

Minutes of a Simultaneous Cabinet Meeting held in the Conference Room, Riverside, 4 Canning Road, Lowestoft, NR33 0EQ on **Monday, 13 November 2017** at **6.30pm**

Suffolk Coastal District Council

Cabinet Members: Councillors R Herring (Leader), T Fryatt, S Gallant, G Holdcroft, TJ Haworth-Culf, R Kerry and S Lawson.

Waveney District Council

Cabinet Members: Councillors M Bee (Leader), S Ardley, G Catchpole, M Ladd, C Punt, B Provan, D Ritchie, C Rivett and M Rudd.

Other Members in attendance: Councillors S Allen, S Barker, A Cackett, M Cherry, Y Cherry, J Craig, L Gooch, A Green, J Murray, K Patience and C Topping.

Officers: S Baker (Chief Executive), H Javadi (Chief Finance Officer), N Khan (Strategic Director), D Knight (Head of Customer Services), L Rogers (Finance Manager) and S Carter (Democratic Services Officer).

1 APPOINTMENT OF A CHAIRMAN

The Strategic Director explained that this was a Simultaneous meeting of the Cabinets of Suffolk Coastal District Council and Waveney District Council. He then sought nominations for a Chairman to preside over the common debate for this Simultaneous Cabinet meeting.

It was moved and seconded by both authorities and

RESOLVED

That Councillor Bee be appointed as Chairman to lead on the common debate for this meeting.

2 APOLOGIES

Apologies for absence were received from Suffolk Coastal District Council Cabinet Members Councillors C Poulter and A Smith.

3 DECLARATIONS OF INTEREST

No declarations of interest were made.

4 NEW CORPORATE COMPLAINTS POLICY, PROCEDURE & KEY PERFORMANCE INDICATORS

Councillor Rivett, Waveney District Council Cabinet Member for Customer Services, presented a report which sought approval for the proposed new joint Corporate Complaints Policy, Procedure and Key Performance Indicators.

Councillor Rivett explained that the way the Councils handled corporate complaints had not been reviewed for some time and, as a result, there was no up to date policy on corporate complaints. The review had been undertaken as a result of:

- The need to consider the requirements of the Localism Act.
- The current system had not made it easy to identify learning opportunities.
- The need to improve the consistency of complaint handling and investigations.
- Statistical information.
- The opportunity to benchmark the Councils' complaints performance.
- The current software would no longer be supported from December 2017 and the need to move to an upgraded replacement.

The new policy and procedure had been developed on latest best practice and it was intended to help drive greater consistency, more learning and improve customer experience across the partnership. The draft Complaints Policy, draft Complaints Procedure and Key Performance Indicators were appended to the report and each of the documents had been reviewed externally by the Local Government and Social Care Ombudsman.

Councillor Haworth-Culf, Suffolk Coastal District Council Cabinet Member for Customers, Community and Leisure further explained the need for a new policy as the current scheme was due to expire at the end of the month and the funding could now be allocated for a bespoke system configuration based on the Councils' requirements. It was important to learn from complaints and ensure that each complaint was consistently and thoroughly investigated, as well as improving responses and customer experience. She commented that compliments should also be recorded.

Members of the Cabinets raised specific questions relating to:

- Reporting of quarterly statistical information.
- Communications with people unable to access the internet.
- Complaints made in excess of nine months after the issue.
- Feedback and training.
- Vexatious complaints and persistent complainants.

The Head of Customer Services advised that the focus would be on greater consistency and this best practice could be benchmarked against other local authorities. He could see no immediate reason why the quarterly statistics could not be reported to the Audit and Governance Committees for questioning. Posters would be produced, information would be displayed in the customer contact centres and there would also be articles in the residents and tenants' magazines. The Head of Customer Services accepted the suggestion that, with regard to exceptions to making complaints, the period of nine months after the issue had arisen should be amended to nine months from when the complainant became aware of an issue. He confirmed the document would be amended accordingly.

The documented training programme would be for managers, then the Housing Team and front line staff after Christmas.

The Head of Customer Services further explained that there were two policies to address aggressive customer behaviour and unreasonably persistent complainants. Firstly, complaints were always dealt with on a case by case basis and secondly, an alert list related to abusive or aggressive complainants. Bans had been placed on several customers in the last year and both Councils had issued warning letters during that time. If a Councillor received an excessive amount of complaining correspondence, then the communication(s) should be sent to the Customer Experience Team who record the issue(s), deal with it and process it through central complaints procedure.

A Member raised concerns over the introduction of Universal Credit and the many issues that had arisen with regard to lack of national communications and explanation to the public. Such concerns had been addressed at the Marina Centre and the staff should be commended. The Leader of Waveney District Council explained that the Council had been working closely with the Department for Work and Pensions and, in conjunction with the Citizens Advice Bureau, some 500 applicants had been given assistance.

Comment was made that complaints in the public domain about Members did affect the people concerned and even with data protection, there were safeguarding issues that should be addressed. The Head of Customer Services stated that data protection always applied; the complaints policy did not apply to Members as there was a different process already in place dealing with complaints against Councillors.

A Member proposed that compliments received from residents should be acknowledged so that they were aware their compliment was appreciated. The Head of Customer Services confirmed that would be investigated.

A Member drew attention to the inappropriate issues that were currently being dealt with by central Government and sought clarification as to how that would be dealt with on a local basis. The Head of Customer Services confirmed that all complaints were logged with no predetermined view and each complaint was allocated an officer to action.

Councillor Haworth-Culf expressed thanks to the Head of Customer Services and his team for their work, and helpful and knowledgeable manner when dealing with residents. Councillor Rivett supported her proposal and drew attention to the national significance of the local processes for dealing with Universal Credit. He reminded Members that safeguarding training for Councillors had already been provided.

Note: Councillor Fryatt, Suffolk Coastal District Council Cabinet Member, arrived at 6.37pm during the discussion of this item.

It was moved and seconded by Suffolk Coastal District Council's Cabinet

RESOLVED BY SUFFOLK COASTAL DISTRICT COUNCIL'S CABINET

That the joint Corporate Complaints Policy, Procedure and Key Performance Indicators be approved.

It was moved and seconded by Waveney District Council's Cabinet

RESOLVED BY WAVENEY DISTRICT COUNCIL'S CABINET

That the joint Corporate Complaints Policy, Procedure and Key Performance Indicators be approved.

5 EAST SUFFOLK PERFORMANCE REPORT – QUARTERLY PERFORMANCE QUARTER 2 2017/18

The Leader of Waveney District Council presented the report, which provided a Corporate Performance update for the period 1 July to 30 September 2017. The East Suffolk Performance Report was a joint report for both Suffolk Coastal and Waveney District Councils which provided an overview of the Councils' performance and progress against the deliverables within the East Suffolk Business Plan and summarised performance against the Critical Success Factors (CSF).

Councillor Kerry, Suffolk Coastal District Council Cabinet Member for Housing, explained that some housing issues were beyond the Councils' control; they were looking at ways to rectify the situation but occupational health was a national issue.

In response to a question relating to the amber on Corporate Risk, the Chief Finance Officer explained that it was based on probability and significance; however targets were green. Certain items that had been identified were monitored by the Corporate Management Team. However, it was noted that, overall, the Councils continued to make significant and positive progress in delivering the Business Plan objectives.

Councillor Catchpole, Waveney District Council Cabinet Member for Operational Partnerships, explained that the reduced attendance figures at Waterlane Leisure Centre partially related to the climbing wall. That equipment was due to be replaced within six months, following which it was expected the usage figures would rise.

Waveney District Council Cabinet Member for Tourism & Economic Development, Councillor Ladd, drew attention to the Wayfinding Scheme in Lowestoft which had been subject to delays. The colour scheme and development at south beach were ongoing and all should be in place during the next quarter. 21 Visitor Information Points (VIPs) had been identified and included the Hatfield Hotel and the mobile VIP on the seafront in the summer had been reasonably successful.

Suffolk Coastal District Council Cabinet Member for Planning, Councillor Fryatt, explained that planning targets for housing were well on target and exceeded the five year land supply.

At the request of the Leader of Waveney District Council, the Chief Executive gave an overview of the Emergency Planning Exercise based on a cyber attack which had resulted in the complete loss of IT. The Chief Executive explained the value of the exercise and outlined the lessons learned.

Councillors present asked questions relating to:

- Debt issues and concern [agenda page 60].
- The misleading scaling of the two Business Rates charts [agenda page 64 and 66].
- Food bank funding.
- Financial support for the transfer of the Marina Theatre previously quoted as £5,000 and now listed as £11,000 [agenda page 72].
- Screen Suffolk [agenda page 62].

The Chief Finance Officer explained that the charts were not scaled; they gave an indication only as the precise figures were shown above the bar graph. Debt issues were continually monitored with regular updates being provided to the Corporate Management Team. A great deal of work had been undertaken with the introduction of Universal Credit and support was given to the local food banks.

The Leader of Suffolk Coastal District Council explained that both Sizewell and the port of Felixstowe gave an inflated figure with regard to business rates.

The Leader of Waveney District Council advised that the precise legal fees for the transfer of the Marina Theatre to the Lowestoft Town Council would be reported back after the meeting.

[Subsequent to the meeting, with regard to the figure shown for the legal costs associated with the transfer of the Marina Theatre to Lowestoft Town Council, it has been confirmed that an initial budget provision of up to £11,000 has been allowed for this, which was reported as a budget variance at Quarter 2. The costs to date for this are £5,000 with the potential for some further costs. A budget provision of £11,000 will continue to be provided until the legal costs are finalised.]

The Leader of Suffolk Coastal District Council welcomed Screen Suffolk, supporting the film industry as a whole. It was a sizeable project that was likely to expand, giving high value to the local economy and provide the opportunity for apprenticeships for local people. There would be a knock on effect on tourism and the Head of Economic Development and Regeneration would be the lead liaison officer.

It was moved and seconded by Suffolk Coastal District Council's Cabinet

RESOLVED BY SUFFOLK COASTAL DISTRICT COUNCIL'S CABINET

That the East Suffolk Performance report for Quarter 2 be received.

It was moved and seconded by Waveney District Council's Cabinet.

RESOLVED BY WAVENEY DISTRICT COUNCIL'S CABINET

That the East Suffolk Performance report for Quarter 2 be received.

6 FURTHER TRANSFORMATION IN EAST SUFFOLK

The Leader of Waveney District Council, Councillor Bee, presented a report, the purpose of which was to provide an update on the creation of a new Council for east Suffolk. He reminded Members that the process had started some 10 years ago and they were now in an historic position of being able to move forward and form a super district council in east Suffolk. The Secretary of State's "minded to" decision had now been received and it was hoped that his final decision would be made after the closing date for representations of 8 January 2018. The Boundary Commission could now move forward with its work and it was anticipated that the new Council elections in 2019 would be with the new boundaries.

The purpose of the meeting that evening was to agree some first key items with regard to size, name, boundaries and form of governance.

The Leader of Suffolk Coastal District Council, Councillor Herring, advised that he was pleased to see the Secretary of State's decision and the proposed timetable to go ahead with the proposals. He expressed thanks to the officers and the MPs for giving their support.

The Chief Executive explained the key parts of the process now that the Secretary of State had issued his decision and his Cabinet colleagues had made positive comments. Depending on representations received up until 8 January 2018, the civil servants would be instructed to bring the proposals into being and the process to create a new council for east Suffolk would commence.

The Strategic Director explained that the proposal had been fully considered by the Member Programme Board to ensure clarity and transparency. The purpose of the report now before Members was to enable the two councils to complete the proposals and ensure the regulations were drafted in order to create the legislation necessary to bring the new authority into being.

The Leader of Waveney District Council sought general comments and then proposed to take each recommendation individually so each Cabinet was clear on the decision being taken prior to referral to each respective Full Council.

A Member was of the opinion that the formation of the new council was the right way forward; it would simplify the local democratic process and be good for east Suffolk. In response to a comment on any possible Government reshuffle, the Leader of Waveney District Council explained that that was unlikely to have any effect as the process had now commenced. The key stage was the final decision in January 2018; up to that point, the work already undertaken could be ignored by a new Secretary of State but that would be unlikely as central Government Cabinet had shown there to be no political problems.

The Deputy Leader of Suffolk Coastal District Council, Councillor Holdcroft, welcomed the progress achieved and expressed congratulations to those who had undertaken the work to date. With regard to the Boundary Commission, the Chief Executive confirmed that the proposals were on the Boundary Commission's work programme. It was not possible to review the wards until the new council existed but a certain amount of work could be undertaken in preparation and in accordance with the Boundary Commission's criteria and processes.

The Strategic Director confirmed that the Boundary Commission would commence its work once the draft order had been approved by Parliament. An outcome of the Member Programme Board was to set up a number of Member Working Groups and their work would include reviewing the number of councillors, the ward boundaries, population, etc. There would be 16 Members on the Electoral Review Working Group to ensure broad representation.

Recommendation 1 A) to F)

A Member commented on the number of holiday/second homes in parts of the district; those owners might not be registered on the electoral roll locally but they did take up Councillors' time. It was confirmed that the relevant Working Party would take that into consideration.

In response to a question on the confusion that might arise as a result of the proposed name of the new council being east Suffolk Council compared to East Suffolk District Council being used for legal purposes, the Cabinets were advised that, in law, the new council would be a district council. For Council Tax purposes, East Suffolk District Council would be used but for branding the shortened name would be East Suffolk Council.

A Member of the Waveney District Council Opposition Group commented that there should have been a referendum and questioned whether the proposed maximum 10 Cabinet Members included deputies. The Leader of Waveney District Council explained that, in the 2000 Act, Cabinet could be formed up to a maximum of 10 members (nine plus Leader) and because of the size of the new council, it would be necessary to have the maximum allowable. The Deputy Leader of Waveney District Council advised that it had been both councils decision not to hold a referendum, thus saving in the region of £100,000 of taxpayers' money. There was nothing in the legislation relating to Deputy Cabinet Members; currently, they did not have voting rights. Having deputies in the new council would be a constitutional issue and that would need to be reviewed by the relevant Working Group.

The Chief Executive referred to D) and the preferred number of members for the new council being 55. With that figure being proposed, there needed to be an awareness of getting people into politics and future travelling along the A12. The Leader of Suffolk Coastal District Council confirmed that committee memberships would be reviewed. It should be borne in mind that there was no evidence to suggest that larger numbers of members in councils would deliver more efficiently. It was important to look at new and different ways of working including community partnership boards.

Clarification was sought as to back up plans if the parliamentary timescale slipped. Members noted that the fall back position was to run under county divisions but that would not be ideal. It was important to have the new wards in place by 2019. It was intended to use a "continuing authority" and have both Cabinets working together up until the new councillors were elected.

Recommendation 2

It was noted that this had been recommended by the Department for Communities and Local Government. The legal position was being handled via the Working Groups and this was a practical way of dealing with new business.

Recommendation 3

The Strategic Director advised that the purpose of this recommendation was a practical measure, similar to Recommendation 2.

Recommendation 4

The Chief Executive advised that, since the Secretary of State's "minded to" decision, the Councils could make their own submissions during his representations period. Comment was made that everyone needed to be updated, both internally and externally, as each stage progressed and it might be necessary to set up some Task and Finish Groups. It was noted that the delegated authority being proposed was for both Councils' response to the Secretary of State; each individual councillor and members of the public could also submit their own comments.

In response to a question relating to notification to the public of the Secretary of State's period for representations, it was confirmed that that was not the Council's responsibility to undertake any advertising on behalf of the Secretary of State. Although individuals could comment, it was not a full consultation but a parliamentary consultation.

Recommendation 5

The Leader of Waveney District Council explained that Recommendation 5 was procedural only, requesting each Full Council to support the recommendations. He expressed thanks to his Deputy for assistance in filling all seats on the Working Groups.

There being no further discussion:

It was moved and seconded by Suffolk Coastal District Council's Cabinet

RESOLVED BY SUFFOLK COASTAL DISTRICT COUNCIL'S CABINET

1. That, as the Secretary of State for the Department of Communities and Local Government (DCLG) is minded to make a decision to create a new council for east Suffolk, the following be proposed to the Secretary of State for inclusion in any Order/Regulations which shall be made to implement these proposals:
 - A) Suffolk Coastal District Council (SCDC) and Waveney District Council (WDC) be dissolved and one new Council for east Suffolk be created to replace them.
 - B) The cabinet model of governance be adopted for the new Council for east Suffolk with up to a maximum of 10 cabinet members.

- C) The name of the new Council for east Suffolk be “East Suffolk District Council” for legal purposes and “East Suffolk Council” for all other purposes.
- D) The preferred number of members for the East Suffolk Council is 55 (+/- 1 or 2, subject to review by the Local Government Boundary Commission for England (LGBCE)).
- E) The proposed district wards of the new East Suffolk Council are based on 19 existing County Council Divisions against which the preferred number of members (55 +/- 1 or 2, subject to LGBCE review) will be divided as appropriate with up to 4 Councillors per ward with the proviso that the County Council Divisions be overwritten by the new ward boundaries once such a boundary review has been undertaken.
- F) The LGBCE be requested to conduct a full electoral review of the area of the East Suffolk Council including the determination of an appropriate warding structure and that they be requested to conduct this review as soon as reasonably possible.
2. That the Chief Executive Officer, in consultation with the Leader of SCDC and the Leader of WDC be authorised to settle other such matters required for the purposes of finalising the Order/Regulations necessary for implementing these proposals.
 3. That the Chief Executive Officer, in consultation with the Leader of SCDC and the Leader of WDC be authorised to consent to making of the necessary Order/Regulations once drafted on behalf of the Secretary of State in order to implement these proposals.
 4. That, during the period in which the Secretary of State invites representations, authority be delegated to the Chief Executive Officer, in consultation with the Leader of SCDC and the Leader of WDC, to respond to his invitation and confirm the Councils’ commitment to supporting the creation of a new Council for east Suffolk.
 5. That the recommendations be approved and agreed and, in order to satisfy the Secretary of State’s need for the recommendations to be supported by each Council, they be recommended for approval to Full Council at its meeting on 23 November 2017.

It was moved and seconded by Waveney District Council’s Cabinet.

RESOLVED BY WAVENEY DISTRICT COUNCIL’S CABINET

1. That, as the Secretary of State for the Department of Communities and Local Government (DCLG) is minded to make a decision to create a new council for east Suffolk, the following be proposed to the Secretary of State for inclusion in any Order/Regulations which shall be made to implement these proposals:

- A) Suffolk Coastal District Council (SCDC) and Waveney District Council (WDC) be dissolved and one new Council for east Suffolk be created to replace them.
 - B) The cabinet model of governance be adopted for the new Council for east Suffolk with up to a maximum of 10 cabinet members.
 - C) The name of the new Council for east Suffolk be “East Suffolk District Council” for legal purposes and “East Suffolk Council” for all other purposes.
 - D) The preferred number of members for the East Suffolk Council is 55 (+/- 1 or 2, subject to review by the Local Government Boundary Commission for England (LGBCE)).
 - E) The proposed district wards of the new East Suffolk Council are based on 19 existing County Council Divisions against which the preferred number of members (55 +/- 1 or 2, subject to LGBCE review) will be divided as appropriate with up to 4 Councillors per ward with the proviso that the County Council Divisions be overwritten by the new ward boundaries once such a boundary review has been undertaken.
 - F) The LGBCE be requested to conduct a full electoral review of the area of the East Suffolk Council including the determination of an appropriate warding structure and that they be requested to conduct this review as soon as reasonably possible.
2. That the Chief Executive Officer, in consultation with the Leader of SCDC and the Leader of WDC be authorised to settle other such matters required for the purposes of finalising the Order/Regulations necessary for implementing these proposals.
 3. That the Chief Executive Officer, in consultation with the Leader of SCDC and the Leader of WDC be authorised to consent to making of the necessary Order/Regulations once drafted on behalf of the Secretary of State in order to implement these proposals.
 4. That, during the period in which the Secretary of State invites representations, authority be delegated to the Chief Executive Officer, in consultation with the Leader of SCDC and the Leader of WDC, to respond to his invitation and confirm the Councils’ commitment to supporting the creation of a new Council for east Suffolk.
 5. That the recommendations be approved and agreed and, in order to satisfy the Secretary of State’s need for the recommendations to be supported by each Council, they be recommended for approval to Full Council at its meeting on 15 November 2017.

The meeting was concluded at 8.15pm.

Chairman