Rule 27.1 of the Council's Rules of Procedure (Part 2 of the Constitution), the Cabinet had received the following petition against cuts to Suffolk Fire and Rescue Service. Mr Green and Mr Milne had sponsored the petition which had received more than 3675 signatures, the minimum required to enable it to be presented to the Cabinet:

*We the undersigned **strongly object** to the proposed cuts to the Suffolk Fire and Rescue Service. These proposed cuts will see the **loss of 6 fire engines, 1 fire station closed and the potential loss of 55 firefighters** throughout Suffolk.*

*These cuts include **the loss of 1 fire engine and potentially 10 firefighters from Bury St Edmunds fire station.***

We believe that these proposed cuts are unacceptable and should not happen.

The Petition was presented by Julian Loader on behalf of the petitioners who objected to the proposed cuts to the Suffolk Fire and Rescue Service.

Contributions were given by Councillors Sandy Martin, Tony Brown and David Wood.

In response to the Petitioner, the Cabinet Member for Environment and Public Protection acknowledged the petition and confirmed that it would form part of the formal consultation responses and evidence which would be fully considered by Cabinet when it met in May 2016 to discuss the Integrated Risk Management Plan proposals.

92. Standing Item – Update from the Scrutiny Chairman

At Agenda Item 6, the Chairman of the Scrutiny Committee provided the Cabinet with an update on recent Scrutiny activity including the Education and Children’s Services Scrutiny Committee which met on 2 March 2016 and the Scrutiny Committee which met on 9 March 2016. The Cabinet was advised that the Scrutiny Committee would in future be looking at how the Council carried out its consultation and what happened as a result of those consultations exercises.

Decision: The Cabinet noted the Scrutiny Update.

Reason for decision: The Cabinet recognised the importance of the Scrutiny function.

Comments by other councillors: The Cabinet Member for Children’s Service, Education and Skills thanked the Education and Children’s Services Scrutiny Committee and advised that the Corporate Parenting Board had discussed the recommendations and actions were agreed. He also advised that the Board had received the Annual Report from the Head and Chair of Governors of the Virtual School.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None reported.

93. Alde and Ore Estuary Plan

A report at Agenda Item 7, by the Director of Resource Management, invited the Cabinet to endorse the community led plan for the Alde/Ore Estuary to ensure compatibility with the Council’s plans and policies.

The Cabinet Member for Environment and Public Protection welcomed Mandy Bettison from the Alde Ore Estuary Partnership to the meeting who provided an introduction to the report.

Decision: The Cabinet endorsed the Alde and Ore Estuary Plan and agreed to make reference to it when making any relevant decisions in the plan area.

Reason for decision: The community around the Alde and Ore estuary, working with the Environment Agency and other statutory bodies, had produced a plan for the long term management of the estuary. It had undergone public consultation and a sustainability appraisal. Suffolk Coastal District Council's Cabinet would be asked to endorse the Plan, if agreed this would enable it to become a material consideration in the planning process. Suffolk County Council had a number of responsibilities and decision making powers that had the potential to impact on the aims and objectives of the Plan. Cabinet was being asked to endorse the Plan, to ensure any future decisions relevant to the plan take into account the policies and actions generated by the estuary stakeholders.

Comments by other councillors: The Cabinet Member for Environment and Public Protection advised that Councillor Andrew Reid, one of the local Councillors, had been unable to attend the Cabinet meeting but had advised him that he was in full support of the plan and that it was very much a community owned initiative. The Cabinet Member for Health also passed on Councillor Reid's appreciation of what the community had achieved and that he wished them the best of luck.

Councillors noted that this was a long term plan, produced as a result of true partnership and extensive discussion, involving all key communities in the area which ensured that those communities had ownership of the plan. Councillors congratulated all those involved for their achievement and commitment.

The Chairman of the Suffolk Coast & Heaths AONB advised that the Plan would sit alongside the AONB Management Plan which Suffolk Coastal District Council had adopted and expressed his appreciation that the Plan was coming to Cabinet for its endorsement.

A Councillor commented on national funding having previously been cut and asked if the Council would be providing any of the Capital funding lacking from the government. The Cabinet Member for Environment and Public Protection advised that the Council did play its part and that the Plan was part of a much bigger picture. It was not just about what was happening in Suffolk but also what was happening at the county boundaries and also with the district and borough councils. He advised that it was about partnership working coming together to look at how a solution could be found.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None reported.

94. Review of Suffolk Flood Risk Management Plan

A report at Agenda Item 8, by the Director of Resource Management, invited the Cabinet to consider the draft revision of the Suffolk Local Flood Risk Management Strategy, which determines how the council, in partnership with other responsible authorities, manages the risk of flooding across Suffolk.

Decision: The Cabinet adopted the revised Suffolk Flood Risk Management Strategy which has been reviewed and updated.

Reason for decision: Cabinet recognised that it was a statutory requirement (Flood & Water Management Act 2010) for the Council to produce the document in partnership with others and to review and update it as required. The Suffolk Local Flood Risk Management Strategy (the strategy) is a statutory document, which would impact on the activities of all flood risk management authorities. These organisations all had a duty to 'act consistently with the local strategy when undertaking their flood and coastal erosion risk management functions' and other bodies (such as planning authorities and water companies) had a 'duty to have regard for the strategy' when discharging other duties that may affect flood and coastal risk – including planning for new developments.

Comments by other councillors: The Chairman and Leader of the Council stated that the Plan was an extremely important document.

A Councillor stated that an opportunity had been lost when the SuDS legislation changed. However, he was confident that the cooperation which did exist between the County Council and the district councils would allow this to be overcome. He advised that part of the problem was that the Council had an obligation to investigate and bring parties together but had no duty to provide solutions and that was why it was important for the Council to promote the Plan.

Another Councillor raised his concern regarding a local flooding issue where there had been confusion about where the water run off was coming from after heavy rain.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None reported.

95. Education and Learning Infrastructure Plan

A report at Agenda Item 9, by the Corporate Director of Children and Young People's Services invited the Cabinet to review and approve the latest version of the plan as agreed as a recommendation at the Cabinet meeting in December 2014.

Decision: The Cabinet:

- i) approved the latest version (v2.1) of the Education and Learning Infrastructure Plan; and
- ii) confirmed that the next version of the plan (V3) was to be put on the forward agenda when completed as part of the annual review process agreed previously.

Reason for decision: The Education and Learning Infrastructure Plan was designed to be a living document that was continually updated to reflect the changing demographics of Suffolk and the subsequent infrastructure needs of education and learning. It was designed to be the discussion piece with colleagues internally and externally to the organisation to allow for a better and earlier understanding of the issues the county faced.

It was agreed at the Cabinet meeting in December 2014 that the plan would be reviewed on an annual basis by Cabinet. Although the plan was reviewed regularly by an officer-led board it was critical that the plan was shared much

wider to allow for challenges and suggestions to be made against the assumptions and planned solutions within.

Comments by other councillors: The Cabinet Member for Highways and Transport described place planning as an incredibly difficult task particularly in rural areas after the government made the decision to allow parents to choose schools and inevitably parents chose the better schools. The Cabinet Member for Children's Services advised that this was why school improvement was high on the agenda so that there were more good or outstanding schools to choose from.

In response to hearing the concerns of an Ipswich Councillor regarding the overwhelming demand for school places in Ipswich and the difficulty in identifying sites for new primary schools, the Cabinet Member for Children's Services, Education and Skills advised that he looked forward to meeting with the Councillor outside of the meeting to discuss the sites in detail. He added that as towns became more heavily built up the problems became more intense with no easy solutions and that discussions with local councillors were a very important part of the process.

In response to Councillors' concerns about the development of new housing the Cabinet Member for Children's Services, Education and Skills advised that the County Council and the district and borough councils worked very closely together. He recognised that more needed to be done with the local development and planning committees with regard to sustainable development and place planning and advised that it was a constantly changing scene that depended on what developments were approved and the demand on school places this would bring. He added that he would be delighted to visit any school in Suffolk and welcomed councillors' feedback.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None reported.

96. A Joint Suffolk & Norfolk Trading Standards service

A report at Agenda Item 10, by the Director of Public Health and Protection, invited the Cabinet to agree that the potential benefits of a shared Suffolk & Norfolk Trading Standards service outweighed the risks and that a joint service should be developed as soon as possible to produce a more resilient service better able to deliver protective services across the two Counties in the future.

Decision: The Cabinet agreed:

- i) the development of a full business case for a joint service between Suffolk Trading Standards and Norfolk Trading Standards;
- ii) the establishment of a joint Suffolk and Norfolk project board and project team to develop the business case;
- iii) the presentation of the full business case to the Cabinet at the meeting in October 2016; and
- iv) subject to approval of the subsequent business case by the Cabinet, that the joint service would seek to be implemented with effect from April 2017.

Reason for decision: The management team of the Trading Standards Service strongly believed that this was the right time to be developing a plan to join up Suffolk and Norfolk Trading Standards Services. Both services had had financial savings to make, and any further reductions could have a significant impact on service delivery. This view accords with the findings of the recent Local Government Association review of Trading Standards which concluded that services managed at scale offer the most sustainable future for local Trading Standards services.

Both counties enjoyed a similar demography, geography and demand profile with the 'criminal markets' being very similar and/or shared; both services enforce the 'full range' of Trading Standards duties with intelligence leading to the targeting of similar enforcement priorities; both acknowledge the importance of the food and farming communities to the economic prosperity of their areas by giving priority to minimising the spread of animal diseases, to animal welfare, and to monitoring the quality of animal feed & fertilisers and food standards throughout the whole supply chain.

Both local authorities had already committed to closer working and were supportive of local devolution; both enjoyed a close and fruitful relationship with Suffolk & Norfolk Police; and both acknowledged the need to work more closely with the New Anglia Local Enterprise Partnership (NALEP).

Discussions and negotiations had been taking place between Norfolk and Suffolk and Central Government, latterly including Cambridgeshire and Peterborough, on a Devolution Deal for 'The East'. The Deal looked to include additional funding and powers for a new combined Authority and this model, and Geography would support Joint working in Trading Standards.

Both services acknowledged the necessity of maximising their budget effectiveness in order to be able to deliver credible protective services over the coming years. A shared delivery model should enable both services to be more resilient, and to protect the services they can deliver.

Work carried out by the two services had identified the following potential benefits and arguments against a joint service:

1. Potential benefits

- a) A joint service would enable greater effectiveness, flexibility and resilience, for example when tackling an animal disease outbreak or cross-border criminal activities.
- b) Sharing of support and management resources and costs could lead to further efficiencies and reduced duplication of attendance at regional and national forums
- c) Press & media (including social media and campaigns) could be jointly developed and 'badged' for greater efficiency, exposure and profile.
- d) Operational activities across the full breadth of the Trading Standards remit could be jointly developed and deployed, again increasing efficiency, exposure and profile. Examples included food sampling, illicit tobacco enforcement and test purchasing of age restricted products.

- e) Intelligence, financial investigation and legal process functions could be combined to increase effectiveness and resilience.
- f) Joint commissioning of training & development, operational equipment and technical resources could lead to decreased costs.
- g) Best practice would be jointly implemented across the new service, with the opportunity created to critically appraise and improve existing work systems.

2. Arguments against a joint service:

- a) Future imbalance in proposed funding from the respective local authorities.
- b) Divergence in corporate or political priorities between the two local authorities.
- c) Staff dissatisfaction with new working arrangements leading to low morale, higher turnover and loss of talent.
- d) Disagreement over resource provision, especially in situations where only one county is impacted.
- e) Diluted political influence in decision-making in each county.

Comments by other councillors: The Cabinet Member for Communities confirmed that there would be flexible working with one joint Trading Standards Team based in Suffolk and one based in Norfolk with officers very use to covering large geographical areas. She assured Cabinet that additional officers would be available if required in an emergency. With regard to Devolution and the possibility this may bring to include Cambridgeshire's Trading Standards Team, the Cabinet Member for Communities pointed out that the trading standards issues Cambridgeshire faced were completely different to that of Suffolk and Norfolk and that it was not about doing things cheaper but building and protecting what Suffolk already had. However this did not preclude working with Cambridgeshire in the future.

Councillors commented on the high performance and high value of Suffolk's Trading Standards Team.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None reported.

97. Emergency Services Mobile Communications Programme-Fire and Rescue Authorities Financial Information and Sign Off.

A report at Agenda Item 11, by the Chief Fire Officer invited the Cabinet to direct the Chief Fire Officer to sign and return the documentation agreeing to participate in the Emergency Services Mobile Communications Programme (ESMCP).

Decision: The Cabinet agreed to direct the Chief Fire Officer to sign and return the formal documentation on behalf of Suffolk Fire and Rescue Authority, agreeing to participate in the ESMCP.

Reason for decision: ESMCP was a cross-government programme with the objective of replacing the existing mobile communications service provided by Airwave to the 3 main emergency services and other public safety agencies.

The strategic drivers for change were:

- a. The current contract between the Government and Airwave would expire, in a phased manner, from 2016 through to 2020. As such, the Airwave system was not likely to be available for use from 2020 and the Government had already let contracts for the development and operation of an alternative system called the ESN.
- b. Operation of the Airwave system was reported, by the Government, to be significantly more expensive than similar public safety communication systems across Europe, and cost reduction and value for money, amongst other important factors, were significant considerations for them.
- c. Emergency services were increasingly required the use of data for mobile communications, in addition to voice communications, to support operational effectiveness and transformation. The Airwave arrangements enabled limited data use but could not fully, without significant investment, meet these future requirements.

The move to the ESN from the Airwave system would mean that significant transition costs would be incurred by fire and rescue authorities. In addition, the costs associated with the future use of a new communications systems would change from those seen presently. The Government had committed to providing funding to support the move to the new system but first, by 25 March 2016, DCLG required a formal commitment from each fire and rescue authority indicating its intent to take up the new service when this became available.

Comments by other councillors: In response to a Councillor's concern about the county having inadequate 4G and Broadband coverage, the Cabinet Member for Environment and Public Protection acknowledged that this was a valid point and that the Programme was a government led initiative and Suffolk was not the only place where this problem applied. Another Councillor considered that this gave more power to Suffolk in its goal to achieving better Broadband and 4G coverage in rural parts of the County.

The Cabinet Member for Environment and Public Protection advised that the government contract with the Airwave system was to expire in 2016 but had been extended to 2020, therefore there would be an overlap of the two systems.

Officers advised that the designing of the system was underway with a target date for completion of mid-2017. In response to concerns about the tight timescales for implementation, the Cabinet Member for Environment and Public Protection advised that it was to be a nationwide roll out in 2020.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None reported.

98. Transfer of Property Management the “delivery function” of Corporate Property to Vertas Group Ltd.

A report at Agenda Item 12, by the Director of Resource Management, invited the Cabinet to approve the divestment of the Property Management Team to SCC’s wholly owned company Vertas.

Councillor Robert Whiting, Member with Special Responsibility for Property presented the report.

Decision: The Cabinet:

- i) agreed in principle to the transfer of the Property Management function of Corporate Property to Vertas Group Ltd. (Vertas), a Suffolk County Council wholly owned company; and
- ii) authorised the Director of Resource Management in consultation with the Cabinet Member for Finance to:
- iii) oversee full due diligence to ensure the proposals represent best value to the Council; and
- iv) negotiate and approve the detailed terms of the agreement with Vertas, including the terms of the Service Level Agreement.

Reason for decision: The transfer of the Property Management function of Corporate Property to Vertas Group Ltd. (Vertas) would result in improved property services through greater efficiency and effectiveness, improved returns for the Council through Vertas.

The reposition of Property Management services would enable the service to respond to market changes, particularly the conversion of the Council’s maintained schools to academies.

Comments by other councillors: In response to a Councillor’s question, Councillor Whiting confirmed that there were some individuals working for Vertas on a zero-hour contract.

Alternative options: None considered.

Declarations of interest: None declared.

Dispensations: None reported.

99. Urgent Business

There was no urgent business.

The meeting closed at 3.52pm.

Chairman

