

Thursday, 11 March 2021



BABERGH DISTRICT COUNCIL

DECISIONS NOTICE

**DECISIONS BY THE BABERGH CABINET
CALL IN DEADLINE 5:00PM ON 19 MARCH 2021**

The following decisions have been taken by the Cabinet and will come into effect on 22 March 2021 unless the call-in procedure is activated. For clarity, where an item is 'to be noted', 'received' or recommended to Council for a decision, this is deemed not to be a formal Executive decision and so the call-in provisions will not apply.

BCa/20/39 GENERAL FUND FINANCIAL MONITORING 2020/21 - QUARTER 3

It was **RESOLVED**:

That the Council's financial position for the General Fund at the end of quarter 3 be noted.

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

Alternative Options Considered and Rejected: At this stage in the year, the financial position is for noting only.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

BCa/20/40 HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2020/21 - QUARTER 3

It was **RESOLVED**:

That the Council's financial position for the Housing Revenue Account at the end of Quarter 3 be noted.

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

Alternative Options Considered and Rejected: At this stage in the year, the financial position is for noting only.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

BCa/20/42 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE PROGRAMME MARCH 2021

It was **RESOLVED:**

1.1 That Cabinet approved the CIL Expenditure Programme (March 2021) and accompanying technical assessment of the CIL Bids – B20-06, B20-12, B20-16, and B20-15 (forming Appendices, A and B of the report) as follows: -

Strategic Infrastructure Fund

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the Infrastructure	Cabinet Decision
B20-06 SUDBURY Chilton Depot, Alexandra Road Supply and Installation of Fuel Tank for HVO	Amount of CIL Bid £50,000 Total costs £50,000	Cabinet approved CIL Bid for £50,000 from the Strategic Infrastructure Fund

Ringfenced Infrastructure Fund (Long Melford only)

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the Infrastructure	Cabinet Decision
B20-12 LONG MELFORD Old School Community Centre Long Melford CO10 9DX Old School Car Park - upgrade and resurface including 10 new additional car parking spaces, 4 disabled	Amount of CIL Bid £22,000 Total costs £56,928	Cabinet approved CIL Bid for £22,000 from Ringfenced Infrastructure Fund for Long Melford

spaces and 3 EV charging points and drainage and lighting		
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Local Infrastructure Fund

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the Infrastructure	Cabinet Decision
B20-16 COCKFIELD Mackenzie Community Open Space Project	Amount of CIL Bid £15,799.36 Total costs £25,378.36	Cabinet approved CIL Bid B20-16 for £15,799.36 from the Local Infrastructure Fund
B20-15 LAVENHAM Church Street Church Street toilet block and parish office	Amount of CIL Bid £43,440.00 Total costs £69,504.00	Cabinet approved CIL Bid B20-15 for £43,440.00 from the Local Infrastructure Fund

- 1.2 That Cabinet noted and endorsed this CIL Expenditure Programme which included the position in respect of approved CIL Bids from Rounds 1, 2, 3, 4, 5 and 6 (including Cabinet decisions in December 2020) (Appendix A Section B of the report) together with details of emerging infrastructure /CIL Bids (Appendix A Section C of the report).

Reason for Decision: Community Infrastructure Levy (CIL) monies have been collected since the implementation of CIL on the 11th April 2016. The CIL Expenditure Framework originally adopted in April 2018 and reviewed with amendments adopted on the 18th March 2019 and with further amendments on the 20th April 2020 requires the production of a CIL Expenditure Programme for each District which 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.

Alternative Options Considered and Rejected: There is a diverse spectrum of approaches to CIL expenditure across the country from Unitary Authorities who have absorbed CIL into their individual Capital Programmes to others who ringfence all funds to be spent locally. A range of different approaches was identified in Appendix A of the Framework for CIL Expenditure report provided to Cabinet's on the 5th and 8th of February 2018 and discussed in full during the workshops with the Joint Member advisory panel. Members adopted the documents set out in paragraph 1.1 above by Council decision in April 2018 which were subsequently reviewed and adopted on the 19th March 2019 (Babergh) and 18th March 2019 (Mid Suffolk) and then reviewed for the second time and adopted by both Councils on the 20th April 2020.

Any Declarations of Interest Declared: Councillor Elisabeth Malvisi declared a local non-pecuniary interest in respect of Bid B20-12 Long Melford.

Any Dispensation Granted: None

BCa/20/43 SOLAR MULTIFUNCTION CARPORT MICROGENERATION

It was RESOLVED:

- 1.1 That Cabinet fully considered the base business case for delivering an installation of a multi-function solar carport with battery storage.
- 1.2 That Cabinet agreed, having considered the business case under 1.1 above, to proceed with investment in the installation of a multi-function solar carport with battery storage by March 2022.
- 1.3 That Cabinet endorsed a preferred design option, subject to planning approval, based on the options attached as Appendix B of the report.
- 1.4 That Cabinet resolved to use up to £300,000 (including a contingency allowance) of the £600,000 included within the 2021/22 capital programme.
- 1.5 That authority be delegated to the Assistant Directors for Economic Growth and Regeneration, and Environment and Commercial Partnerships to widen the business case to incorporate and link new leisure centre decarbonisation measures ,such as air-source heat pump and roof-mounted PV technologies, utilising additional grant funding recently obtained. No changes will be made to the base financial business case unless it is improved or else not adversely affected by any revisions.

Reason for Decision:

1. The Council has declared a Climate Emergency and resolved measures to help achieve its ambition of becoming carbon neutral by 2030 so this significant project is a visible step forward.
2. Localised microgeneration of electricity utilising its own brownfield assets is a practical step the Council can take towards meeting its carbon ambitions.
3. The project not only provides local power to our leisure centre but also will offer a number of electric vehicle charging points in the town centre to encourage more sustainable forms of travel and support air quality.
4. An opportunity to match investment with external central government funding, already secured, is available to improve the viability and manage the risks of the proposed scheme.
5. An opportunity to integrate multi-function solar carport into a broader strategic solution for decarbonisation of public assets, without stalling progress or accessing external funds.

Alternative Options Considered and Rejected:

- (a) DO NOTHING (Not Recommended) – make no investment in microgeneration for the site or benefit from associated carbon reduction. Forego the opportunity for accessing guaranteed external funding. Brownfield land remaining under-utilised. Strategic Priorities including Carbon Reduction Management Plan are not delivered.
- (b) DELAY CONSIDERATION PENDING HOLISTIC COUNCIL ASSET MANAGEMENT & ENERGY DECARBONISATION STRATEGY (Not Recommended) – to delay making a decision at this point would add risks to the spend of external funding.
- (c) ASSESS FEASIBILITY AND VIABILITY FOR MULTI-FUNCTION INSTALLATIONS (Recommended) – gain the evidence and site-specific technical appraisals and options necessary for the Council to consider a business case investment, and draw-down of external capital funding support.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

BCa/20/44 REGENERATION OF BELLE VUE SITE IN SUDBURY

It was RESOLVED:

- 1.1 That Cabinet, having fully considered the objections to the disposal notice given pursuant to Section 123(2A) of the Local Government Act 1972, approved the disposal of the site (shown in Appendix A of the report) for best consideration reasonably achievable.**
- 1.2 That Cabinet approved the preferred recommended proposal, bidder B in paragraph 4.24 of the report, including the financial bid outlined in confidential Appendix D attached to the report.**
- 1.3 That Cabinet agreed up to 100% from the sale of the site be diverted to ensure the creation of a new Belle Vue park entrance, café and toilet facilities.**
- 1.4 That authority be delegated the Assistant Director for Economic Growth and Regeneration in consultation with the Cabinet Member for Economy and the Cabinet Member for Assets and Investments to conclude the legal agreements in respect of the recommended proposal.**

Reason for Decision:

- 1. The Council is obliged to publish a notice under S123 of the Local Government Act 1972 prior to any disposal of land which contains areas of open space. The Council is required to consider objections and make a formal decision on whether to proceed with the sale in the light of these objections and balanced with the needs of the site and the future economic growth aspirations of Sudbury.
- 2. The site has been unused for several years and forms a gateway to the town centre so bringing it back into economic use is a key part of the regeneration plans for the Sudbury Vision.
- 3. Proceeds from the capital receipt from the sale can be diverted to create a new park

entrance, café and new toilets for local communities and visitors. An improved park entrance was a key 'ask' from public and stakeholder engagement including the exhibition event held in January 2020.

4. If the preferred bidder drops out or otherwise does not progress on terms proposed, the Council will be able to move forward with an alternative proposal or terms provided it meets best value requirements.

Any Alternative Options Considered and Rejected:

1. DO NOTHING (Not Recommended) – the site continues to be retained and maintained by the Council. The land remains under-utilised and a cost burden to the Council, with a lack of a clear consensus on its future. Vision and Strategic Priorities remain undelivered at this key gateway to Sudbury.
2. RETAIN THE SITE (Not Recommended) – Retain existing site in Council ownership and repurpose for other council uses. The Council approved the disposal of the site in 2013 as it was no longer deemed necessary to hold as an asset. There is a need to ensure the site is brought back into some form of use and is enhanced as a gateway to the town, but given previous uses the cost is likely to be high and therefore a third-party development is more likely to ensure wider outcomes for the town are delivered.
3. UNDERTAKE A NEW MARKETING PROCESS (Recommended) – to consider objections to the disposal and any market/community/charity informal tender bids for the site. This option has been progressed and in-line with previous Council resolutions, and in a way to support delivery of a new park entrance/café/toilet for the community. The Council is neither obligated to dispose of the site nor accept any bid resulting from this process.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None