

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK CABINET** held in the Board Room, Gold, Floor 1, Endeavour House on Tuesday, 5 September 2023.

### PRESENT:

|              |               |                 |
|--------------|---------------|-----------------|
| Councillors: | Teresa Davis  | Rachel Eburne   |
|              | Andrew Mellen | Andrew Stringer |
|              | Tim Weller    | Richard Winch   |

### In attendance:

Councillors: John Whitehead

Officers:

- Chief Executive (AC)
- Deputy Chief Executive (KN)
- Director - Corporate Resources and Section 151 Officer (ME)
- Deputy Monitoring Officer (JR)
- Director - Assets and Investments (EA)
- Director – Planning and Building Control (TB)
- Corporate Manager - Communication & Engagement (BJ)
- Interim Corporate Manager - Finance and C&P Corporate Resources (BP)
- Corporate Manager - Strategic Planning (JH)
- Head of Asset Investments & Compliance (RS)
- Professional Lead - Key Sites and Infrastructure (CT)
- Housing Transformation Manager (DW)
- Performance and Business Planning Lead (AL)
- Infrastructure Officer (JM)
- Assistant Manager – Governance (HH)

### Apologies:

None

## 20 DECLARATION OF INTERESTS BY COUNCILLORS

Councillor Andrew Mellen declared an Other Registerable Interest in respect of item 9, CIL bid M23-10 Wyverstone, due to being a Trustee of Wyverstone Village Hall and left the meeting for that item.

Councillor Andrew Stringer declared an Other Registerable Interest in respect of item 9 on the agenda, Appendix A due to being a Trustee for the John Peel Centre. However, the item under discussion did not yet directly relate to the finances or wellbeing of that interest. Therefore, Councillor Stringer was not prevented from participating in the debate and vote in respect of item 9.

## 21 MCA/23/10 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 8 AUGUST 2023

**It was RESOLVED:-**

**That with the following amendment that the minutes of the meeting held on the 8 August 2023 be confirmed and signed as a correct record.**

**Under the heading 'Councillor Present' amend to *Tim Weller* for Councillor Weller.**

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

None received.

**23 QUESTIONS BY COUNCILLORS**

None received.

**24 MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEES**

There were no matters referred from the Overview and Scrutiny or the Joint Audit and Standards Committees.

**25 FORTHCOMING DECISIONS LIST**

There were no comments made on the Forthcoming Decisions List.

**26 MCA/23/11 FINANCIAL MONITORING QUARTER 1 2023/24**

- 26.1 The Cabinet Member for Finance and Resources, Councillor Rachel Eburne, provided a brief summary of the main points in the report and proposed the recommendations, as detailed in the report.
- 26.2 Councillor Teresa Davis seconded the report.
- 26.3 In response to Councillor Richard Winch's question relating to the pay award for staff, Councillor Rachel Eburne stated that this depended on the current national negotiations being completed before staff would receive the pay award.
- 26.4 In response to questions from other Members attending the meeting the Corporate Manager for Finance and Commissioning and Procurement advised that the cost from electoral services were being finalised whilst the figures for this report were being prepared. However, the costs were recharged to the parish councils. He would provide details for the question relating to biofuel costs outside of the meeting.
- 26.5 Councillor Richard Winch queried the overspend of £800k on the HRA budget and how this compared to last year's HRA budget. A response will be provided outside of the meeting.

- 26.6 In response to questions from other Members attending the meeting the Cabinet Member for Finance and Resources stated that the HRA Business Plan would be brought before Cabinet in due course.
- 26.7 In response to further questions from other Members attending the meeting the Corporate Manager for Finance and Commissioning and Procurement clarified that the £20m of Capital Expenditure would be carried over from the previous year and be shown in the Quarter Two budget.
- 26.8 Information for the Quarter 1 income from the planning department would be provided outside of the meeting.
- 26.9 During the debate Councillor Eburne stated that budget for this year had been set by the previous administration, and going forward changes would be made to the budget to reflect the new Corporate Plan priorities.
- 26.10 Members considered the issues around reduction of income from the planning department. There had been a drop in planning applications from larger developments, which in the previous year had generated a large proportion of income from Planning department.

By a unanimous vote

**It was RESOLVED: -**

- 1.1 That, subject to any further budget variations that arise during the rest of the financial year, the projected overspend on the General Fund of £1.076m referred to in section 4.2 and Appendix A of the report be noted;**
- 1.2 That, subject to any further budget variations that arise during the rest of the financial year, the projected overspend on the Housing Revenue Account of £5,000 and the underspend on the capital programme of £20m referred to in section 4.3 and Appendix B of the report be noted;**
- 1.3 That, the Council's compliance with the Prudential Indicators during quarter one referred to in section 4.4 and Appendix C of the report be noted.**

#### **REASON FOR DECISION**

To ensure that Members are kept informed of the financial position for both General Fund Revenue and Capital, Housing Revenue Account and Capital and the Prudential Indicators.

#### **27 MCA/23/12 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE PROGRAMME SEPTEMBER 2023**

- 27.1 Councillor Andrew Mellen left the meeting following his Declaration of Interests and the Vice-Chair, Councillor Rachel Eburne, took the chair for this item.

- 27.2 The Cabinet Member for Heritage, Planning and Infrastructure, Councillor Andrew Stringer, introduced the report which sought to obtain approval by Cabinet for Mid Suffolk's CIL Expenditure Programme – September 2023 which formed Appendix A to the report.
- 27.3 Councillor Andrew Stringer proposed the recommendations, as detailed in the report, which was seconded by Councillor Richard Winch.
- 27.4 In response to questions from other Members attending the meeting the Professional Lead for Key Sites and Infrastructure detailed the process for grant application in terms of financial sustainability.

By a unanimous vote

**It was RESOLVED: -**

- 1.4 That the CIL Expenditure Programme (September 2023) and accompanying Technical assessments of the following CIL Bids (forming Appendices, A and B) be approved (including decisions on these CIL Bids for Cabinet to make and to note - delegated decisions only) as follows:-**

**Decisions for Cabinet to approve: - Ringfenced Infrastructure Funds (Needham Market, Walsham Le Willows and Somersham)**

| <b>CIL Bid, Location and Infrastructure Proposed</b>   | <b>Amount of CIL Bid and total cost of the infrastructure</b>   | <b>Cabinet Decision</b>   |
|--|---|---|
| <b>M23-08 NEEDHAM MARKET</b><br><br><b>Crowley Park Young Childrens Play Equipment Upgrade</b> | <b>Amount of CIL Bid £65,560.50</b><br><br><b>Total cost of the project £87,414 (excluding VAT)</b><br><br><b>Total of other funding</b><br><br><b>Needham Market Town Council £21,853.50</b> | <b>Recommendation to Cabinet to approve CIL Bid M23-08 for £65,560.50 from the Ringfenced Infrastructure Fund</b> |
| <b>M23-19 NEEDHAM MARKET</b><br><br><b>New Scout Hut</b>                                       | <b>Amount of CIL Bid £75,000</b><br><br><b>Total cost of the project £329,490</b><br><br><b>Total of other funding</b><br><br><b>Section 106 -</b>  | <b>Recommendation to Cabinet to approve CIL Bid M23-19 for £75,000 from the Ringfenced Infrastructure Fund</b>    |

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|--|--|---|
|  | <p>£235,000</p> <p>Needham Market Town Council and Scout Group Contribution £19,490</p>  |   |
| <p><b>M23-16 WALSHAM LE WILLOWS</b></p> <p>Walking and Cycling- Palmer Street Footpath</p> | <p>Amount of CIL Bid</p> <p>£41,439</p> <p>Total costs of the project (including VAT – recoverable by SCC and design costs)</p> <p>£49,726.80</p>  | <p>Recommendation to Cabinet to approve CIL Bid M23-16 for £41,439 from the Ringfenced Infrastructure Fund</p>    |
| <p><b>M23-02 SOMERSHAM</b></p> <p>Somersham Play Area</p>                                  | <p>Amount of CIL Bid</p> <p>£62,776.17</p> <p>Total costs of the project</p> <p>£83,701.56</p> <p>Other funding sources are from:</p> <p>Somersham Parish Council<br/>Neighbourhood CIL</p> <p>District Councillor<br/>Locality Monies</p> <p>MSDC Grant</p> | <p>Recommendation to Cabinet to approve CIL Bid M23-02 for £62,776.17 from the Ringfenced Infrastructure Fund</p> |

**Decisions for Cabinet to make: - Ringfenced Infrastructure Fund and Local Infrastructure Fund (Finningham)**

| <b>CIL Bid, Location and Infrastructure Proposed</b> | <b>Amount of CIL Bid and total cost of the infrastructure</b> | <b>Cabinet Decision</b>      |
|--|---|------------------------------|
| <b>M22-21 FINNINGHAM</b>                             | Amount of CIL Bid   | Recommendation to Cabinet to |

|                            |              |   |  |
|----------------------------|--------------|---|--|
| <b>Finningham Footpath</b> | <b>Green</b> | <b>£52,000</b><br><br><b>Total costs of the project</b><br><br><b>£66,400</b> including VAT and design costs.<br><br><b>Other funding sources are:</b><br><br><b>Finningham Parish Council</b><br><br><b>£2,000</b><br><br><b>County/District Councillor</b><br><br><b>£2,000</b> | <b>approve this CIL Bid for £52,000 with £2761.32 from the Ringfenced Infrastructure fund and £49,238.68 from the Local Infrastructure Fund.</b> |
|----------------------------|--------------|---|--|

**Decisions for Cabinet to make: - Local Infrastructure Fund**

| <b>CIL Bid, Location and Infrastructure Proposed</b>   | <b>Amount of CIL Bid and total cost of the infrastructure</b>   | <b>Cabinet Decision</b>  |
|--|---|--|
| <b>M23-10 WYVERSTONE</b><br><br><b>Wyverstone Village Hall Kitchen Refurbishment and improvement</b> | <b>Amount of CIL Bid</b><br><b>£65,970.90</b><br><br><b>Total costs of the project</b><br><b>£87,961.20</b><br><br><b>Other funding sources are:</b><br><br><b>Parish Council Contribution: £10,000</b><br><br><b>Wyverston Town Trust Contribution £1,000</b><br><br><b>Wyverston Village Hall Own Funds</b> | <b>Recommendation to Cabinet to approve CIL Bid M23-10 for £65,970.90 from the Local Infrastructure Fund</b> |

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|  | <b>£10,990.30</b>  |  |
| <b>M23-07 GREAT ASHFIELD</b><br><b>Great Ashfield Community Hall Refurbishment and Improvement Kitchen and</b> | <b>Amount of CIL Bid</b><br><b>£24,556.65</b><br><b>Total cost of the project</b><br><b>£32,742.20</b><br><b>Other funding sources are:</b><br><b>Great Ashfield Parish Council reserves</b> | <b>Recommendation to Cabinet to approve CIL Bid M23-07 for £24,556.65 from the Local Infrastructure Fund</b> |
| <b>M22-11 NORTON</b><br><b>Norton Community Centre Development and Extension</b>                               | <b>Amount of CIL Bid</b><br><b>£100,000</b><br><b>Total costs of the project</b><br><b>£395,765.90</b><br><b>Other sources of funding</b><br><b>PWLB Precept-paid loan - £295,765.90</b>     | <b>Recommendation to Cabinet to approve CIL Bid M22-11 for £100,000 from the Local Infrastructure Fund</b>   |
| <b>M23-18 CREETING ST MARY</b><br><b>Walking and Cycling - Sally Woods Lane</b>                                | <b>Amount of CIL Bid</b><br><b>£10,170</b><br><b>Total costs of the project</b><br><b>£12,010</b><br><b>(Difference is recoverable by VAT)</b>   | <b>Recommendation to Cabinet to approve CIL Bid M for £10,170 from the Local Infrastructure Fund</b>         |

**Decisions for Cabinet to note: - Local Infrastructure Fund**

| <b>CIL Bid, Location and Infrastructure Proposed</b> | <b>Amount of CIL Bid and total cost of the</b> | <b>Cabinet Decision</b> |
|--|--|-------------------------|
|--|--|-------------------------|

|                                   | infrastructure  |  |
|-----------------------------------|---|--|
| <b>M23-17 EYE</b>                 | <b>Amount of CIL Bid</b>  | <b>Recommendation</b>  |
| <b>Walking and Cycling scheme</b> | <b>£2,700</b>   | <b>for Cabinet to note the</b>   |
| <b>Broome Hill</b>                | <b>Total costs of the project including VAT recoverable by SCC)</b> | <b>delegated decision for CIL Bid M23-17 for £2,700 from the Local Infrastructure Fund</b> |
|                                   | <b>£3,240</b>   |  |

**1.2 That Cabinet noted and endorsed this CIL Expenditure Programme which includes the position in respect of approved CIL Bids from Rounds 1 to 10 inclusive (Appendix A Section B) together with details of emerging infrastructure/CIL Bids (Appendix A Section C).**

#### **REASON FOR DECISION**

Community Infrastructure Levy (CIL) monies have been collected since the implementation of CIL on the 11<sup>th</sup> April 2016. The CIL Expenditure Framework was originally adopted in April 2018 and reviewed with amendments adopted by both Councils in March 2019, April 2020, March 2021, July 2022 (Mid Suffolk), October 2022 (Babergh) and in March 2023. The CIL Expenditure Framework requires the production of a CIL Expenditure Programme for each District and contains decisions for Cabinet to make or note on CIL Bids for CIL expenditure. These decisions relating to the expenditure of CIL monies form one of the ways in which necessary infrastructure supporting growth is delivered.

#### **28 MCA/23/13 UK100 NETWORK AND OUR COMMITMENT TO SIGN-UP FOR A MEMBERSHIP**

- 28.1 The Leader, Councillor Andrew Mellen, introduced the report and proposed the recommendation, as detailed in the report.
- 28.2 Councillor Tim Weller seconded the recommendation.
- 28.3 During the debate Councillor Rachel Eburne stated that it would be helpful to make use of the network and it would be beneficial to learn best practice from other councils.

By a unanimous vote

**It was RESOLVED: -**

**That Cabinet noted the content of Appendix A & B and agreed to join the**



**UK100 network.**

## **REASON FOR DECISION**

We are committed to become a member of the UK100 network. This membership has the potential to help local authorities to fulfil and accelerate the Council's commitments to tackling the climate emergency and deliver local Net Zero.

## **29 MCA/23/14 UPDATE ON THE REGULATOR OF SOCIAL HOUSING REFERRAL AND OUR CURRENT COMPLIANCE POSITION**

- 29.1 The Cabinet Member for Housing and Property, Councillor Richard Winch, introduced the report and stated that the numbers in the report were already out of date and provided an update of the current numbers. He stated that the regulations for water hygiene were now stricter than before and added that damp and mould were recorded for the first time.
- 29.2 Councillor Andrew Stringer queried the issues in relation to water hygiene.
- 29.3 The Head of Asset Investments and Compliance advised that this did not involve domestic properties but sheltered housing properties as a result of stricter inspections to ensure the safety of residents. He had advised contractors that water systems had to be flushed.
- 29.4 Councillor Richard Winch queried the robustness of the data and whether officers were confident of the accuracy. The Head of Asset Investments and Compliance responded that he was confident of the data provided but that it did not provide the whole picture of the issues. Due to coding on the Housing Management Software, damp and mould was logged as repairs which distorted the data.
- 29.5 Councillor Andrew Mellen queried if tenants were receiving advice on how heating could reduce the risk of damp and mould, though this might be an issue due to the cost-of-living crisis. Officers advised that contractors were distributing advice to tenants.
- 29.6 The Deputy Chief Executive advised Members that whilst there were no regulatory requirements to provide statistics for damp and mould to the Housing Regulator, it was discussed at the monthly meetings with the Regulator. She advised Members that the measuring of damp and mould would be introduced as a requirement before the end of this financial year.

**It was RESOLVED: -**

**That Members noted the report.**

## **REASON FOR DECISION**

To ensure that members and senior leaders of the councils have oversight of the journey with the Regulator back to a position where we are compliant.

### **30 MCA/23/15 MSDC 2023-24 Q1 PERFORMANCE REPORT**

- 30.1 The Leader and Cabinet Member for Performance and Resilience, Councillor Andrew Mellen, introduced the report and advised Members that this report was for noting only.
- 30.2 Councillor Richard Winch queried whether Assets and Investments fitted under the section for Economy.
- 30.3 The Chief Executive clarified that some projects, such as CIFCO and Gateway 14 were the responsibility of several Service Areas.
- 30.4 In response to questions from other Members attending the meeting regarding the number of Twitter impression, which had increased, the Corporate Manager for Communications and Engagement clarified that this was for the international interests in the elections in May.

**The 2023-24 Q1 Performance Report was noted.**

### **31 MCA/23/16 WORKING TOGETHER FOR ANIMAL WELFARE - BANNING PETS AS PRIZES ON COUNCIL OWNED LAND**

- 31.1 The Cabinet Member for Environment, Culture and Wellbeing, Councillor Richard Weller, introduced the report by providing a brief summary of the issues of the banning pets as prizes and moved the recommendations, as detailed in the report.
- 31.2 Councillor Rachel Eburne seconded the recommendations.
- 31.3 Councillor Andrew Mellen queried what potential impact the ban would have on council land.
- 31.4 The Director for Assets and Investments responded that this kind of activity at events was limited, but that there now would be a robust policy in place for the future.
- 31.5 During the debate Councillor Andrew Stringer commented that this policy would bring the Council up to the standard to where it should be.
- 31.6 Councillor Andrew Mellen added that animal as prizes were a legacy from the past and that the decision would set the bar for other landowners who organised these sorts of events.

By a unanimous vote

**It was RESOLVED: -**

- 1.1 That Cabinet agreed to support the RSPCA campaign and thereby resolve:**

- 1.2 That an outright ban on the giving of live animals as prizes, in any form, on Babergh & Mid Suffolk Council owned land is implemented.**
- 1.3 That the Councils write to UK Government requesting an outright ban on live animals as prizes on both public and private land.**
- 1.4 That the Councils carry out a review of the current policies and the terms and conditions of the contract agreements relating to the hire of council owned land and premises to ensure that they reflect the councils' positions as regards giving of live animals as prizes.**

#### **REASON FOR DECISION**

With the RSPCA gaining traction since 2021 with some 50 local authorities adopting the RSPCA's recommendations it would be prudent to adopt the recommendations and lobby UK Government for an outright ban.

The business of the meeting was concluded at 10:41 am.

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Chair