

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **BABERGH CABINET** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Thursday, 7 March 2019.

### **PRESENT:**

Councillor: John Ward (Chair)  
Jan Osborne (Vice-Chair)

Councillors: Kathryn Grandon Tina Campbell  
Margaret Maybury Nick Ridley  
Derek Davis Frank Lawrenson  
Simon Barrett

### **In attendance:**

Councillor(s): Clive Arthey  
Alastair McCraw

Officers: Chief Executive (AC)  
Corporate Manager - Financial Services (ME)  
Assistant Director - Assets and Investments (EA)  
Corporate Manager - Sustainable Environment (JB)  
Corporate Manager - Business Improvement (KC)  
Corporate Manager - Democratic Services (JR)  
Governance Support Officer - Democratic Services (MS)  
Professional Lead - Key Sites and Infrastructure (CT)

### **124 DECLARATION OF INTERESTS BY COUNCILLORS**

124.1 Councillor Frank Lawrenson declared a non-pecuniary interest in Item 13 (BCa/18/76) Adoption of Conservation Area Appraisals for Brent Eleigh, Naughton and Great Waldingfield.

124.2 Councillor Simon Barrett declared a non-pecuniary interest in Item 16 (BCa/18/79) Business Rates Retention Pilot - Sudbury Town Centre Projects – PART 1.

124.3 Councillor Osborne declared a non-pecuniary interest in Item 18 (BCa/18/80) Sale of Land in Sudbury.

### **125 BCA/18/69 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 6 FEBRUARY 2019**

#### **It was RESOLVED:**

**That the minutes of the meeting held on 6 February 2019 be approved as a true record.**

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

126.1 There were no petitions received.

**127 QUESTIONS BY COUNCILLORS**

127.1 There were no questions received.

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

128.1 A draft minute of the Overview and Scrutiny Committee meeting held on 14 February 2019 and a recommendation from the Overview and Scrutiny Committee was attached to Item 6, Recommendation from the Joint Overview and Scrutiny Committee held on 14 February 2019, BCa/18/70.

**129 BCA/18/70 RECOMMENDATION FROM THE JOINT OVERVIEW AND SCRUTINY COMMITTEE HELD ON 14 FEBRUARY 2019**

129.1 Councillor McCraw introduced report BCa/18/70 and stated that the Overview and Scrutiny Committee believed that the proposals being made in 3.0 to 3.7 of the information bulletin relating to the disabled facilities grant presented at the meeting would properly address the situation as it existed, but a review would be required in sixteen months' time.

129.2 Councillor Ward highlighted two minor errors in the draft minute from Overview and Scrutiny.

129.3 Councillor Osborne stated that issues had been identified about eighteen months ago and the recommendations in the report under 1.2 in the report would resolve those issues and address them should the recommendations be approved by Cabinet.

129.4 On the proposal of Councillor Simon Barrett and seconded by Councillor Osborne

By a unanimous vote

**It was RESOLVED:**

- (i) That Cabinet notes that the Joint Overview and Scrutiny Committee strongly endorsed the proposed 'Changes to Disabled Facilities Grant 3.0 to 3.7' in the Information Bulletin to Cabinet.**
- (ii) That the Joint Overview and Scrutiny Committee receive a report back following the Cabinet meeting in March 2019 on the agreed future arrangements for the Disabled Facilities Grant and that the report include the conclusions and the legal implications of the contract.**

**Reason for Decision:** To inform Cabinet of the findings and recommendations of the Joint Overview and Scrutiny Committee relating to the Disabled Facilities Grant.

**130 FORTHCOMING DECISIONS LIST**

130.1 The updated Forthcoming Decisions List was noted.

**131 BCA/18/71 GENERAL FUND FINANCIAL MONITORING 2018-19 - APRIL TO DECEMBER 2018**

131.1 Councillor Ward, Cabinet Member for Finance, introduced report BCa/18/71 and stated that the report presented the latest position regarding the expenditure budget variances for the General Fund Revenue Account and the General Fund Capital Programme.

131.2 Councillor Ward stated that the key variations on expenditure and income compared with the budget had been identified and were presented in the table in paragraph 5.8 of the report, there had been a number of improvements since the last report and there now was a favourable variance of £829k which was an improvement of £290k.

131.3 Councillor Ward advised that the overall picture meant that the Council was able to increase the contribution to the business rates equalisation reserve from £661k to £937K. A new earmarked reserve for the Joint Local Plan had also been set up with £108k being transferred to this fund.

131.4 Councillor Ward also stated that the current Transformation Fund projects were listed in Appendix B of the report and as reported in the budget the Transformation Fund was down to £25K after accounting for outstanding commitments as shown in the high-level summary table in paragraph 5.10 of the report.

131.5 Councillor Ward reported that the General Fund Reserves were just over £5 million opposed to the predicted amount of £3.75 million in the previous report which was a significant improvement and there was now a favourable variance of £8.4 million excluding CIFCO anticipated for capital expenditure with the reasons for this being summarised in paragraph 5.19 of the report. The capital programme was set out in Appendix D of the report.

131.6 Councillor Ward **MOVED** the recommendations in the report which Councillor Barrett **SECONDED**.

By a unanimous vote

**It was RESOLVED:-**

**(i) That subject to any further budget variations that arise during the rest of the financial year, the following net transfers of £829k be noted;**

**a) Transfer from reserves of £108k being the net amount, for the**

following specific earmarked reserves, referred to in section 5.8 and Appendix C of the report;

- £108k to Joint Local Plan (a new earmarked reserve)
- £31k to Waste
- £10k to Elections
  - £115k from Commuted Maintenance Payments
  - £59k from Planning for appeal costs
  - £58k from Homelessness
  - £25k from Government Grants (Economic Development)

- b) Of the remaining balance of the General Fund surplus £937k be transferred to the Business Rates Equalisation reserve, as referred to in section 2.1 (c) of the report.

**Reason for Decision:** To ensure that Members are kept informed of the current budgetary position for both General Fund Revenue and Capital.

**132 BCA/18/72 HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2018/19 - APRIL TO DECEMBER 2018**

132.1 Councillor Osborne, Cabinet Member for Housing, introduced report BCa/18/72 and stated that the HRA was reporting a surplus of £544k at the end of December 2018 which was a favourable variance of £299k for the year and a favourable movement of £724k since August. The main reasons for these variances were:

- Rental income was predicted to show an adverse variance of £84k for the year, and adverse movement of £64k from the August report which was due to higher than anticipated voids and the reallocation of homeless rental to the General fund.
- Planned maintenance, heating costs were £100k higher than budget mainly due to increases in material costs and the amount of work required to be carried out, this was a favourable movement of £14k since the August report.
- Asbestos surveys were showing an adverse movement of £15k from August which was an adverse variance of £80k for the year, this was due to an increase in the requirement to carry out these surveys due to higher than anticipated planned works, remedial works and tenant friendly asbestos reports.
- Void repairs were now anticipated to show a favourable variance of £125k for the year, an improvement of £58k since August, this was due to a review of the revenue costs and subsequent reallocation of some

of these to capital.

- Responsive repairs were anticipating an adverse variance of £169k for the year, an adverse movement of £134k, this was due to an increase in material costs and the number of repairs anticipated to be carried out.
- BMBS were showing an adverse variance of £512k for the year this was an adverse movement of £324k from the August report. The main reason for these were an increase in external contractor's work being carried out on voids and timing delays in recharging these back to the relevant service area.
- General management costs were £32k higher than the budget however this was a favourable movement of £101k mainly due to savings on salary costs and professional fees.
- Sheltered accommodation was now anticipated to show a favourable variance of £43k for the year, a favourable movement of £115k since August and this was mainly due to a savings on salaries of £40k and lower than anticipated repairs carried out by BMBS of £64k.

132.2 Councillor Osborne reported that following a review of the depreciation calculations within the business model to align them to 17/18 outturn an increase of £514k was anticipated for this year, revenue contribution to capital spend was showing a favourable variance of £1.6 million for the year, a favourable movement of £1.4 million from August. The variances were explained in more detail in paragraph 5.6 of the report.

132.3 Councillor Osborne **MOVED** the recommendations which Councillor Ridley **SECONDED**.

132.4 Councillor Ridley stated that BMBS was becoming a long-term challenge and enquired if they were adequately staffed and able to retain staff.

132.5 Councillor Osborne agreed that BMBS continued to have challenges and staffing issues was one of them. Regular meetings were being held with staff to identify what their issues and problems are. Councillor Osborne stated that she would ask the Corporate Manager for BMBS to email members to keep them informed.

132.6 Councillor Ward welcomed the offer of more detailed updates particularly around the issue of sickness and morale.

132.7 Councillor Lawrenson stated that it was incumbent to make sure that that value for money was delivered as well as providing an adequate service for our tenants.

132.8 Councillor Maybury raised that when there was an ongoing problem with building maintenance there was a knock-on effect to tenants and that as it had been stated that we are having to rely on external contractors again, their costs maybe higher than anticipated which gave cause for concern.

- 132.9 In response Councillor Osborne stated that the problems being experienced with BMBS were the same as when the department was previously managed by the previous contractor, however there were now less complaints and the tenants were reporting that the service had improved.
- 132.10 Councillor Barrett raised that self-employed workers are less likely to be off sick and questioned whether the BMBS model should be continued. Councillor Barrett suggested that Overview and Scrutiny investigate if this model was sustainable.
- 132.11 Kathy Nixon, Strategic Director, stated that work was being done regarding sickness absence and stress related absence in the organisation at the moment with new policies being brought in and ongoing training programmes for all managers to upskill them to deal with sickness absence and early identification of people who may be getting stressed. The Strategic Director also reported that there had been a four-month downward trend in mental health related absence and there had been a three-month downward trend for overall sickness absence.
- 132.12 Councillor Ridley asked if this report just reflected Babergh's half of the adverse variances and if this was the case, he would support Councillor Barrett's comments that this was clearly an area that needs some very careful examination.
- 132.13 Councillor Lawrenson stated that the downward trend in long term sickness was to be welcomed and that the Cabinet would welcome seeing the comparable figures from the past few years before BMBS was incorporated until now. Councillor Lawrenson also suggested that a review be carried out in a years' time to see if there was any improvement.
- 132.14 Councillor Maybury agreed with the comments made and asked if spot checks were being carried out to assess value for money.
- 132.15 Councillor Osborne stated that issues had been raised before regarding the level of performance and the standard of the work that has been undertaken, this had been addressed and quality checks were due to be started. An update would be sought from the Corporate Manager as to whether quality checks had been implemented. Councillor Osborne agreed that a deadline for a review was needed and that a 12-month timeline was a sensible one.

By a unanimous vote

**It was RESOLVED:-**

- (i) That the potential or likely variations in relation to the HRA both Revenue and Capital compared to the Budget be noted.**
- (ii) That, subject to any further budget variations that arise during the rest of the financial year, the increase in funds of £299k, referred to in**

**section 5.6 of the report, be transferred to the Strategic Priorities reserve, as referred to in 2a of the report.**

**Reason for Decision:** To ensure that Members are kept informed of the current budgetary position for both the HRA Revenue and Capital Budgets.

### **133 BCA/18/73 QUARTER 3 PERFORMANCE OUTCOME REPORTING**

- 133.1 Councillor Davis, Cabinet Member for Organisational Delivery introduced report BCa/18/73 and stated that this was the third of the revised quarterly performance reports submitted to Cabinet and that ongoing refinement of the performance framework would ensure that the performance measures reflected the outcomes in the Joint Strategic Plan and particularly the agreed priorities.
- 133.2 Councillor Davis pointed out the revised method for recording the figure for missed bins. This measure was a recognised method for recording missed bins and would allow the Council to undertake benchmarking in the future.
- 133.3 Councillor Davis also summarised improvements to the number of days lost to sickness and the reduction of the average telephone wait time.
- 133.4 Councillor Davis **MOVED** the recommendations in the report which Councillor Osborne **SECONDED**.
- 133.4 Councillor Ward reiterated the good work carried out to improve the wait times in the call centres and also pointed out the reduction in abandoned calls which was also a significant improvement.
- 133.5 Councillor Lawrenson stated that the graphics used in the report were very useful and suggested another measure to be included in the future would be to compare the Councils performance measures to other authorities and establish best practice. Councillor Lawrenson also stated that using different timescales to compile the graphs could cause confusion and that he would like to see more consistency in the data and the timescales used.
- 133.6 Councillor Ward agreed that being able to compare performance measures against other authorities would be a very useful exercise.
- 133.7 Councillor Grandon agreed that the graphs were useful and requested a graph showing the usage of the customer service points and the type of information people are accessing at the customer services points be included in future reports.
- 133.8 Councillor Davis stated that the figures had not yet been compiled but these figures could be included in the future.
- 133.8 Councillor Osborne also agreed that the report was a good mechanism for advising performance and thanked the team for their hard work.

By a unanimous vote

**It was RESOLVED:-**

- (i) **That the performance report and the performance outcome information tabled at Appendices A to G of the report be agreed as adequately reflecting Babergh District Council's performance for October – December 2018.**

**Reason for Decision:** To provide assurance that the Council is meeting its performance objectives.

**134 BCA/18/74 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE BUSINESS PLAN MARCH 2019**

- 134.1 Councillor Ridley, Cabinet Member for Planning, introduced the report and stated that the report included a business plan which included an update on progress on decisions in CIL Bid Round One (Appendix A) and the assessments for the individual CIL bids (Appendix B). Councillor Ridley suggested it would be better to go through each recommendation one by one.
- 134.2 Councillor Ward agreed that each bid should be approved individually.
- 134.3 Councillor Ridley introduced CIL Bid B19-18 which was for £100,000 from the strategic infrastructure fund to support the £2.5 million project refurbishment of Kingfisher Leisure in Sudbury which was an important capital project for the Council and included refurbishment of the gym. The proposal was a worthy strategic infrastructure proposal which should be supported and was recommended for approval.
- 134.4 B19-18 was approved unanimously.
- 134.5 Councillor Ridley introduced bid B06-18 for tiered seating at East Bergholt High School, this was for £45,000 which was part of a larger education improvement project of £539,222. The proposal accommodates proposed community use of the seating and a community use contract would be used to secure this. It was considered this CIL bid should be supported and recommendation was also for approval. Councillor Ridley asked Cabinet if there were any questions and if they were happy to approve.
- 134.6 Councillor Davis stated it was important that schools were supported and it was also important that it was for the wider community use and that schools needed to recognise that they may need to change their approach and become more encompassing.
- 134.7 Councillor Osborne asked that as East Bergholt High School was an academy was there confidence that they would make this available for community use.

- 134.8 The Professional Lead for Key Sites and Infrastructure, stated that community use had been negotiated with a legal contract created and the offer of any CIL bid funding, should Cabinet approve the bid today, would be subject to that legal contract being completed.
- 134.9 Councillor Lawrenson stated as Chairman of a local school considering becoming an academy it was his belief that it was a requirement that the school facilities be available for the use of the community and that he was glad that this was being enforced.
- 134.10 Councillor Davis asked if it mattered if the education facility was an academy or just within the LEA when being considered for a CIL bid.
- 134.11 In response the Professional Lead for Key Sites and Infrastructure stated that currently the framework did not specify a difference in approach between the two but could be included in the next review of the CIL expenditure framework as more extensions to schools were being put forward which may become more of an issue.
- 134.13 Councillor Ridley stated that it was likely there would be an increasing number of schools making applications for CIL and not for small sums and suggested that there needed to be a discussion between Babergh officers and County officers responsible regarding giving proper advice.
- 134.16 Councillor Lawrenson stated that academy schools were still state schools which are funded directly from government and not from Suffolk County Council.
- 134.17 Councillor Ridley asked for approval of CIL Bid B06-18 which was given.
- 134.18 Councillor Ridley introduced CIL Bid B07-18 for Preston St Mary and stated that a question had been raised in Council briefing regarding how much the Parish Council or any other fund within the village might be contributing towards the village hall project. Councillor Ridley informed Cabinet that the Village Hall Committee had £9,611. and their income was very close to their expenditure but they were spending £2,000 on the extension. The Parish Council had only £4,500 with very little surplus and that the recommendation was for approval.
- 134.19 Councillor Lawrenson stated it was a very significant amount of money being requested and questioned whether the Council should be funding the whole project.
- 134.20 Councillor Ridley replied that the Council would not be funding the project as the whole bid was for £195,000 reduced to £160,000.
- 134.21 Councillor Ward stated that the overall cost estimates had been reduced and that in this case approval should be granted but agreed that a review in the future would be a good idea.

- 134.22 Councillor Grandon suggested that in the future for grants over a certain amount the Council should look to provide a percentage of the costs rather than such a large amount and look at whether they should be match funded and whether this should be included in our policies.
- 134.24 Councillor Ridley stated that this was a small village which had not had a great deal of development and this was what the CIL fund was for.
- 134.25 CIL Bid B07-18 was approved.
- 134.26 Councillor Ridley introduced CIL Bid B12-18 for Lavenham and stated that the total cost of the project was £45,000 with £12,500 being invested by the parish council, £2,500 from locality funding and the CIL bid was for £30,000.
- 134.27 Councillor Ward stated that this was part of the long-term plan to support Lavenham to create a community hub and take over the tourism service there and should be supported.
- 134.28 CIL Bid B12-18 was approved.
- 134.30 Councillor Ridley introduced CIL Bid B13-18 Lavenham electric charging point and stated that the most common EV charge point being offered was a rapid charger which was capable of recharging a vehicle to approximately 80% capacity in about 30 minutes however, visitors to Lavenham would be more likely to park their car medium to long term and in this scenario rapid charge was not required so the chargers could be slower and cheaper.
- 134.31 Councillor Barrett enquired if Lavenham had considered that there were commercial options available that would provide electric charge points without having to pay for it.
- 134.32 The Senior Environmental Management Officer stated that he had not spoken to the company that Councillor Barrett was familiar with but had spoken to another installer and that his understanding was that the commercial organisations preferred locations with 30 minute turn arounds for example petrol stations and service centres on trunk roads and visitors to Lavenham tended to visit for longer periods of time so that model was not what they were looking for and therefore the cost of the rapid charger at around £20,000 was not appropriate. There had been a deliberate decision made to not speak to commercial organisations about Lavenham because it was believed that there was potential for an income to be retained within the Council.
- 134.33 Councillor Barrett enquired if the charging point was one where you used a card or if you needed to be registered to use it.
- 134.34 The Senior Environmental Management Officer replied that it would be the same as the Kingfisher Leisure charging point which would require a sign

up to a particular provider, however that provider was expanding their network of chargers. He also pointed out that this bid was on behalf of Babergh District Council and not Lavenham Parish Council so the charge point would be owned by the Council.

134.35 Councillor Ward asked for approval for CIL Bid B13-18 which was granted.

134.36 Councillor Ridley introduced CIL Bid B14-18 which was a delegated decision for £3,440 and asked for it to be noted and also asked for paragraph 3.2 and 3.3 of the recommendations in the report to be agreed.

134.37 Councillor Ridley stated that the CIL bid spend in this round was £241,986.99, £100,000 to the strategic infrastructure fund, the remainder to the local infrastructure fund. The amount carried forward to the next bid round in May 2019 for the local infrastructure fund was £279,728.96. Councillor Ridley reminded members that 3.1 in the recommendations was to approve all of the bids, 3.2 to note and indorse all of the outstanding valid and invalid bids that continue to be worked upon and in paragraph 3.3 Cabinet are asked to note and indorse the CIL business plan and the reasons are as given on the paper.

134.42 Councillor Ridley **MOVED** the recommendations which Councillor Barrett **SECONDED**.

By a unanimous vote

**It was RESOLVED:**

**1.1 That the CIL Expenditure Business Plan (March 2019) and accompanying technical assessments of the CIL Bids forming Appendices A and B of the report and which included decisions on valid Bids for Cabinet to make and those for Cabinet to note be approved as follows:**

**Decisions for Cabinet to take: Strategic Infrastructure Fund**

<b>CIL Bid, Location and Infrastructure Proposed</b>	<b>Amount of CIL Bid</b>	<b>Recommendation</b>
<b>B19-18 SUDBURY Kingfisher Leisure Centre</b>	<b>£100,000</b> <b>Total Cost £2,456,000</b>	<b>Recommendation to Cabinet to approve CIL Bid for £100,000</b>

**Decisions for Cabinet to take: Local Infrastructure Fund**

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

<p><b>B06-18 EAST BERGHOLT</b></p> <p>East Bergholt High School</p> <p>Tiered Seating for Community and Education Use</p>	<p><b>£45,000</b></p> <p>Total cost £539,222 (of bigger project including tiered seating)</p>	<p>Recommendation to Cabinet to approve CIL Bid for £45,000</p>
<p><b>B07-18 PRESTON ST MARY</b> Preston St Mary Village Hall</p> <p>Provision of extension to provide kitchen and cooking facilities and inside toilets</p>	<p><b>£130.091</b></p> <p>Total cost £130,091 (excluding VAT)</p>	<p>Recommendation to Cabinet to approve CIL Bid of £130,091</p>
<p><b>B12-18 LAVENHAM 2</b> Lady Street provision of Community facilities</p>	<p><b>£30,000</b></p> <p>Total cost £45,000</p>	<p>Recommendation to Cabinet to approve CIL Bid for £30,000</p>
<p><b>B13-18 LAVENHAM</b> Car Park to the rear of the Cock Inn</p>	<p><b>£33,455.99</b></p> <p>Total Cost £33,455.99</p>	<p>Recommendation to Cabinet to approve CIL Bid for £33,455.99</p>

**Decisions for Cabinet to note and endorse: Local Infrastructure Fund**

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the Infrastructure	Delegated Decision
<p><b>B14-18 COCKFIELD</b> Restoration of twin brick culvert</p>	<p><b>£5,155.00</b> originally; subsequently revised to <b>£3,440.00</b></p> <p>Total Cost Originally <b>£12,366.00</b> (including VAT); subsequently revised to <b>£6,880.00</b> (excluding VAT)</p>	<p>Delegated decision. for Cabinet to note <b>£3,440.00</b></p>

1.2 That Cabinet noted and endorsed that except for CIL Bids B18-18 which was not CIL 123 compliant respectively (such that the Bid could be progressed), all other non-determined valid or invalid Bids continue to

**be worked upon and all will be carried forward to the next CIL bid round 3 for consideration.**

- 1.3 That Cabinet noted and endorsed the CIL Business Plan (which included all those valid CIL Bids where offers of other sources of funding have been made for projects as part of the CIL process such that the value of that original CIL Bid is reduced).**

**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 adopted in April 2018 requires the production of a CIL Business Plan for each District which contains decisions for Cabinet to make or note and endorse on CIL Bids for CIL expenditure. These decisions relating to the expenditure of CIL monies form one of the ways which necessary infrastructure supporting growth is delivered.

**135 BCA/18/75 AMENDMENTS TO THE PLANNING PRE-APPLICATION CHARGING ADVICE SERVICE AND CHARGING SCHEDULE**

135.1 Councillor Ridley, Cabinet Member for Planning, introduced report BCa/18/75 and stated that the Planning Pre-Application issue was recently introduced and that it was currently being reviewed. The Planning Pre-Application was not allowed by Government to be a profit centre but it was allowed for reasonable charges to be made against the costs to the Council to give the advice. The service had been operating successfully for over a year and had been effective in recovering a portion of the costs. The scope of the service had remained under review since it was brought in and it was now appropriate to improve the pre-application service and charges. The aim was to improve the service to small and medium size enterprises including small scale builders and those businesses in receipt of other support from the Council, in those cases it was proposed to include a full exemption from the Councils planning charges and a 50% exemption from heritage charges. The charges were also to be fine-tuned to cover the costs of some of the enquiries that had proved to be more popular than expected, at the same time advice will be offered on the potential CIL charge an applicant might expect.

135.2 Councillor Ridley **PROPOSED** the recommendations in the report, which Councillor Barrett **SECONDED**.

135.3 Councillor Maybury enquired if any charges were applied if the Enforcement Team visit a site for any reason.

135.3 It was stated that this was not pre-application.

By a unanimous vote

**It was RESOLVED:-**

- (i) That the proposed changes to the charged pre-application advice**

**service and associated charges as set out in the attached draft Schedule at Appendix (a) of the report be approved.**

- (ii) That the Assistant Director Planning and Communities to, at least annually, review the Schedule of charges and as need be to amend the Schedule in consultation with the Cabinet Member for Planning to reflect current good business practice in pre-application charging.**

**Reason for Decision:** The decision to agree the changes to the pre-application advice service and associated charges will refine and improve the service offered to users and the delegation of authority will enable continued service improvement in an iterative way.

**136 BCA/18/76 ADOPTION OF CONSERVATION AREA APPRAISALS FOR BRENT ELEIGH, NAUGHTON AND GREAT WALDINGFIELD**

136.1 Councillor Campbell, Cabinet Member for Environment, introduced the report and stated that this was something which must be done as heritage was important and must be recognised and architectural heritage must be celebrated.

136.2 Councillor Lawrenson stated that as a resident of the Great Waldingfield conservation area it was clearly important as the last time this conservation area was reviewed was in the 1970's. Councillor Lawrenson asked Cabinet Members to note that in the report it recommended expanding the conservation area which was not something that has been seen before in a conservation area report and for that Councillor Lawrenson commended the Conservation Officers and Mr Patrick Taylor who had prepared the report.

136.3 Councillor Lawrenson proposed an amendment to item 3.3 as follows:

That following appropriate public consultation, to take place before the end of May and complete before the end of July, the Corporate Manager - Sustainable Environment be authorised to amend the Great Waldingfield Conservation Area boundary as it was proposed in the Appraisal in Appendix C of the report and subject to other minor consequential amendments, the document be adopted as non-statutory Supplementary Planning Guidance.

136.4 The Corporate Manager – Sustainable Environment stated that he agreed with this amendment and that it would not need to be brought back to Cabinet subject to Cabinet approving the recommendation for the Corporate Manager - Sustainable Environment be authorised to make amendments.

136.5 Councillor Ridley stated that Patrick Taylor undertook the majority of the work to prepare the reports and had also prepared in draft three more that were still to be done and thanked him publicly for all of the work he had undertaken.

136.6 Councillor Maybury stated that Great Waldingfield was a unique area and

that she agreed with the proposals to expand the conservation area.

- 136.7 Councillor Arthey stated that the Parish Council for Brent Eleigh would welcome the recommendations and that the conservation area appraisals were finally happening but the comments from the Suffolk Preservation Society regarding the methodology in the preparation of conservation area appraisals had moved on a bit and although correct were not particularly helpful. This report showed consistency with all the Council's other conservation area appraisals which were carried out by Patrick Taylor some years ago. Councillor Arthey enquired if the amendment proposed by Councillor Lawrenson only applied to recommendation 3.3 as he hoped that he would be able to go to the Brent Eleigh Parish Council meeting and announce that their conservation area appraisal had been adopted.
- 136.9 Councillor Barrett questioned what the upside was of the conservation areas being appraised.
- 136.10 Councillor Ward reiterated the amendment proposed by Councillor Lawrenson to recommendation 3.3 was to be 'That following appropriate public consultation, to take place before the end of May, the Corporate Manager - Sustainable Environment be authorised to amend the Great Waldingfield Conservation Area boundary as it was proposed in the Appraisal in Appendix C of the report, and subject to other minor consequential amendments, the document be adopted as non-statutory Supplementary Planning Guidance' and asked for a seconder to that amendment.
- 136.11 Councillor Lawrenson requested that it be noted that his wished to vote on recommendations 3.1 and 3.2 but would be abstaining for recommendation 3.3.
- 136.12 Councillor Campbell **MOVED** the recommendations which Councillor Lawrenson **SECONDED**.

By a unanimous vote

**It was RESOLVED:-**

- (i) **That the Conservation Area Appraisal for Brent Eleigh (Appendix A) be adopted as non-statutory Supplementary Planning Guidance with immediate effect.**
- (ii) **That the Conservation Area Appraisal for Naughton (Appendix B) be adopted as non-statutory Supplementary Planning Guidance with immediate effect.**
- (iii) **That following appropriate public consultation, to take place before the end of May, the Corporate Manager - Sustainable Environment be authorised to amend the Great Waldingfield Conservation Area boundary as is proposed in the Appraisal in Appendix C, and subject to**

**other minor consequential amendments, the document be adopted as non-statutory Supplementary Planning Guidance.**

**Reason for Decision:** To enable Planning decisions to be made with the best available background information.

**137 BCA/18/77 REGULATORY REFORM ORDER POLICY ON MINOR DISABLED ADAPTATION SCHEME**

- 137.1 Councillor Osborne introduced report BCa/18/77 and **MOVED** the recommendations in the report stating that a regulatory reform order gave powers to local authorities to use disabled facilities grant budget more innovatively and with greater flexibility. This flexibility allowed authorities to apply appropriate solutions to problems which they face within their area. The mandatory disabled facilities grant was out of date and the application process could be complex, long and come at a time when people were at crisis. Babergh had a significant underspend of the disabled facilities grant budget and a great concern was that vulnerable residents were not receiving the assistance they needed to enable them to remain at home and live independent lives. The proposed Regulatory Reform Order Policy aimed to address some of the issues which were contributing to the underspend at Babergh whilst helping as many people as possible to be safe, well and remain at home by expanding the circumstances in which help would be available. A wider piece of work to consider the Suffolk picture and the current Orbit home improvement agency was also underway.
- 137.2 Councillor Ward asked for a seconder and stated that simplifying these and making minor improvements made a lot of sense and would help things considerably.
- 137.3 Councillor Barrett **SECONDED** the recommendations in the report.
- 137.4 Councillor Lawrenson stated that this was a fabulous policy being brought forward and that it was very important that support was given to those less fortunate in the community and suggested that there be a review in a years' time to check how the money had been allocated.
- 137.5 Councillor Osborne stated that the recommendation did state that it would be reviewed in 12 months' time.
- 137.6 Councillor Maybury asked that paragraph 4.20 be reviewed as it mentioned over bath showers which were not suitable for disabled people. Councillor Maybury also stated that she was glad that it was stated in paragraph 5.2 that there was a chronic shortage of retirement homes and that this was something which should be reviewed.
- 137.7 Councillor Osborne replied to Councillor Maybury's comment about over bath showers by stating that there are quite a few people disabled or not who actually preferred a bath to a shower and that facilities were available such as lifts.

- 137.8 Councillor Davis thanked Councillor Osborne and the team for compiling this report.
- 137.9 Councillor Grandon stated there was a need to publicise this to make people aware that there were funds available.
- 137.10 Councillor Osborne stated that other agencies were keen to work with the Council and that a model had been agreed that included working with GP's and making sure that staff in hospitals were aware of the availability of this fund. Councillor Osborne stated that there may be a lot of demand for this funding but the understanding was that the more that could be delivered and the more funding that the Council could demonstrate could be used to useful effect then the government would increase the funding available.
- 137.11 Councillor Ridley expressed his concern that £5,000 was not going to go very far.
- 137.12 Councillor Lawrenson stated that there needed to be awareness of budget considerations.
- 137.13 Councillor Campbell commented that on the information bulletin 1.4 stated that the additional money must be committed by 31<sup>st</sup> March 2019 and asked if this was possible.
- 137.14 Councillor Osborne replied that the additional funding criteria was to spend it by 31<sup>st</sup> of March and it was being used to buy equipment and to look at providing temporary accommodation in both Babergh and Mid Suffolk to use the money and not lose it.
- 137.15 The Senior Environmental Health Officer, stated that a list was being drafted of equipment to ensure the money was not lost and regarding the temporary housing this was intended to be used as a first step for people when returning home from hospital and it was being investigated whether this money could be used for that project.
- 137.16 Councillor Osborne commended the team for their hard work and innovative thinking.

By a unanimous vote

**It was RESOLVED-**

- (i) That the Regulatory Reform Order Policy on Minor Disabled Adaptation Scheme as described in Option 1 of the report be adopted and reviewed in 12 months.**

**Reason for Decision:** For a Regulatory Reform Order Policy on Minor Disabled Adaptation Scheme to be used legally, members need to have adopted such a scheme.

**138 BCA/18/78 MEMBER LEARNING AND DEVELOPMENT POLICY AND MEMBER ROLE DESCRIPTIONS**

- 138.1 The Corporate Manager – Democratic Services, introduced report BCa/18/78 and stated that the draft Member Learning and Development Policy and proposed Member Role Profiles were prepared following works carried out by the Joint Member Learning and Development Working Group. The purpose of the Member Learning Development Policy was to provide a framework for future member training and development focussing on the Council’s commitment to provide an effective induction programme and ongoing training and professional development for members. The introduction of role profiles was intended to guide members in terms of expectations associated with their role, to inform the public and officers and provide a useful tool for future member development. The roles were currently in existence across both councils but may only be pertinent to one Council. The profiles were not an exhaustive list of every specific duty the might be carried out and would be subject to change as roles evolved and would be reviewed by the Member Learning and Development Working Group on an annual basis.
- 138.2 Councillor Ward **PROPOSED** the recommendations which Councillor Osborne **SECONDED**.
- 138.3 Councillor Ward stated that the work in the report was excellent and would be of great use to councillors old and new in May. Councillor Ward reminded members that further information was required around time required to carry out roles and asked for this information to be given to the Corporate Manager as soon as possible.
- 138.4 Councillor Lawrenson questioned that within the profile of Cabinet Member without Portfolio, which was a Mid Suffolk role, under key relationships it mentioned ‘the public and outside organisations’ which was not mentioned within the profile for Cabinet Members.
- 138.5 The Corporate Manager replied that this was an omission which she would rectify.
- 138.6 Councillor Osborne stated that improved communications were needed regarding the commitment and hours worked as a Councillor.

By a unanimous vote

**It was RESOLVED:-**

- (i) **That the Member Learning and Development Policy and Role Profiles be approved to provide a framework for future Member training and development.**

**Reason for Decision:** To provide a framework for future Member learning and

development and to clarify the responsibilities and expectations for prospective Members, newly elected Members and existing Members, members of the public, partner organisations and officers.

**139 BCA/18/79 BUSINESS RATES RETENTION PILOT - SUDBURY TOWN CENTRE PROJECTS - PART 1**

- 139.1 Councillor Ward, Cabinet Member for Finance, introduced report BCa/18/79 and stated that the report sought cabinet approval for use of up to £100,000 of Business Rate Retention allocation to grant support a major new town centre renaissance project – the St Peter’s Cultural & Arts Centre ‘Built for Exchange’ Regeneration. This was a joint project being run by the Churches Conservation Trust and the Friends of St Peter’s and the total cost was estimated at £2.5 million. The amount requested represented the gap in funding needed to meet a match fund target for making a stage two heritage lottery fund application by March 2020 the project will build on the existing use of St Peter’s as a location for events to deliver a much-needed versatile community space and multi-function venue with full and modern facilities. This project was in alignment with Babergh’s vision for prosperity for Sudbury, Sudbury Town Council’s vision for the town centre and was supported by the Sudbury Steering Group. It also supported the visitor economy objectives within the Joint Open for Business Strategy and the works to seek funding from the Government’s recently announced future high streets fund. Key questions and answers were provided in the confidential appendix to this report.
- 139.2 Councillor Ward **MOVED** the recommendations which Councillor Lawrenson **SECONDED**.
- 139.3 Councillor Ridley proposed to remove ‘up to’ in recommendation 3.1 which Councillor Barrett seconded.
- 139.4 The recommendations where approved unanimously.

**It was RESOLVED:-**

- 1.1 That use of £100,000 from the Business Rate Retention allocation for Sudbury Town Centre projects for supporting the St. Peter’s ‘Built for Exchange’ Regeneration Project Heritage Lottery Funding Phase 2 application, due for submission by March 2020 be approved; and**
- 1.2 That delegation be given to the relevant Strategic Director with responsibility for Economy and Business Growth, in liaison with the Cabinet Portfolio Holder for Finance, to resolve via agreement appropriate criteria and conditions to enable the grant funding to be released**

**Reason for Decision:** To tangibly support significant town centre renaissance and investment in line with established priorities and strategies – benefitting local communities, the visitor economy and local businesses.

Councillor Lawrenson asked to make a public statement as this was his last Cabinet meeting and expressed his thanks for being involved with Cabinet which had been a real experience and a pleasure.

Councillor Ward thanked all of the members of the Cabinet for their support and assistance over the time that he had been Leader, which had been quite a learning curve but had also been enjoyable and hard work and particular thanks were passed onto Councillor Campbell and Councillor Lawrenson as they are not standing in the next election.

Councillor Davis expressed his thanks for being made welcome on the Cabinet as the only non-conservative member. Councillor Davis also stated that Councillor Maybury's comments disputing the statement made by the Headmaster of Holbrook school had offended him and requested that Councillor Maybury apologised for publicly questioning Councillor Davis' integrity when she stated that what Councillor Davis regarding Dr Letman was not true. Councillor Davis provided the slides from the presentation made by Dr Letman which included the following quote 'as a result students in take away, hot lunches or their own cold pack lunches in corridors, outside on benches, sitting on grass etc and it is even the case that some students eat their lunch in the toilets such is the shortage of space when the weather outside is wet and windy'.

Councillor Maybury apologised and stated that she questioned Councillor Davis statement because it had been reported in the local media that the Headmaster was retracting that statement because it was damaging to the school.

Councillor Ward asked for a vote to exclude members of the public for the remaining two items.

#### **140 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

By a unanimous vote

**It was Resolved:-**

**That under section 100(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act in the paragraph registered against the item:**

#### **141 BCA/18/79 BUSINESS RATES RETENTION PILOT - SUDBURY TOWN CENTRE PROJECTS - PART 2 (EXEMPT INFORMATION BY VIRTUE OF PARAGRAPH 3 OF PART 1)**

141.1 The information contained in the exempt appendix of the report was noted.

#### **142 BCA/18/80 SALE OF LAND IN SUDBURY (EXEMPT INFORMATION BY VIRTUE OF PARAGRAPH 3 OF PART 1)**

142.1 On the proposal of Councillor Lawrenson and seconded by Councillor Ward

By unanimous vote

**It was Resolved :-**

**That Recommendations be approved.**

**143 BCA/18/81 TO CONFIRM THE CONFIDENTIAL MINUTES OF 6 FEBRUARY 2019 MEETING**

**It was Resolved:-**

**That the confidential Minutes of the meeting held on the 6<sup>th</sup> February 2019 be approved as a true record.**

The business of the meeting was concluded at 11.10 am.

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Chair