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BABERGH CABINET	
DATE:	THURSDAY, 11 MARCH 2021 5.30 PM
VENUE:	VIRTUAL MEETING

Members		
<u>Conservative</u> Jan Osborne John Ward (Chair) Michael Holt Elisabeth Malvisi	<u>Independent</u> Derek Davis Clive Arthey Lee Parker	<u>Liberal Democrat</u> David Busby

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AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

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- 1 **APOLOGIES FOR ABSENCE**
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- 3 **BCa/20/37 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 04 FEBRUARY 2021** 7 - 22
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- 5 **QUESTIONS BY COUNCILLORS**
- 6 **MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEES** 23 - 30

Chair of the Overview and Scrutiny Committee

7 FORTHCOMING DECISIONS LIST

Please note the most up to date version can be found via the website:

<https://www.babergh.gov.uk/the-council/forthcoming-decisions-list/>

8 **BCa/20/39 GENERAL FUND FINANCIAL MONITORING 2020/21 - QUARTER 3** 31 - 50

Cabinet Member for Finance

9 **BCa/20/40 HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2020/21 - QUARTER 3** 51 - 58

Cabinet Member for Finance

10 **BCa/20/41 QUARTER THREE PERFORMANCE PRESENTATION** 59 - 94

Cabinet Member for Customers, Digital Transformation and Improvement

A presentation of performance across the whole Council for the period 1 October – 31 December 2020 (Q3). To note the information contained within the presentation, giving the opportunity to reflect and comment on progress made against the key priorities aligned to the Corporate Plan 2019- 2027.

11 **BCa/20/42 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE PROGRAMME MARCH 2021** 95 - 150

Cabinet Member for Planning

12 **BCa/20/43 SOLAR MULTIFUNCTION CARPORT MICROGENERATION** 151 - 158

Cabinet Member for Environment

13 **EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

To consider whether, pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public should be excluded from the meeting for the business specified below on the grounds that if the public were present during this/these item(s), it is likely that there would be the disclosure to them of exempt information as indicated against the/each item.

The author(s) of the report(s) proposed to be considered in Part 2 of the Agenda is/are satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

14 **Bca/20/43 SOLAR MULTIFUNCTION CARPORT 159 - 170**
MICROGENERATION - PART 2

Cabinet Member for Environment

15 **RESOLUTION TO RE-ADMIT THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

16 **BCa/20/44 REGENERATION OF BELLE VUE SITE IN SUDBURY 171 - 236**

Cabinet Member for Economic Growth and Cabinet Member for Assets and Investments.

17 **EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

To consider whether, pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public should be excluded from the meeting for the business specified below on the grounds that if the public were present during this item, it is likely that there would be the disclosure to them of exempt information as indicated against the item. The author of the report proposed to be considered in Part 2 of the Agenda is satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

18 **BCa/20/46 REGENERATION OF BELLE VUE SITE IN SUDBURY - 237 - 244**
PART 2

Cabinet Member for Economic Growth and Cabinet Member for Assets and Investments.

Date and Time of next meeting

Please note that the next meeting is scheduled for Monday, 10 May 2021 at 9.30 am.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils Youtube page:
https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Claire Philpot on: 01473 276396 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Protocol for Virtual Cabinet Meetings

Live Streaming:

1. The meeting will be held on TEAMS and speakers will be able to join via invite only. Any person who wishes to speak at the meeting must contact Committee Services on 01473 296376 at least 24 hours before the start of the meeting.
2. The meeting will be live streamed and will be available to view on the Council's YouTube page as detailed below:
https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

Recording of proceedings:

1. Proceedings will be conducted in video format.
2. A Second Governance Officer will be present and will control the TEAMS call and Livestreaming.
3. If you are experiencing slow refresh rates and intermittent audio you should turn off incoming video to improve your connection to the meeting.

Disclosable Pecuniary Interests:

1. A Councillor declaring a disclosable pecuniary interest will not be permitted to participate further in the meeting or vote on the item. Where practicable the Councillor will leave the virtual meeting, including by moving to a 'lobby' space and be invited to re-join the meeting by the Committee Officer at the appropriate time. Where it is not practicable for the Councillor to leave the virtual meeting, the Committee Officer will ensure that the Councillor's microphone is muted for the duration of the item.

Questions and Debate:

1. Once an item has been introduced and proposed by the relevant Cabinet Member and been seconded, the Chair will ask if there are any questions. Each Member of the Cabinet will be asked, in alphabetical order, to put their questions.
2. Any Councillors present who are not part of the Cabinet will then be invited to ask questions but must alert the committee clerk/chair first using the chat function (to be unmuted). The questions must be related to the agenda item being discussed.
3. At the end of the questions the Chair will ask Cabinet Members whether they have any further questions before entering into debate.
4. Upon completion of any debate the Chair will move to the vote.

Voting:

1. Once a substantive motion is put before the committee and there is no further debate then a vote will be taken.
2. Due to circumstances the current voting by a show of hands would be impractical - as such the Governance Officer will conduct the vote by roll call or electronic voting.

The total votes for and against and abstentions will be recorded in the minutes not the individual votes of each Councillor. Except where a recorded vote is requested in accordance with the Rules of Procedure.

3. The governance officer will then read out the result for the Chair to confirm.
4. A Councillor will not be prevented from voting on an item if they have been disconnected from the virtual meeting due to technical issues for part of the deliberation.

Confidential items:

1. The Public and Press may be Excluded from the meeting by resolution in accordance with normal procedural rules. The Committee Officer will ensure that any members of the public and press are disconnected from the meeting. All Councillors participating in the meeting will be asked to verbally declare that there are no other persons present who will be able to hear or observe proceedings.

Agenda Item 3

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **BABERGH CABINET** held in the Teams Meeting on Thursday, 4 February 2021 at 09.30am.

PRESENT:

Councillor: John Ward (Chair)

Councillors: Jan Osborne
Clive Arthey
Michael Holt
Lee Parker
Derek Davis
David Busby
Elisabeth Malvisi

In attendance:

Councillor(s): Sue Ayres
Peter Beer
Sian Dawson
Mick Fraser
Kathryn Grandon
Robert Lindsay
Margaret Maybury
Alastair McCraw
Mary McLaren

Guests: Richard Walker – North Essex Parking Partnership

Officers: Chief Executive (AC)
Monitoring Officer (EY)
Assistant Director – Environment and Commercial Partnerships (CC)
Assistant Director – Corporate Resources (KS)
Assistant Director – Housing (GF)
Corporate Manager – Finance and Commissioning and Procurement (ME)
Licensing Officer (ER)
Licensing Officer (DP)
Governance Officer (CP)

55 APOLOGIES FOR ABSENCE

There were no apologies for absence.

56 DECLARATION OF INTERESTS BY COUNCILLORS

Councillor Osborne declared a local non-pecuniary interest in respect of report number BCa/20/32 in her capacity as a trustee of Citizens Advice.

57 BCA/20/26 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 07 JANUARY 2021

It was RESOLVED:

That the minutes of the meeting held on 07 January 2021 were confirmed as a true record. The minutes would be signed at the next practicable opportunity.

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

None received.

59 QUESTIONS BY COUNCILLORS

59.1 Question 1 Councillor Mick Fraser to the Cabinet Member for Environment.

59.2 As Councillor Fraser was unable to attend the start of the meeting Councillor Ward read out the question on his behalf.

59.3 Babergh's high street businesses are still currently closed for trading due to government Covid-19 rules and guidelines. In Hadleigh, there has still been no consultation with any business organization or the Town Council which resulted in considerable protest against these parking proposals. Although proposed changes will not now be implemented any sooner than 1st October 2021, this will still too early for businesses to have made a full recovery and assess the impact on them of this global pandemic has had on them.

More time is required; more time which could be used to form respective steering groups to discuss this issue, but also future matters that impact our high streets and how best to regenerate what is the heart of our communities so that we can all benefit and take ownership of high street management and policy going forward.

Would you therefore agree with me that Babergh should wait until at least 1st April 2022 to implement any changes thus giving appropriate time to engage with respective Town Councils, Chambers of Commerce, and other relevant organisations?

59.4 Response from the Cabinet Member for Environment, Councillor Elisabeth Malvisi.

I know that the Covid-19 pandemic has hit businesses hard. To date Babergh Council have so far paid out over £27m of grants to support businesses. There are 10 grants still open and I would encourage those who need it to apply. Go to the Babergh District Council Website, click 'Business' and then 'Business Rates' and you will see the area for Covid-19 Grant Funding Schemes.

I attended the Council meeting where the petition to keep free parking in Hadleigh was debated. I also attended the Overview and Scrutiny Committee where the original parking paper was also debated. The steer to us was clear from both meetings, more free time and a later implementation date. The Overview and Scrutiny Committee specifically recommended one-hour free parking and at not before September or October and we've elected a not before October implementation date. We have listened, and we have agreed with this recommendation, as you will see in the report before you today, but please also recognise that is we are not Covid free we will revisit the implementation date.

The Comprehensive Strategic Parking Review we have committed to in this paper answers your point on the need to deal with future matters that impact the High Streets. We will consult on the wider issue of parking, both on-street and off-street, in our District with residents, businesses and other key stakeholders to make sure we are prepared for the next 5-10 years. This work is due to begin later this year.

- 59.5 Councillor Fraser joined the meeting and asked the following supplementary question.

What measures are Babergh taking to communicate with our high street retailers, independent retailers and business partners at the moment considering that we are currently in this tier 5 lockdown so that we have this line of communication with them prior to implementing any changes to our parking measures.

- 59.6 Response from the Cabinet Member for Environment.

The change in pricing of the car parks requires a consultation so we will be going out for consultation in that period and obviously whatever we pick up during that consultation period we will then retain the knowledge and apply it to the actual Strategic Parking Review that as noted in the paper that we hope to start later on this year.

- 59.7 Question 2 Councillor Robert Lindsay to the Cabinet Member for Housing.

Brighton and Hove Council just a few days ago have set up a "sustainability and retrofit" reserve of £4m in their Housing Revenue Account starting in the 2021-22 year. This is to retrofit their council housing stock in order to meet their goal of zero carbon by 2030. In view of the urgency of addressing the climate challenge, why doesn't Babergh set aside a similar reserve beginning 2021-22 financial year to help meet our target?

- 59.8 Response from the Cabinet Member for Housing, Councillor Jan Osborne.

Babergh District Council is committed to the aspirations of decarbonising our existing Council Housing stock, along with our broader commitments as part of our motion on a Climate Emergency and more recently our Carbon Reduction Management Plan, as well as our Homes and Housing Strategy.

Currently work is taking place by officers to develop a revised Housing Revenue Account Business Plan which will set out our ambitions and our financial commitments in the medium and long term. We expect to bring this work forward during the summer and we will ensure the development of our plans involve members through meaningful involvement and consultation.

We know that a recent national housing survey has put the cost of decarbonisation at £20,742 per property whilst the figures provided by the social housing sector range from £3,000 to £50,000 per home.

For us, the cost could be up to £70m, whilst we know that the cost of retrofitting the social housing sector is estimated nationally at £104bn.

It is for these reasons that we do not see any benefit to creating a specific reserve for our HRA Housing stock, in relation to retrofit and sustainability. Especially when the required investment is so significant in addition to the whole landlord service and all the initiatives, we wish to undertake to improve our services for tenants.

Our work on the development of our business plans requires a transformational approach which utilises our ringfenced income and ensures that we can provide our existing tenants with high quality, safe accommodation that provides tenants with benefits such as affordable energy bills whilst supporting our wider environmental aims. This inevitably will involve looking at 'invest to save' initiatives in order to free up monies to enable us to meet the huge challenge in making our existing housing stock carbon neutral.

As demonstrated, we need to maximise our HRA receipts to support the improvements to our existing stock whilst supporting our ambitions to build much needed new affordable homes for our residents. This is why we are committing £21.5 million during the next four years to our Capital programme for Housing Maintenance and renewal and a further £16.2m to new build and acquisitions during the same period.

Hence creating a reserve is not the solution and a broader review of how our HRA assets and limited resources meet all our aspirations will be carried out and put forward in the forthcoming HRA Business Plan.

I would like to add that this Council has a history of environmental improvements to our Council housing which benefits our tenants and the wider environment. Historically this may have been reroofing homes, installing double glazing or installing central heating. I would however point directly to:

- The large Solar PV programme that took place 2014/15 and has resulted in greatly reduced bills for our tenants.
- Warm Homes Grant that has historically provided hundreds of air source heating systems.

- Loft and Cavity wall insulation programmes
- Currently the successful bid for Green Homes Grant which will provide environmental and sustainability improvements to 38 council homes, whilst we await a decision on our bid for the second round of Green Homes Grant Funding.
- An external wall insulation programme will begin very shortly which will benefit and improve a number of homes in Great Cornard as well as work being undertaken in Springlands in Sudbury together with more properties in Babergh.

59.9 Councillor Lindsay then asked the following supplementary question:

I think what you are saying you are not going to commit any set sum, certainly not this year, and we do not know what you are going to commit to retrofitting homes to make them carbon zero at least until you produce this business plan. I just wonder how that squares with the commitments in the Carbon Reduction Plan which said that the Officers were going to draw up a report to access exactly what the needs were for retrofitting Council homes and that was supposed to be by the third quarter of the current financial year that passed in December.

59.10 Response from the Cabinet Member for Housing:

We will be committing some money in the HRA plan but not necessarily ringfencing a large amount. We need to think outside the box and be innovative in our approach rather than simply setting monies aside. As mentioned in my response, we will be reviewing, how we can meet our combined aspirations and how they can be delivered but we need to strike a good balance between delivering on our carbon reduction plan and also providing affordable homes for those in need. As far as the lapse in the timetable I think its fair to say that with Covid-19 a lot of our resources have had to be directed in other places, but we will pick up with that and be running with it. The HRA business plan will be coming forward to Cabinet within the very near future and I think then you will have more of your questions answered with that new business plan.

59.11 Question 3 Councillor Robert Lindsay to the Cabinet Member for Environment:

The Suffolk Climate Change Partnership, of which Babergh is part, has proposed that a reduction of 25% car use in Suffolk by 2030 is required to get to net zero by then. It is building consensus amongst the business community for this target. To get there will require Babergh to produce a ten-year plan to match that goal in 2030 to invest in public transport, cycling, walking and car sharing so that people have an alternative to car use. There has been virtually no investment in active travel in the past decade by Babergh. Why are we implementing car park charging without having drawn up a costed, timetabled plan for investment in active travel?

59.12 Response from the Cabinet Member for Environment:

The Suffolk Climate Change Partnership will flag up the need for significant reductions in car use in the Suffolk Climate Action Plan which is currently in production. However, the SCCP will not be leading on measures to achieve the reductions – that will be for transport and planning specialists across the authorities to deliver, which includes Babergh through the new Sustainable Travel Officer who has only recently been recruited and will be producing a plan.

The Council agreed early last year to recruit a Sustainable Travel officer and I can confirm that Katherine Davies started in this role on 01 February. Katherine will be responsible for delivering the SCC a costed and prioritised sustainable travel plan which picks up walking cycling, public transport, which of course is a County responsibility, and other opportunities that may exist. The plan will take some time to develop and it is right that it is developed alongside any measures around car parking.

59.13 Councillor Lindsay asked the following supplementary question:

Does cycling come into the Sustainable Travel Officers remit?

59.14 Response from Councillor Malvisi:

Yes, within the parking that we are presenting today we are trying to get it to be cost neutral so that we can actually put in parking bays rather than see the bicycles tied up to St Peters railings and other such things dotted around the town.

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

60.1 The Chair of the Overview and Scrutiny Committee, Councillor McCraw, introduced the report and provided Members an overview of the recommendations from the Overview and Scrutiny Committee meeting held on 18 January 2021.

61 FORTHCOMING DECISIONS LIST

61.1 Councillor Busby requested that the telephone number on the Forthcoming Decisions List be amended from his home telephone number to his mobile.

61.2 The Forthcoming Decisions List was noted.

62 BCA/20/30 SPECIAL URGENT DECISIONS TAKEN BY OFFICERS DURING THE COVID-19 PANDEMIC PERIOD UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 2 OF THE CONSTITUTION

62.1 The Leader of the Council introduced the report which provided details of special urgent decisions taken in consultation with the Chair of the Council and Officers using delegated powers during the Covid-19 pandemic.

62.2 The report was noted.

63 BCA/20/31 CAR PARKING STUDY REPORT

63.1 The Cabinet Member for Environment introduced the report which was deferred from the Cabinet meeting on 07 January 2021 to the Overview and Scrutiny Committee on 18 January 2021 to enable a petition which had been submitted to be debated at Full Council.

63.2 Councillor Malvisi advised that the recommendations in the report had been amended to take into account the discussions at Full Council and the Overview and Scrutiny Committee, as well as submissions from the public.

63.3 Councillor Malvisi clarified that the report applied to Babergh District Council car parks only.

63.4 Councillor Malvisi moved the recommendations in the report. The recommendations were seconded by Councillor Ward.

63.5 Councillor Busby proposed an amendment to recommendation 3.5 of the report to include the words 'This strategy should ensure that a proportion of income generated from chargeable parking will be allocated to the delivery of the sustainable travel agenda.'

63.6 By a unanimous vote Members accepted the amendment.

63.7 The amendment was seconded by Councillor Osborne and accepted by Councillor Malvisi and Councillor Ward.

63.8 Councillor Holt proposed an amendment to recommendation 3.3 of the report to provide clarification regarding 24 residential parking.

63.9 The Assistant Director for Environment and Commercial Partnerships provided confirmation of the definition of overnight parking.

63.10 The amendment was seconded by Councillor Osborne and accepted by Councillor Malvisi and Councillor Ward.

63.11 By a unanimous vote Members accepted to amend the wording of recommendation 3.3 of the report to read: '24 hour resident parking permits will be available to residents in Mill Lane Sudbury subject to the Statutory Order Process and requirements for consultation.'

63.12 Councillor Parker expressed concern received from residents in Sudbury regarding a potential increase in on-street parking in residential areas. The

Assistant Director for Environment and Commercial Partnerships confirmed that displacement from car parks to residential areas had been taken into consideration as part of the study and it was felt that there would not be a significant increase.

- 63.13 In response to questions from Councillor Holt regarding residential parking permits, the Assistant Director for Environment and Commercial Partnerships confirmed that they were available across Babergh District car parks, and agreed that more work was required to promote the availability of the permits.
- 63.14 The Assistant Director for Environment and Commercial Partnerships and the Assistant Director for Economic Development and Regeneration provided responses to questions from Councillor Grandon regarding the times during which car parking charges applied, and plans for cycle storage provisions.
- 63.15 Councillor Beer expressed his concerns over the proposed parking charges and raised questions on various issues.
- 63.16 In response the Assistant Director for Environment and Commercial Partnerships provided confirmation of the cost and extent of work carried out by external consultants.
- 63.17 The Assistant Director for Environment and Commercial Partnerships then commented on the issues of potential loss of space on Market Hill in Sudbury and future car parking capacity.
- 63.18 The Assistant Director for Environment and Commercial Partnerships, responded to questions from Councillor Maybury on issues including the cost of permit parking, and disabled parking facilities and costs. The Officer confirmed that details would be provided regarding the costs of installing and maintaining electrical car park signs.
- 63.18 Following a question from Councillor Dawson, Richard Walker of North Essex Parking Partnership, provided details of the research which had been undertaken to inform the report.
- 63.19 Cabinet Members debated the report on issues including the impact on local businesses, the timing of the implementation of charges, the comments from the Overview and Scrutiny Committee, and the revisions which had been made to the report.

By a unanimous vote

It was RESOLVED:

- 3.1 That the parking management principles and interventions detailed in Appendix A of the report be implemented no earlier than 01 October 2021.**
- 3.2 That additional parking controls or tariffs be applied to District car parks**

in accordance with Option 2, table 2, paragraph 6.3 of the report, subject to the Statutory Order Process and requirements for consultation, in order to achieve the availability and occupancy priorities outlined below.

- 3.3 That 24-hour residential parking permits be available to residents in Mill Lane, Sudbury subject to the Statutory Order Process and requirements for consultation.
- 3.4 That delegated authority be given to the Assistant Director for Environment & Commercial Partnerships to make changes to the parking orders in order to implement recommendations 3.2 and 3.3 of the report.
- 3.5 That a longer-term parking strategy be developed for the whole District, and that the review work to develop such a strategy commences in quarter two of 2021/22. This strategy should ensure that a proportion of income generated from chargeable parking will be allocated to the delivery of the sustainable travel agenda.

Reason for Decision: To make changes in respect of parking management and maintenance that best balance the Council's desires to improve traffic management and environmental impacts; to support local residents, visitors, and workers; to grow the commercial vitality of Babergh's towns; to improve the public spaces and streetscape; to reduce the current subsidy so that the motorist pay more of the cost of the car parking; and to fund investment into sustainable travel projects.

Alternative Options Considered and Rejected:

- 1.1 A number of options have been considered, including no change (which has been discounted as there are some known actions contained in Appendix D, which will impact parking provision), different levels of controls, increased management of parking, including the implementation of short-term charging or additional charging at some, or all locations.
- 1.2 Data has been collected based on a study carried out during February 2020 of all Council owned car parks in Babergh District and is therefore both before the emergency measures were imposed, but also one of the quieter months of more normal years – representing a best-case scenario.
- 1.3 Informal observations have also been carried out in order to test the application of the data throughout the year, in particular to the impact of leisure/tourism in popular locations.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

- 64.1 A short break was taken from 11:36 am to 11:45am.
- 64.2 The Cabinet Member for Finance, Councillor Ward, introduced the report and the addendum paper and provided Members with an overview of the contents.
- 64.3 Councillor Ward advised Members that the Growth and Business Rates Income figure referred to in paragraph 8.11 of the report was £515,000 and not as detailed.
- 64.4 Councillor Ward moved the recommendations in the report, and the additional recommendations in the addendum paper.
- 64.5 Councillor Malvisi seconded the recommendations.
- 64.6 In response to a question from Councillor Parker, the Assistant Director for Corporate Resources provided clarification regarding the forecast earmarked reserves detailed in the report.
- 64.5 Following a request from Councillor Busby, the Assistant Director for Corporate Resources provided further details of the flexible use of capital receipts included in the report.
- 64.6 Councillor McCraw enquired whether the budget contained a provision for the recommended indexation to the previous funding contributions to Citizens Advice. The Assistant Director for Corporate Resources advised that these figures were not included in the report but confirmed they would be provided to the Overview and Scrutiny Committee before their meeting on 15 February 2021.
- 64.7 Councillor Ward responded to comments from Councillor Beer and Councillor Maybury regarding the proposed increases in Council Tax, and staffing levels.
- 64.8 Members commended the finance team for their hard work in preparing a balanced budget.
- 64.9 Members debated the report on issues including the financial effect of the Covid-19 pandemic and increases in council tax.
- 64.10 Following a request from Councillor McCraw, Cabinet Members agreed to support the proposed indexation of funding for Citizens Advice.

By a unanimous vote

It was RESOLVED:

- 1.1 That the General Fund Budget proposals for 2021/22 and four-year outlook set out in the report be endorsed for recommendation to Council on 23 February 2021.**

- 1.2 That the General Fund Budget for 2021/22 is based on an increase to Council Tax of £5 per annum (10p per week) for a Band D property, which is equivalent to 2.96%, to support the Council's overall financial position.
- 1.3 That the Flexible Use of Capital Receipts Strategy at Appendix E of the report be endorsed for recommendation to Council on 23 February 2021.
- 1.4 That subject to approval by Council, the Ministry of Housing, Communities and Local Government (MHCLG) be notified of the adoption of the Strategy.

Reason for Decision: To bring together all the relevant information to enable Cabinet Members to review, consider and comment upon the Council's General Fund budget for endorsement and recommendation to Council.

Any Declarations of Interest Received: Councillor Osborne declared a local non-pecuniary interest in her capacity as a trustee of Citizens Advice.

Any Dispensation Granted: None

65 BCA/20/33 HOUSING REVENUE ACCOUNT (HRA) BUDGET 2021/22 AND FOUR-YEAR OUTLOOK

- 65.1 Report BCa/20/33, Housing Revenue Account (HRA) Budget 2021/22 and Four-Year Outlook, was introduced by the Cabinet Member for Finance, Councillor Ward.
- 65.2 The recommendations in the report were proposed by Councillor Ward and seconded by Councillor Osborne.
- 65.3 Councillor Holt enquired what could be done to ensure that affordable homes being bought by the Council will meet the environmental standards being set. In response Councillor Osborne, Cabinet Member for Housing, confirmed that a design guide was being developed by the Housing team to outline standards for homes being purchased or built by the Council.
- 65.4 Councillor Osborne responded to questions from Councillor Davis regarding the plans for buildings on garage rental sites, and the installation of PV panels.
- 65.5 Following a question from Councillor Parker, the Assistant Director for Corporate Resources confirmed that details would be provided with regard to paragraph 5.18 of the report relating to Right to Buy receipts.
- 65.6 Councillor Busby queried the figures contained in the report regarding depreciation. The Corporate Manager for Finance and Commissioning and

Procurement advised that more details would be provided outside of the meeting.

65.7 Councillor Osborne and the Assistant Director for Housing responded to questions from Councillor Beer on issues including: building on garage sites, anti-social behaviour, and problems with rising damp. Councillor Osborne confirmed that an update on the project regarding council garages would be provided to all Members.

65.8 In response to a question from Councillor Maybury, Councillor Osborne outlined the process undertaken when a property becomes void and confirmed that consideration is given to potential changes to the site.

By a unanimous vote

It was RESOLVED:

1.1 That the HRA Budget proposals for 2021/22 and four-year outlook set out in the report be endorsed for recommendation to Council on 23 February 2021.

1.2 That the CPI + 1% increase of 1.5% in Council House rents, equivalent to an average rent increase of £1.35 a week be implemented.

1.3 That garage rents are kept at the same level as 2020/21.

1.4 That Sheltered Housing Service charges be increased by £0.69 per week to ensure recovery of the actual cost of service.

1.5 That Sheltered Housing utility charges are kept at the same level as 2020/21.

1.6 That the budgeted surplus of £127k be transferred to the Strategic Priorities reserve in 2021/22.

1.7 That in principle, Right to Buy (RTB) receipts should be retained to enable continued development and acquisition of new council dwellings.

Reason for Decision: To bring together all the relevant information to enable Cabinet Members to review, consider and comment upon the Councils Housing Revenue Account budget for recommendations to Council.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

66 BCA/20/34 COUNCIL TAX HARDSHIP FUND

66.1 The Cabinet Member for Finance, Councillor Ward, introduced the report which provided recommendations of how the balance of the Council Tax

Hardship Fund could be allocated to assist those most in need of support.

- 66.2 The recommendations were proposed by Councillor Ward and seconded by Councillor Arthey.
- 66.3 In response to a question from Councillor McCraw regarding who would be eligible to receive the benefit the Assistant Director for Corporate Resources confirmed that previous applicants would be eligible.

By a unanimous vote

It was RESOLVED:

- 1.1 That an additional £150 (+/- £25) top up award is made to all working age Local Council Tax Reduction Support cases with a liability for 2020/21 to take the total hardship award to up to £300 (+/- £25).
- 1.2 That any residual balance, after applying the additional award, is used to fund Discretionary Financial Assistance for residents in exceptional circumstances.

Reason for Decision: To ensure that the Hardship Fund is fully spent by 31st March 2021 thereby aiding those working age LCTRS taxpayers most in need of support.

67 BCA/20/35 ADOPTION OF THE REVISED TABLE OF FARES FOR HACKNEY CARRIAGES

- 67.1 A break was taken from 13:10 pm to 13:30pm.
- 67.2 The Cabinet Member for Environment, Councillor Malvisi, introduced the report which had been considered by the Licensing and Regulatory Committee at the meeting on 11 November 2020, following Statutory Public Consultation.
- 67.3 Councillor Malvisi provided Members with an overview of the proposed revised the table of fares, and thanked the Officers involved for their hard work.
- 67.4 The recommendations were proposed by Councillor Malvisi and seconded by Councillor Ward.
- 67.5 The Assistant Manager for Food, Safety and Licensing responded to questions from Councillor Parker and provided confirmation that all operators in the District had been invited to the virtual meeting held with members of the trade. The Officer also commented on the fairness of the tariffs and advised Members that there had been no comments received from members of the public on the tariffs following public consultation.
- 67.6 Following a question from Councillor Holt, the Assistant Manager for Food,

Safety and Licensing commented on the transparency of the pricing structure for larger vehicles and the discretion afforded to drivers for setting journey prices depending on the occupancy.

- 67.7 Councillor Arthey queried whether the fare was based on the number of passengers or the size of the vehicle. The Assistant Manager for Food, Safety and Licensing confirmed that the proposed fares were based on the vehicle size.
- 67.8 Following a query from Councillor McCraw, the Licensing Officer confirmed that the tariffs proposed are a maximum rate, and drivers are able to use their discretion to charge less. The Licensing Officer also confirmed that there would be a cost involved to the operator should a meter require changing.
- 67.9 Members debated the report on issues including the tariff for larger vehicles, the transparency of the tariffs, whether the fares should be based on number of passengers rather than the size of the vehicles and expressed concern over the tariff.
- 67.10 The Assistant Manager for Food, Safety and Licensing, and the Licensing Officer responded to further questions from Members regarding the rationale for using vehicle size rather than passenger numbers for the tariff.
- 67.11 Councillor Busby suggested that the proposal for the new rates be accepted, however the tariff for 5-8 seater vehicles be returned to the Licensing and Regulatory Committee to enable them to consider the issues raised.
- 67.12 The Assistant Director for Environment and Commercial Partnerships provided confirmation that should the recommendations be accepted, the Licensing Team would regularly monitor and review the tariffs.

By 7 votes to 1

It was RESOLVED:

That Cabinet following consideration of Licensing and Regulatory Committee's recommendations, adopts the revised table of fares, whether modified or not, attached Appendix A to this report, and in accordance with Section 65 of the Local Government (Miscellaneous Provisions) Act 1976, set a new date for the varied table of fares to become effective no later than two months after the specified date of 1 April 2021.

Reason for Decision: To adopt the revised table of fares for Hackney Carriages within the Babergh District.

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

68 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

Members agreed not to exclude the public.

69 BCA/20/36 TO CONFIRM THE CONFIDENTIAL MINUTES OF THE MEETING HELD ON 07 JANUARY 2021

It was RESOLVED:

That the confidential minutes of the meeting held on 07 January 2021 were confirmed as a true record. The minutes would be signed at the next practicable opportunity.

The business of the meeting was concluded at 2.32 pm.

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Chair

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Agenda Item 6

BABERGH DISTRICT COUNCIL

TO: CABINET	REPORT NUMBER: BCa/20/38
FROM: The Joint Overview and Scrutiny Committee	DATE OF MEETING: 11 March 2021
OFFICER: Henriette Holloway Senior Governance Officer	KEY DECISION REF NO.

CABINET ARE ASKED TO CONSIDER THE RECOMMENDATIONS BELOW FROM THE JOINT OVERVIEW AND SCRUTINY COMMITTEE HELD ON THE 15 FEBRUARY 2021

JOS/20/12 REVIEW OF LOCAL CITIZENS ADVICE

RECOMMENDATIONS
<p>1.1 That the Overview and Scrutiny Committee is satisfied and notes the content of the Report and commend the work as of the Mid Suffolk Local Citizens Advice, Ipswich Citizens Advice and Sudbury and District Local Citizens Advice</p> <p>1.2 That the Joint Overview and Scrutiny Committee confirm the previous resolution made at the last review that the three-year rolling funding arrangements review be subject to indexation on an annual review basis, finances permitting, as a measure of importance we attach to ongoing LCA funding.</p>
REASON FOR DECISION
<p>The Committee received a presentation from the three Local Citizens Advice and scrutinised the working arrangements and the three-year rolling funding provided by the Councils</p>

1. APPENDICES

Title	Location
A) THE MINUTE – JOS/20/12 REVIEW OF LOCAL CITIZENS ADVICE	Attached

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THE DRAFT MINUTE RELATING TO THE RECOMMENDATIONS TO CABINET FROM THE JOINT OVERVIEW AND SCRUTINY COMMITTEE HELD ON THE 15 FEBRUARY 2021 AT 1:00PM

JOS/20/12 REVIEW OF LOCAL CITIZENS ADVICE

- 32.1 The Chair invited the Corporate Manager for Communities, Vicky Mosley, to introduce Paper JOS/20/12.
- 32.2 The Corporate Manager provided a brief introduction including that Cabinets had approved funding for Local Citizens Advice (LCA) on a three-year rolling funding basis and that the Chief Officers from Local Citizens Advice would be providing a presentation during the meeting.
- 32.3 Councillor Muller asked that as the Diss, Thetford and District Citizens Advice no longer provided a service to Mid Suffolk residents living to the north of the District and would no longer received any funding from Mid Suffolk District Council what would happen to this funding.
- 32.4 The Corporate Manager – Communities responded that the Council would have to have a conversation around this issue with Mid Suffolk LCA for how to provide a LCA service to residents living north in the District.
- 32.5 Councillor Ekpenyong referred to page 53 section 5 and 6 and that the LCA had to apply each year for funding despite the funding being provided on a 3 Year rolling basis, he thought this was a heavy burden for the LCAs to have to undertake each year.
- 32.6 The Corporate Manager – Communities responded that this was a way to apply checks and balances, but that officers and the LCAs were working together to reduce administration. The three-year rolling funding meant that the LCA had a continued funding for the next three years and that each year they applied ensured funding for three years' time.
- 32.7 Councillor McCraw believed that this it was a statutory requirement for organisations to apply for grants funding on an annual basis.
- 32.8 The Assistant Director – Planning for Growth, added that if the rolling grant was not applied to every year, it would be a three-year grant.
- 32.9 The Babergh Cabinet Member for Communities, Councillor Davis, advised Members that this had been discussed at lengths at Cabinet and it had been agreed that the three-year rolling process had an annual process to ensure the best solution.
- 32.10 Councillor Welham referred to the high risk included in the report and ask if the Council would be able to provide further funding if other funders withdrew their support of if Covid-19 pandemic continued for much longer.
- 32.11 The Corporate Manager – Communities responded if that should be the case then the Council would do everything to support the LCAs, taking the Council's budget constraints into account.

32.12 The Chair introduce the Chief Officers from the LCAs and invited them to present their presentation:

Nicky Willshere, Chief Officer – Citizens Advice Ipswich
Simon Clifton, Chief Officer – Mid Suffolk Citizens Advice
Colleen Sweeney, Chief Officer – Sudbury and District Citizens Advice

32.13 The Chair invited questions from Members after the presentation.

32.14 Councillor Scarff enquired if Mid Suffolk LCA had picked up work from Diss, Thetford and District LCA, to which the Chief Officer – Mid Suffolk LCA responded that previously Diss LCA had provided an out- reach service but due to Covid-19 and an already decrease in footfall that service was no longer viable for Diss LCA. Mid Suffolk LCA was working to cover this area to the north of the District and would be the sole Citizens Advice provider in the District

32.15 Councillor Carter thanked the Chief Officers for the presentation. He referred to the increasing requirement to have access to computers, especially for education and whether funding would be available to support this. He also queried if internet providers were being approached to support this.

32.16 The Chief Officer – Citizens Advice Ipswich responded that there were a number of services across the District which provided devices for schooling, however this problem was two-fold, as it was not only a matter of having access to equipment and providers but also knowing how to use it and having access to the internet.

32.17 The Chief Officer – Mid Suffolk Citizens Advice had been successful in a bid to access funding from the Government Business Innovation and Skills (BIS) Fund to transform virtual access. Suffolk County Council (SCC) was also running a digital working group and the LCA was part of this. However, Mid Suffolk LCA was working to deliver their own service including a room in a Bank in Eye ad at Wattisham flying station. He believed it would be possible to deliver a service to allow access to a device as an outreach project.

32.18 In response to Councillor Adrian Osborne's question regarding a LCA presence in Hadleigh, the Chief Officer – Sudbury and District LCA responded that initially a project had been instigated via a local funding opportunity and training of three part-time specialised debt advisors to cover the District had begun. However, as a result of Covid-19 the funding had been withdrawn. However, she would take this project back to be covered by the core-funding budget, as it was important to both Hadleigh and the wider District.

32.19 Councillor Ekpenyong queried how the LCAs would address recruitment of volunteers, which he thought might have been an issue during the pandemic.

32.20 The three LCA had different experience with regards to volunteers, but all would be commencing a recruitment drive backed up a volunteer training programme.

32.21 Councillor Welham asked it the LCAs had been able to produce a balanced budget for the anticipated increased workload, as a result the Covid-19 pandemic and ensuing lockdowns, and whether there were enough options for recruiting extra staff.

- 32.22 The Chief Officer – Mid Suffolk LCA explained that Stowmarket Relief Trust had reduced their funding and that other funders were no longer able to support the LCA. There had been a high demand for funding due to Covid-19 and this had an impact on the options for applying for funding for the LCA. The three-year rolling funding from the Council had made a big difference. The LCA in Stowmarket had a small number of paid staff and were supported by volunteers. It was a challenge to get specialist advisors, as they required specific training and required a lead period.
- 32.23 The Chief Officer – Sudbury and District LCA advise Members that they received some funding from SCC. She had worked hard to diversify funding streams during the last three to four years, which had enabled projects to go ahead. However, the three-year rolling funding as core-funding had made a tremendous difference to the organisation.
- 32.24 Councillor McLaren was impressed for the consideration of the Shotley Peninsula and that access to LCA would make a difference to residents there. She recommended that social prescribing would be the best service to provide for the peninsula and asked if the Chief Officer would be able to provide an idea of how much this would cost. To which the Chief Officer explained that this would be difficult to cost out right now, but she was keen to get services extended to the peninsula.
- 32.25 Councillor McLaren asked if the Chief Officer would keep her update on this project.
- 32.26 Councillor Morley, the Leader referred to page 4 and asked to what extent West Suffolk Council (WSC) and Ipswich Borough Council (IBC) contributed to the LCAs services.
- 32.27 The Chief Officer – Sudbury and District LCA responded that this option had not been considered.
- 32.28 The Chief Officer – Ipswich LCA responded that IBC had been very supportive and as the MSDC and BDC expanded due to developments, resident from these areas accessed the services of LCA in Ipswich. East Suffolk Council did not provide any funding to the Ipswich LCA, due to the community chest funding process they used.
- 32.29 The Chief Officer – Mid Suffolk LCA advised Members that WSC did not provide any funding for Stowmarket LCA, however the LCA was a nationwide network helping residents irrespectively of where they lived.
- 32.30 The Assistant Director – Planning for Growth considered the options for Babergh and Mid Suffolk District Councils funding LCA outside the Districts and the reverse. He asked if the Chief Officers had made funding applications to neighbouring Councils and if not, perhaps officers should have a conversation with IBS and ESC to explore options further.
- 32.31 Councillor Ayres thanked the Chief Officers for the presentation and asked when they would be able to have face to face support again for the elderly and disadvantaged residents.
- 32.32 The Chief Officers – Sudbury and District LCA responded that currently they conducted virtual meeting in the offices and that volunteers were able to help client to use the equipment. However, this was limited due to the social distancing measures, which had to be applied on the already limited and restricted office space.

- 32.33 Members debated the issues and Councillor McCraw informed Members that it had been the intention that the three-year rolling funding should be index linked. He suggested that 1% might be applied for this year's funding, which would be a small amount for each Council.
- 32.34 Councillor Scarff thought that 1% was a little bit parsimonious and that he would support an increase of 2%.
- 32.35 The Assistant Director – Planning for Growth queried this recommendation and whether this would include all grants applications, as all grant recipients were important to the Councils. There was an ongoing dialogue with grants recipients and there was also a Review of Grants Funding Member Working Group, who were working on a review of the grants funding process.
- 32.36 The Chair responded that he was keen to be consistent with the Committee's previous recommendations for the LCA.
- 32.37 Councillor McLaren would be supporting any increase on a regular basis for the LCAs.
- 32.38 Councillor Welham was unsure whether a link to CPI was the best inflation measure to use. In difficult times CPI may be low but the workload of LCAs was likely to be high.
- 32.39 The Chair clarified the previous discussion around the Committee's recommendations to Cabinet and the Babergh Cabinet's subsequently expectation that the Overview and Scrutiny Committee reviewed the LCA and the funding on an annual basis.
- 32.40 Councillor McCraw proposed that the that the recommendations made at the previous three-year rolling funding review be subject to indexation on an annual review basis, finances permitting, as measures of importance we attach to ongoing LCA funding.
- 32.41 Councillor Welham asked for the Chief Officers opinion regarding a Councillor appointed as an observer at the meeting for the trustees, in line with the arrangements for Babergh District Council.
- 32.42 The Chair advised Members that this formed part of a previous items discussed at Committee, but he would allow a brief response out of general interest.
- 32.43 The Chief Officer – Sudbury and District LCA responded that having a representative from the District Council was useful and that engagement was beneficial for both the LCA and or the Council.
- 32.44 The Chief Officer – Mid Suffolk LCA said that an observer would be helpful to have at meetings of the Trustees.
- 32.45 Councillor Scarff and Councillor McCraw considered recommendation 3.1 in the report and they suggested: *that the Committee was satisfied and noted the content of the report and commend the work of the LCA.*
- 32.46 Councillor McCraw proposed the two recommendations which were seconded by Councillor Scarff.

- 32.47 Councillor Scarff said he would like to move a motion for Mid Suffolk only for reallocating funding from Diss, Thetford and District LCA to Mid Suffolk LCA for this year only. The reason being that Mid Suffolk LCA would be supporting the north of the District which had previously been covered the outreach service provided by Diss, Thetford and District LCA.
- 32.48 The Assistant Director – Planning for Growth suggested that this could be dealt with at officer level and that officer could have a conversation with Diss, Thetford and District LCA to withdraw their application for funding and with Mid Suffolk LCA on how to proceed to get this funding reallocated to them.
- 32.49 The Chair asked Councillor Scarff if this was acceptable and Councillor Scarff agreed that this was a sensible solution, as long as the understanding was that any unallocated funding was reallocated to the LCA in Mid Suffolk. This would allow for a degree of flexibility for all partners involved, and he withdrew the Motion.
- 32.50 The Chair put the two recommendation to Members for voting.

By a unanimous vote

It was RESOLVED: -

- 1.1 That the Overview and Scrutiny Committee is satisfied and notes the content of the Report and commend the work as of the Mid Suffolk Local Citizens Advice, Ipswich Citizens Advice and Sudbury and District Local Citizens Advice**
- 1.2 That the Joint Overview and Scrutiny Committee confirm the previous resolution made at the last review that the three-year rolling funding arrangements review be subject to indexation on an annual review basis, finances permitting, as a measure of importance we attach to ongoing LCA funding.**

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Agenda Item 8

BABERGH DISTRICT COUNCIL

TO: Cabinet	REPORT NUMBER: BCa/20/39
FROM: Councillor John Ward, Cabinet Member for Finance	DATE OF MEETING: 11 March 2021
OFFICER: Katherine Steel, Assistant Director, Corporate Resources	KEY DECISION REF NO. CAB225

GENERAL FUND FINANCIAL MONITORING 2020/21 – QUARTER 3

1. PURPOSE OF REPORT

- 1.1 This report considers the revenue and capital financial performance for the period April to December 2020 as well as the impact of COVID19 on the Council's finances and highlights predicted variances for the financial year 2020/21 and the impact over the medium term and the earmarked reserves position.
- 1.2 The total COVID19 financial impact, including Collection Fund losses, for Babergh in 2020/21 totals £2.644m. The anticipated financial support that the Council will receive from Government in 2020/21 represents 69% of these costs and losses. This leaves the Council with a predicted COVID19 impact of £822k to fund.

2. OPTIONS CONSIDERED

- 2.1 The options that have been considered are;
 - a) At this stage in the year, the financial position is for noting only.

3. RECOMMENDATIONS
3.1 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.

4. KEY INFORMATION

Strategic Context

- 4.1 In February 2020 Babergh District Council approved the General Fund Budget 2020/21 and Four-Year Outlook. However, one month later the outbreak of COVID19 hit the UK, and this has had a significant impact on the Council's financial position for 2020/21 and over the medium term.
- 4.2 The Council has played a significant role in responding to COVID19, in supporting businesses and the most vulnerable in our communities as well as running essential services.

Comprehensive Spending Review

- 4.3 The Governments three-year Comprehensive Spending Review (CSR) was planned to conclude in July 2020, however, on 24 March 2020 the Chancellor announced that the CSR would be delayed 'to enable the Government to remain focussed on responding to the public health and economic emergency'. On 21 October 2020, the Chancellor announced the decision to provide a one-year Spending Review in order to prioritise the response to Covid19 and focus on supporting jobs. Details of this SR20 were published on 25 November 2020.

Business rates review and revaluation

- 4.4 Confirmation that the Fair Funding Review, Business Rates Review and business rates reset will be delayed. A fundamental review of the business rates system will be undertaken, and the Government are considering responses to the call for evidence. A final report with conclusions of this review is expected spring 2021.

5. Financial Impact of COVID19

Additional Costs £1.4m

- 5.1 The challenges presented by the COVID19 outbreak has resulted in significant unplanned costs for the Council. In the current financial year, we have assumed additional costs relating to COVID19 of just under £1.4m. The main areas for additional costs are as follows:
- **Homelessness Prevention costs** following the Government's requirements, which are beyond normal guidelines, for rough sleepers and those at risk of rough sleeping to self-isolate and the associated accommodation (through hotel rooms and food) and staff and security costs (within the hotels) to deliver such provision;
 - **Redeployment costs** for staff to priority areas of supporting vulnerable people including the 'Home But Not Alone' initiative and covering the additional work as a result of the business grants and reliefs and council tax hardship funds;
 - **Leisure Centre** increased financial support to enable the Council's buildings and equipment (including pools) to be maintained during the lock down period and to enable the provider to re-open but complying with the social distancing requirements. Babergh submitted a bid-based application to the £100m

compensation scheme and has successfully been awarded additional funding of £170k, this will be passed onto Abbeycroft Leisure;

- **PPE** for front line staff who are required to work in the community;
- **Community grants** for foodbanks; and
- **Cleaning and material costs** for additional cleaning of public conveniences.

Income Reduction £1.1m

- 5.2 £5.5m of the Councils income budget comes from sales, fees and charges. COVID19 is having a significant financial impact on these income streams. The full year impact is estimated to be £1.1m.
- 5.3 As income generation is difficult to predict and the COVID19 situation is changeable, as shown by a further National lockdown which began on 4 January 2021, the budget assumptions are based upon a variety of different scenarios.
- 5.4 The main reductions in income streams are:
- **Trade and Garden waste**, all invoices and recovery action were put on hold at the start of the financial year due to COVID19. Some trade waste services continued but the garden waste service was suspended until the middle of May 2020. The garden waste service was suspended again from 11 January 2021.
 - **Car parking machines** were disabled (covered) at the start of first lockdown as was the case across the country with the service resuming at the beginning of July. Following the second national lockdown, machines remain uncovered, but a further reduction to income is expected.
 - **Planning income** has been impacted due to a reduction in planning applications from April to December, compared to the previous year.
 - A reduction to the planned in-year benefit (through retaining of business rates) associated with being a member of the **Suffolk business rates pool**.
 - **Commercial income** from CIFCO and property rental income. At the time of writing this report the Council continues to receive the full loan repayments due from CIFCO. If this position changes, the income will be accrued in the accounts for 2020/21, so will have an impact on cash flow only. The profiling of further investment in CIFCO has been accelerated to ensure that it is fully spent by the end of this financial year.

Business Rates and Council Tax Impact £230k

- 5.5 Business rates and council tax income expectations for 2020/21 are currently unchanged. This is due to the basis on which the budget is currently prepared, with the business rate and council tax demand from the Collection Fund being guaranteed in-year and the provision of section 31 grants to cover business rate retail holidays and reductions announced by Government.
- 5.6 However, there will be financial impacts on the 2021/22 business rates and council tax budgets due to a lower tax-base as a result of reduced in-year housing/business

growth; an anticipated drop in collection rates through increases in bad debt provisions and write offs; and an increased call on the Local Council Tax Reduction Scheme and Hardship Fund driven through an increase in unemployment levels, which falls as a cost to the precepting authorities including Babergh. This is forecast to be in the region of £230k. As part of the finance settlement Government announced an estimated £762m of compensation payments for 75% of irrecoverable loss of council tax and business rates revenues in 2020/21. We are awaiting further details on how this will work in practice.

- 5.7 The Finance Settlement announced on the 10 February 2021 included a New Local Council Tax Support Grant £670m – outside the core settlement to fund authorities for the expected increase in Local Council Tax Support in 2021/22. This grant is to be allocated between Babergh, Suffolk County Council and Suffolk Police and Crime Commissioner.

Support from Government

- 5.8 The Government has provided support to local authorities through £4.6bn, new burdens funding, and £3.2m towards homelessness. However, Babergh's share of this (shown in the table below) falls short of the costs and losses incurred.

Babergh's Financial Support	£,000	£,000
Share of Coronavirus Response Fund		
• 27 th March Share of £1.6bn	37.7	
• 18 th April share of further £1.6bn	866.8	
• 2 nd July share of £500m	132.1	
• 22 nd October share of £919m	132.4	
Sub-total Response Fund		1,169
Irrecoverable Sales, Fees and Charges income – full year forecast		419.0
New Burdens funding 30 th June		170.0
Test and trace support payments - administration costs		24.6
Compliance and enforcement grant		37.6
Share of £3.2m Homelessness funding (excludes Housing Benefit income of £125k)		1.5
Total		1,821.7
National Leisure Relief Fund (NLRFF) – to be passed onto Abbeycroft Leisure		170.0

- 5.9 Further financial support packages during 2021/22 from the Government include:
- The 5th tranche of Covid19 grant funding (£1.55bn) has been confirmed, of which Babergh's share is £414k. This has not been included in the funding

for the budget for 2021/22 at this stage, the grant will be placed in the Covid19 earmarked reserve.

- The co-payment mechanism for irrecoverable sales, fees and charges income, with the Government covering 75% of losses beyond 5% of planned income. The scheme has been extended until the end of June 2021. Babergh has received reimbursement of £295k to date and a further second payment of £53k is expected soon.

5.10 The total COVID19 financial impact, including Collection Fund losses, for Babergh in 2020/21 totals £2.644m. The anticipated financial support that the Council will receive from Government in 2020/21 represents 69% of these costs and losses. This leaves the Council with a predicted COVID19 impact of £822k to fund.

Indirect financial impacts of COVID19

5.11 The ability to recruit to vacant staffing posts has been impacted during the initial lockdown period and has resulted in a predicted additional underspend on salaries of £450k for the year. Other sources of funding including housing benefit income to cover homelessness costs and the Shared Revenues Partnership absorbing the costs of additional hours worked in responding to new burdens has also helped to offset COVID19 costs. These are predicted to have a positive full year financial impact for the Council of £456k. These are included within the detailed table in 6.6.

Summary of COVID19 impact to date

5.12 As a result of the support received from Government, and careful management, at this stage in the financial year, the potentially devastating financial impact of COVID19 on the Council's finances has been largely mitigated. Any previous significant risk highlighted is less likely for the final quarter of this year. across the Council has now commenced at some pace, therefore the vacancy management factor saving is unlikely to continue at such a high level. All of this coupled with the continuing uncertainty of the COVID19 situation across the country are all risks that could impact on the Council's financial forecast for the year.

Medium Term Position

5.13 The Council's main strategic financial aim remains to become self-financing i.e., not reliant on Government funding. The Council's parallel aim is to generate more funds than are required purely for core services, in order to enable additional investment into the district. In light of the COVID19 situation, the medium-term forecasts have been reviewed and revised and the final budget for 2021/22 and four-year outlook was presented to Council in February. The result, over the next three years to 2024/25 for Babergh, is a deficit of £1.7m.

5.14 The approach for the 2021/22 budget setting included "budget challenge sessions" which consisted of Corporate Managers taking a group of peers (comprising other Corporate Managers and Assistant Directors) through their budgets line by line. The peer group provided challenge and review to the budgets.

6. Quarter 3 Position

6.1 The report covers:

- The General Fund Revenue Budget
- The General Fund Capital Programme.

General Fund Revenue Account

6.2 In relation to funding:

- (a) Council Tax (£5.77m): at the end of December, collection rates were 77.62%, compared with 79.22% for the same period last year. Collection rates have been impacted by COVID19, but due to the way that the Collection Fund operates, the financial impact will be in 2021/22. Any impact in 2021/22 will be mitigated by to some degree by the additional government support as outlined in section 5.6 of this report.
- (b) Government Grants: baseline business rates of £1.4m and New Homes Bonus (NHB) of £1.05m were forecast in the 2020/21 budget. NHB is fixed but the actual amount of business rates will vary.
- (c) Business Rates: at the end of December, collection rates were 79.37% compared with 83.05% for the same period last year. As with Council Tax, collection rates have been impacted by COVID19, similarly to council tax, in both 2020/21 and beyond. Any impact in 2021/22 will be mitigated by to some degree by the additional government support as outlined in section 5.6 of this report.

6.5 Based upon financial performance and information from April to December (with emerging trends extrapolated to the end of the financial year) and discussions with budget managers and the Senior Leadership Team, key variations on expenditure and income compared to budget have been identified.

6.6 A tolerance level of 10% based on full year forecast to budget has been used to identify those variances where further narrative is required (see table below). The forecast variances identified within this report have been taken into consideration when setting the budgets for 2021/22.

DETAILED VARIANCES

Explanations	Adverse/ (favourable) £'000
Cabinet Member for Assets and Investments	
AD Area: Assets and Investment	
CIFCO – an overall favourable variance of £221k which can be broken down as follows:	
• The 2020/21 budget was based on additional PWLB borrowing, but as short- term borrowing rates are at an historic low (based on an average of 0.35% for the remainder of the year), the Council is continuing with these. Borrowing rates and a change to the profiled spend of CIFCO investments as mentioned above is expected to result in a favourable variance of £424k. This favourable variance can help to mitigate the adverse variance mentioned below.	(424)
• As a consequence COVID19, investment spend on property acquisitions has been slower than anticipated and so the income generated from those investments has been less resulting in an adverse variance of £204k. The Council is making every effort possible to ensure that CIFCO is fully invested by the end of March 2021.	204
• As a result of COVID19, loss of income from the Councils commercial investments including Borehamgate and South Suffolk Business Centre is expected. An adverse variance of £85k is forecast.	85
Cabinet Member for Environment	
Environment and Commercial Partnerships	
Leisure Contracts – an overall favourable variance of £21k, the majority of which can be attributed to:	
• The 20/21 budget includes provision of free swims for children aged 16 years and under during school holidays. As a result of the COVID19 pandemic, it is anticipated that the budget will not be utilised and so a favourable variance of £38k is expected.	(38)
• Business Rates - a favourable variance of £16k for both Kingfisher and Hadleigh Pools as a result of COVID19 business rates relief for leisure and hospitality.	(16)
• Repair costs that have arisen as a consequence of refurbishment works at Kingfisher Leisure Centre including pipe repairs, installation of LED emergency lighting and works to the kitchen catering areas are expected to result in an adverse variance of £22k.	22
• Other items (net) - an adverse variance of £11k	11
Any savings identified will help to partially mitigate increased expenditure as a result of COVID19 mentioned in section 5.1 of the report.	
Licensing (net income) - an adverse variance of £22k as a result of COVID19. Licenses particularly affected are Alcohol, Entertainments and Late-night Refreshment licences as well as Taxi and Private Hire licences.	22
Car Parks (net income) - car park income has been significantly affected by COVID19, with all ticket machines covered during the initial lockdown in April and May. This combined with the impact of the second national lockdown is expected to result in an adverse variance of £187k.	187
Waste services – an overall adverse variance of £171k which can be broken down as follows;	
• Both trade and garden waste services have been impacted by COVID19 resulting in reduced income of £239k which is partially mitigated by an underspend on the cost of disposal - £43k for Trade waste and £14k for Garden waste.	171
• Other items (net) - a favourable variance of £11k.	

DETAILED VARIANCES – continued

Explanations	Adverse/ (favourable) £'000
Cabinet Member for Customers, Digital Transformation & Improvement	
AD Area; Customers, Digital Transformation & Improvement	
<p>ICT costs – a favourable variance of £88k which can be attributed to the review of the SCC contract and licensing costs. It is expected that there will be additional ICT costs resulting from changes required to ICT services resulting from our response to the COVID19 pandemic.</p>	(88)
Cabinet Member for Economic Growth	
AD Area; Economic Development and Regeneration	
<p>Economy and Business – a favourable variance of £37k. This can in part be attributed to spend on tourism being suspended whilst the service have been exploring, as part of a wider Suffolk conversation, how to deliver stronger support and place marketing across the district, especially in light of COVID19. Unspent funds were therefore carried forward to 2020/21, to be spent on two specific areas: a marketing campaign alongside wider Suffolk to promote the area for staycations as part of the COVID19 recovery work and to promote a longer tourism season, and to build stronger resilience and support for visitor economy businesses.</p> <p>Work is also ongoing in the District to develop new targeted skills programmes, to include in work transferable skills, innovation programmes in schools and specialist training programmes for key sectors.</p>	(37)
Cabinet Member for Planning	
AD Area: Sustainable Communities	
<p>Planning – an overall adverse variance of £92k. The main items that contribute to the adverse variance are:</p> <ul style="list-style-type: none"> • Anticipated income shortfall of £291k. The full year income forecast is based on actual income received for the first 9 months of the year and anticipates a further reduction of 25% for the final quarter of 2020/21. • Professional and legal expenditure relating to appeals, based on expenditure incurred to date, an expected favourable variance of £132k is forecast. This will be transferred to planning (legal) earmarked reserve at year end to support expenditure in future years. • Community Infrastructure Levy (CIL) - 5% administration charge, based on actual income received to date, a favourable variance of £61k is anticipated • Other items (net) - a favourable variance of £6k 	<p>291</p> <p>(132)</p> <p>(61)</p> <p>(6)</p>

DETAILED VARIANCES – continued

Explanations	Adverse/ (favourable) £'000
Cabinet Member for Finance AD Area: Corporate Resources	
<ul style="list-style-type: none"> • HR & Organisational Development - an underspend of £70k on training including Corporate and Health & Safety training. This includes £40k that was carried forward from 2019/20 to support the management training programme. It is recommended that the full £70k be carried forward to 2021/22. • Bank Charges - based on the current level of transactions, an adverse variance of £31k is expected. • Investment income - based on performance to date and the impact of low interest rates, the Council's short term investments are generating less of a return resulting in a forecast adverse variance of £67k 	28
Other items	
<p>PV Panels - an overall adverse variance of £54k. The main reasons for the adverse variance are as follows;</p> <ul style="list-style-type: none"> • It was anticipated when setting the budget for 2020/21 that a part year saving would be achieved on the Councils data management contract, the impact of COVID19 has resulted in a delay and this is now unlikely to happen until late 2021/22. • the cost of replacement inverters and annual servicing costs is higher than expected resulting in an adverse variance of £17k. 	54
<ul style="list-style-type: none"> • Land Charges income - an adverse variance of £15k is expected as a result of COVID19. It is anticipated that the market will improve, but not enough to mitigate the loss of income over the previous 9 months. 	15
<p>Minimum Revenue Provision (MRP) - the budget for 2020/21 is set before the confirmed capital spend for 2019/20 is known and so the £58k favourable variance can mainly be attributed to lower than expected ICT (£20k), play equipment (£15k) and CIFCO (£10k) costs in 2019/20.</p>	(58)
<ul style="list-style-type: none"> • Central Printing & Postal Services - as a result of COVID19 and the changes to working practices, the demand on the post function has decreased considerably resulting in an expected favourable variance of £15k. 	(15)
<p>COVID19 expenditure - a further breakdown of COVID19 related expenditure is shown in section 5.1 of the report.</p>	1,363
<p>Vacancy management factor - the 2020/21 budget includes a 5% vacancy management factor. This will be exceeded resulting in a favourable variance of £450k.</p>	(450)
TOTAL ADVERSE VARIANCE FORECAST FOR THE YEAR	1,126

DETAILED VARIANCES – continued

Explanations	Adverse/ (favourable) £'000
Funding	
<p>Business Rates - a favourable variance of £237k is expected. This is made up of a number of items:</p> <ul style="list-style-type: none"> • Baseline business rates - a favourable variance of £342k due mainly to an improved levy position and additional income from renewable energy schemes • S31 grants - a small adverse variance of £28k, excluding COVID related grants • Business rates pool - based on current projections, a benefit of £246k is expected from the Business Rates Pool, this will result in an adverse variance of £77k. <p>The overall position for Business Rates has changed significantly (£799k) since the previous quarter. This follows completion of the Councils business rates forecast for 2021/22 and the changes required by Central Government for the treatment of the Retail Hospitality and Leisure reliefs</p> <p>Any variance relating to business rates will be funded from or transferred to the Business Rates Equalisation reserve.</p>	<p>(342)</p> <p>28</p> <p>77</p>
<p>Funding / additional support</p> <ul style="list-style-type: none"> Covered by SRP budget Housing benefit income Track and trace funding Community grant underspend 	<p>(208)</p> <p>(125)</p> <p>(75)</p> <p>(48)</p>
<p>Funding from Central Government - additional £132k announced 22 October 2020</p> <ul style="list-style-type: none"> New burdens funding Irrecoverable Sales, Fees and Charges income – full year effect Compliance and Enforcement Grant Test and trace support payments - administration costs 	<p>(1,170)</p> <p>(170)</p> <p>(419)</p> <p>(38)</p> <p>(25)</p>
TOTAL FUNDING	(2,515)
TOTAL SURPLUS POSITION FOR THE YEAR	(1,388)

- 6.7 As a result of careful financial management, the Council is currently forecasting an overall surplus for the year despite the significant impact of COVID19. As set out in paragraph 5.12 there are risks associated with the next 3 months forecast and the position will be kept under review and final recommendations presented at outturn. The table below provides a summary of the current forecast position.

	£'000
COVID19 Expenditure	1,363
COVID19 Loss of income	1,051
COVID19 Impact on Collection Fund over 3 years from 2021/22	230
Financial Impact of COVID19	2,644
COVID19 Funding from Central Government	(1,822)
Unfunded COVID19 impact	822
Vacancy Management Factor	(450)
Other sources of funding incl. Housing benefit income, & SRP funding	(456)
Other in year budget variances as shown in the table above	(1,304)
TOTAL SURPLUS POSITION FOR THE YEAR	(1,388)

Community Infrastructure Levy (CIL)

- 6.8 CIL income received by the Council between April and December 2020 is £1,807k, compared with £1,450k for the same period last year. Following any necessary expenditure and adjustments for the 5% administration charge, there is a requirement to transfer any surplus variance to the earmarked reserve for spend on infrastructure in accordance with the Regulation 123 list in 2020/21 and beyond.

Transformation Fund

- 6.9 The table below provides a high-level summary of the anticipated movement in the Transformation Fund during 2020/21 and does not include the surplus forecast in this report, as this is likely to change as the year concludes and will comprise a number of other transfers to and from reserves. These will be approved as part of the outturn report. A more detailed breakdown is shown in Appendix B.
- 6.10 Commitments in 2020/21 will continue to be reviewed to ensure the key priorities are supported.

BABERGH	£'000
Balance at 31st March 2020	538
New Homes Bonus Allocation *	1,055
Business Rates Grant *	1,577
20/21 Budget Surplus *	711
Total contributions 2020/21	3,343
Revised Balance Available	3,881
LESS;	
New Homes Bonus to balance the budget *	(1,055)
Business Rates Grant to balance the budget *	(1,577)
Contribution to emergency COVID19 earmarked reserve	(140)
Community Capacity Building	(64)
Town Visioning Posts *	(22)
Actual spend - April to Dec 2020 - Appendix B	(56)
Other commitments - Appendix B	(131)
Balance at 31st March 2021	837
<i>* identified in 2020/21 budget</i>	

Business Rates Retention Pilot

6.11 Following the successful bid by the 8 local authorities in Suffolk to become a pilot area for the retention of 100% business rates growth in 2018/19, Appendix A provides further details of the schemes and spend as at December 2020.

Earmarked Reserves

6.12 Earmarked reserve balances (excluding CIL) are forecast to total £5.492m at 31 March 2021. Appendix C outlines the specific earmarked reserve movements that are included within the full year forecast for Quarter 3. The anticipated surplus for 2020/21 is not included in the earmarked reserve balance.

6.13 Earmarked reserves are for a particular purpose or known requirements that affect more than one financial year. The Council is able to increase its earmarked reserves when underspends occur, income has exceeded costs or where grant monies or other sources of funding are received for specific purposes.

Capital

6.14 Use of capital and one-off funds is critical and needs to be linked into our future delivery plans. Actual expenditure is even lower than normal for this time of year as a result of the impact of COVID19. A number of projects have fallen behind schedule, there have been supply difficulties and increased costs raised by our suppliers to cover the cost of COVID19 e.g. PPE.

- 6.15 Capital expenditure for the period April to December 2020 totals £2.2m, against a revised programme (including carry forwards) of £20.2m, excluding £17.1m for CIFCO, as set out in Appendix D. The anticipated spend for 2020/21 against the £20.2m is £4.2m resulting in carry forwards of £15.9m and a net underspend of £0.1m. The main variances that contribute to the £0.1m underspend are set out below and in Appendix D.
- 6.16 Further explanations are provided below:
- a) **Grants for Empty Homes** – This service is undergoing a restructure and will result in an underspend which will be carried forward. There will be an Empty Homes Policy developed next year.
 - b) **Grants for Affordable Housing** – as self-financing for the Housing Revenue Account has enabled the Council to build new homes, grant funding for housing associations has reduced resulting in an underspend of £400k. As agreed previously, the budget for 2020/21 is a carry forward from the previous year and will continue to be so until it has been fully utilised.
 - c) **Disabled Facilities Grant (DFG)** – a carry forward of £696k is expected based on the level of approved grants to date. The Council has a statutory duty to offer and manage Disabled Facilities Grants to eligible residents. This service was previously delivered via a “Home Improvement Agency” (HIA) contract between Suffolk County Council and Orbit Homes but has been provided in-house since 1 December 2020.
 - d) **Repairs to Bridges** – an overspend of £53k for urgent repairs to bridges in Corks Lane, Hadleigh and railway walks in Sudbury and Hadleigh.
 - e) **Belle Vue** - an underspend of £4m. The original scheme is no longer proceeding. Alternative proposals are being considered.
 - f) **Leisure Centres** - construction delays, impacted by COVID19, in relation to both Hadleigh Pool and Leisure and Kingfisher Leisure Centre, have occurred. The result is a forecast underspend of £767k which will be carried forward to meet expenditure in 2021/22.
 - g) **CIFCO** - as a consequence of the current market, delays in the investment spend due to slower than anticipated property acquisitions, it is expected to result in an underspend of £1.7m. Two property purchase are currently in the pipeline. These budgets will not be carried forward and there will be no new investment beyond 2020/21.
 - h) **Other Assets and Investments** – an underspend of £9.4m. The Council has developed a Joint Asset Management Strategy which provides the framework for managing the Councils' estate. The Strategy was approved in January 2021, strategic aims have been agreed, and the Strategic Investment Fund will be utilised to meet the Council’s asset management principles.

7. LINKS TO THE CORPORATE PLAN

- 7.1 Ensuring that the Council makes best use of its resources is what underpins the ability to achieve the priorities set out in the Corporate Plan. Specific links are to financially sustainable Councils, managing our corporate and housing assets effectively, and property investment to generate income.

8. FINANCIAL IMPLICATIONS

- 7.1 These are detailed in the report.

9. LEGAL IMPLICATIONS

- 9.1 There are no specific legal implications.

10. RISK MANAGEMENT

- 10.1 This report is most closely linked with the Council's Significant Risk No. 11 – We may be unable to respond in a timely and effective way to financial demands and also Corporate Risk No. 5E05 – if the Finance Strategy is not in place with a balanced position over the medium term the Councils will not be able to deliver the core objectives and service delivery may be at risk of not being delivered. Other key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
If the forecast savings and efficiencies are not delivered, then it will have a detrimental impact on the resources available to deliver services and the strategic priorities	3 - Probable	2 - Noticeable	Monitored throughout the year by Finance Teams, Corporate Managers, Assistant Directors and the Senior Leadership Team
If economic conditions and other external factors like COVID19 change for the worse then it could have an adverse effect on the Councils financial position	3 - Probable	2 - Noticeable	Focus is on monitoring key income and expenditure streams (including a monthly COVID19 return MCHLG), but Government changes and economic conditions continue to affect costs and income for a number of services

11. CONSULTATIONS

- 11.1 Consultations have taken place with Assistant Directors, Corporate Managers and other Budget Managers as appropriate.

12. EQUALITY ANALYSIS

- 12.1 An equality analysis has not been completed because there is no action to be taken on service delivery as a result of this report.

13. ENVIRONMENTAL IMPLICATIONS

- 13.1 There are a number of areas that as a result of COVID19 have had a positive impact on the Council's environmental impact as well as the financial position. They include for example, reduced travel, less printing and reduced utility costs.

14. APPENDICES

Title	Location
APPENDIX A – Business Rates Retention Pilot	Attached
APPENDIX B – Transformation Fund	Attached
APPENDIX C – Earmarked Reserves	Attached
APPENDIX D – Detailed Variances (Capital)	Attached

15. BACKGROUND DOCUMENTS

26 February 2020 General Fund Budget 2020/21 and Four-Year Outlook – BC/19/35

7 September 2020 General Fund Financial Monitoring 2020/21 – BCa/19/60

10 December 2020 General Fund Financial Monitoring 2020/21 – BCa/20/11

BABERGH – BUSINESS RATES PILOT

	Scheme Description	BRR Funding £'000	Other Funding - TF £'000	Total Funding £'000	Actual Spend 2018/19 £'000	Actual Spend 2019/20 £'000	Actual Spend 2020/21	Commitments 2020/21	Cumulative Project spend	Remaining Project spend
1	Hamilton Road Quarter, Borehamgate & Belle Vue Site	500	9	509	46	146	114	61	367	142
2	Angel Court Housing Development	200	-	200	-	123	22		145	55
3	Workspace & Grow-on Commercial	200	25	225	20	65	3	4	91	134
4	Inclusive Growth Engagement Officer	60	-	60	-	-			-	60
5	Establishment of a Central Suffolk Chamber of Commerce	42	-	42	30	-	12		42	-
6	St Peters Church Regeneration	100	-	100	-	-	100	-	100	-
7	Unallocated	280		280					-	280
	BRRP Total	1,382	34	1,416	96	334	251	65	745	670

Babergh Transformation Fund (Growth and Efficiency Fund – Mid Suffolk)

Project	Responsible Officer	Date of Approval	Budget	Cumulative spend to 2019/20		Apr 20 - Dec 20		Total Spend	Variance - favourable / + adverse	Commitments		
				BDC	MSDC	BDC	MSDC			BDC	MSDC	
CONTINUING PROJECTS												
Business Growth												
1	4 Town Visioning & Engagement Project - the Open For Business Team will lead the work with local communities to deliver a Vision that can be used to inform later policy-making and decisions that affect the towns. The Vision is intended to establish a high-level aspiration for the towns, setting out the community's key desires and wishes for the town they would like to live in and for businesses to operate from. This is a new way for the communities to be involved in Strategic Planning of the towns (the innovation). (BDC - 21%, MSDC - 79%)	Lee Carvell	Mar-19	208,500	10,568	40,795	17,107	25,029	93,498	-115,002	24,150	90,852
2	Shop front & access improvement grants (MSDC only)	Lee Carvell	Jun-18	350,000	0	18,692	0	79,464	98,156	-251,844		251,844
Community Capacity Building												
3	New engagement post within Communities to support the development of key sites. PROJECT COMPLETE	Vicky Moseley	Apr-18	85,500	26,075	49,138	5,132	5,132	85,477	-23	0	0
Efficient Organisation												
4	Additional resources to enable Senior Planning Officer level to be released to support delivery of the planning transformation programme (BDC -50%, MSDC - 50%)	Phil Isbell	Oct-16	205,000	54,684	54,726	1,050	1,050	111,511	-93,489	46,745	46,745
5	To provide resource to support the management and delivery of the Customer Transformation Programme - work designed to accelerate a number of customer and digital focused projects. (BDC -50%, MSDC - 50%)	Samantha Lake	Nov-19	32,800	6,821	6,821	12,879	12,879	39,401	6,601	-3,300	-3,300
6	To fund the IESE customer focus wheel intervention and Business Process Re-engineering training. The customer focus wheel will provide the Councils with a sound evidence base to help benchmark where we are against customer centric culture, processes, vision and performance to understand if the proposed projects will ensure we deliver the expected outcomes. The project is anticipated to be a minimum of 2/3 years. (BDC -50%, MSDC - 50%)	Samantha Lake	Mar-20	29,000	0	0	14,500	14,500	29,000	0		
Housing Delivery/Business Growth												
7	Commissioning of external specialist feasibility / viability work on key sites as required, to be able to move them forward for approval and development to support economic and housing growth	Robert Hobbs	Jan-15	475,000	194,159	137,000	0	1,260	332,419	-142,581	43,341	99,240
Environment												
8	Solar PV multi-function carport including battery storage & vehicle charging points Funding required for technical feasibility and viability appraisal for installations at two Leisure Centres & Council carparks in Sudbury and Stowmarket. Also, a third flexibly deployable option to be worked up as part of the study. This can support external investment opportunities and delivery against environmental and economic priorities, including transitioning towards carbon neutral districts by 2030.	Lee Carvell	Jul-20	40,000	0	0	5,470	5,470	10,940	-29,060	14,530	14,530
General Transformation - other projects												
9	Other items	Melissa Evans		286,254	16,643	269,611	0	0	286,254	0		0
10	Trees for Life (BDC - 40%, MSDC - 60%)	Will Burchnall		23,000	2,682	7,057	0	0	9,739	-13,261	5,318	7,943
11	Improve disabled access at Needham Market Train Station. Matched funding with SCC. (MSDC only)	Tom Barker		50,000	0	0	0	0	0	-50,000		50,000
CONTINUING PROJECTS SUB-TOTAL				3,408,179	461,547	2,515,240	56,138	144,783	1,096,393	-688,660		
COMPLETED PROJECTS SUB-TOTAL				3,267,638	600,359	2,591,416	0	0				
				6,675,817	1,061,906	5,106,656	56,138	144,783	1,096,393	-688,660	130,784	557,853

General Fund Earmarked Reserves

BABERGH					
Transfers to / from Earmarked Reserves	Balance 31 March 2020	Transfers between	Forecast transfers to	Forecast transfers from	Balance 31 March 2021
Carry Forwards	(153)			153	-
Transformation Fund	(538)	140	(3,343)	2,904	(837)
Business Rates Retention Pilot	(1,138)			316	(822)
Business Rates Equalisation	(1,216)	140			(1,076)
Government Grants	(204)			39	(165)
Commuted Maintenance Payments	(478)		(376)		(854)
COVID19	-	(280)			(280)
Elections Fund	(20)		(20)		(40)
Elections Equipment	(35)				(35)
Homelessness	(241)		(124)	100	(265)
Temporary Accommodation	(74)			9	(65)
Planning (Legal)	(263)		(74)		(337)
Neighbourhood Planning Grants	(76)		(24)		(100)
Community Housing Fund	(195)			28	(167)
Strategic Planning	(55)				(55)
Joint Local Plan	(118)			68	(50)
Planning Enforcement	(88)			15	(73)
Well-being	(275)			3	(272)
Waste	(9)			9	-
Total Earmarked Reserves excluding CIL	(5,176)	-	(3,960)	3,645	(5,492)
Community Infrastructure Levy (CIL)	(6,378)				(6,378)
Total Earmarked Reserves	(11,554)	-	(3,960)	3,645	(11,870)

2020/21 Capital Programme

BABERGH DC CAPITAL PROGRAMME 2020/21	Original Budget	Carry Forwards / Budget Adjustments	Current Budget	Actual Spend to date	Full Year Forecast at Q3	Expected Carry Forward	Full Year Forecast LESS Budget (favourable)/ adverse Variance	Explanation of major variances since previous quarter
GENERAL FUND	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
General Fund Housing								
Mandatory Disabled Facilities Grant	760	696	1,456	416	760	696	-	A carry forward of £696k is expected based on level of approved grants to date. A Regulatory Reform Order means that grants of up to £7.5k can now be made without means testing. This has reduced substantially the period from grant application to approval and is reflected in the increased level of grant payments. It is anticipated that the current year's grant allocation of £760k will be spent in full in the year. The service to offer and manage Disabled Facilities Grants to eligible residents has been provided in-house since 1 December 2020.
Renovation/Home Repair Grant (formerly Discretionary Housing Grants)	100	-	100	37	100	-	-	
Discretionary Housing Grants	-	-	-	-	-	-	-	
Empty Homes Grant	100	67	167	24	25	142	-	
S106/CIL Affordable Hsg Grants	-	-	-	195	195	-	195	Grants to housing associations to facilitate affordable housing schemes funded by S106/CIL
Grants for Affordable Housing	-	400	400	-	-	400	-	
Total General Fund Housing	960	1,163	2,123	673	1,080	1,238	195	
Environment and Projects								
Replacement Refuse Freighters - Joint Scheme	298	-	298	298	301	-	3	
Recycling Bins	65	-	65	59	70	-	5	
EV Charging Points	-	-	-	-	-	-	-	
Total Environment and Projects	363	-	363	356	371	-	8	
Communities and Public Access								
Planned Maintenance / Enhancements - Car Parks	50	32	82	0	-	82	-	
Bridges - Repairs	-	-	-	-	53	-	53	
Total Community Services	50	32	82	0	53	82	53	
Economic Development and Regeneration								
Belle Vue	-	4,000	4,000	-	-	4,000	-	
Total Economic Development and Regeneration	-	4,000	4,000	-	-	4,000	-	

2020/21 Capital Programme

BABERGH DC	Original Budget	Carry Forwards / Budget Adjustments	Current Budget	Actual Spend to date	Full Year Forecast at Q3	Expected Carry Forward	Full Year Forecast LESS Budget (favourable)/ adverse Variance	Explanation of major variances since previous quarter
GENERAL FUND	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
CAPITAL PROGRAMME 2020/21								
Sustainable Communities								
S108/CIL Play Equipment	-	-	-	21	21	-	21	To be funded from CIL
Play Equipment	50	27	77	(3)	77	0	-	
Community Development Grants	117	105	222	107	222	0	-	
Total Sustainable Communities	168	132	300	126	320	1	21	
Leisure Contracts								
Total Leisure Contracts	979	2,231	3,210	1,395	2,075	767	(367)	
Assets and Investments								
Planned Maintenance / Enhancements - Corporate Buildings	36	-	36	17	75	-	39	Works at Wenham Depot to enable the Building Services team to relocate from Creting Road Depot
Strategic Investment Fund	-	3,000	3,000	-	-	3,000	-	
Regeneration Fund	64	6,347	6,411	-	-	6,411	-	
Regeneration Fund - HQ Sites	-	194	194	(369)	194	-	-	
CIFCO - further investment	8,666	8,452	17,118	-	18,855	-	1,737	Further investment will be brought forward into 2020/21 from 2021/22
Total assets and Investments	8,766	17,993	26,759	(352)	19,124	9,411	1,776	
Total Customers, Digital Transformation and Improvement	200	248	448	13	71	377	-	Due to ongoing pressures there is little scope to progress new projects. There will be some expenditure on new laptops, tablets, etc.
Total General Fund Capital Spend	11,485	25,799	37,284	2,212	23,094	15,875	1,685	

Agenda Item 9

BABERGH DISTRICT COUNCIL

TO: Cabinet	REPORT NUMBER: BCa/20/40
FROM: Councillor John Ward, Cabinet Member for Finance	DATE OF MEETING: 11 March 2021
OFFICER: Gavin Fisk, Assistant Director, Housing	KEY DECISION REF NO. CAB227

HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2020/21 – QUARTER 3

1. PURPOSE OF REPORT

- 1.1 This report considers the revenue and capital financial performance for the period April to December as well as the impact of COVID19 on the Councils HRA finances and highlights significant variances expected for the financial year 2020/21.

2. OPTIONS CONSIDERED

- 2.1 The options that have been considered are;
- a) At this stage in the year, the financial position is for noting only.

3. RECOMMENDATIONS
3.1 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.

4. KEY INFORMATION

Strategic Context

- 4.1 The financial position of the HRA for 2020/21 should be viewed in the context of the updated 30-year business plan. The budget set in February 2020 showed a forecast surplus position for 2020/21 of £334k this has been achieved by reviewing both capital and revenue budgets.
- 4.2 A fundamental review of the housing service was undertaken during 2019/20 to identify savings, efficiencies and income generation opportunities to achieve a sustainable business plan into the future. The business plan sets out the aspiration of the Council to increase the social housing stock by either buying existing dwellings or building new ones.
- 4.3 The Welfare Reform and Work Act 2016 requiring all social landlords to reduce rents by 1% each year came to an end in March 2020. This means rents can increase by

Consumer Price Index (CPI) +1% for five years from April 2020, which will start to mitigate the impact of the 1% reduction on the 30-year plan.

- 4.4 With the Council's housing stock at 3,418 homes there will always be unplanned events that affect the level of income and expenditure in any one financial year. None more so than the outbreak of COVID19 which hit the UK in March. This will certainly have a financial impact on the Council's Housing Revenue Account as rent levels are at risk and property repairs and maintenance on the Council's housing stock was reduced to emergency repairs for existing tenants and the completion of void work in order to support the accommodation of the homeless and rough sleepers. This follows Government guidance and is in the interests of the safety of our staff and tenants.
- 4.5 Property repairs and maintenance work slowly re-commenced within the Government's COVID19 safety guidelines and was impacted further by the second national lockdown in January 2021. It will take some time before normal service levels resume and there is likely to be an impact in terms of backlog of works to be carried out.
- 4.6 The new build programme will also be impacted as development ground to a halt during lockdown and has been slow to recover, and as it does, now carries additional COVID19 related costs for site works to re-commence safely.
- 4.7 As the year has progressed this financial impact has been forecast with more certainty, but section 5 below sets out in more detail the impacts based on the knowledge we have to date.

5. 2020/21 Financial Impact of COVID19

- 5.1 To date additional costs for COVID19 impacting on the HRA mainly consist of additional PPE amounting to £47k, however there are a number of savings that can help to mitigate the increased expenditure. These are detailed further in section 6 of this report.
- 5.2 In terms of income, the first nine months of the year, has seen minimal impact on rent levels. As the furlough scheme has now been extended to the end of April 2021, it is anticipated that tenants who are in employment may be impacted next year. Housing Benefit and Universal Credit tenants are likely to be unaffected. Levels of debt to be written off are expected to be very low, if any, as any outstanding rents are likely to be reclaimed, but over a longer period because of secure tenancies. The team will continue to monitor the situation closely over the coming months and update the financial position accordingly. Given the extension to the furlough scheme, we are not anticipating any reduction to income levels for 2020/21, instead the impact is likely to extend beyond this financial year.

6. Quarter 3 Position

- 6.1 Based upon financial performance and information from April to December 2020 (with trends extrapolated to the end of the financial year) and discussions with budget managers and the Senior Leadership Team, key variations on expenditure and income compared to budget have been identified.
- 6.2 Taking each area in turn, the position on key aspects of the 2020/21 budget is summarised below:

Revenue

- 6.3 The original budget set for the HRA for 2020/21 shows a surplus of £334k, which would be transferred to reserves. The forecast position at December is a surplus of £2.8m, a favourable variance of £2.467m, as detailed in the table below.

	Budget	Full Year Forecast Quarter 3 2020/21	Full Year Forecast Variance to Budget (favourable) / adverse
	£'000	£'000	£'000
Dwelling Rents	(15,996)	(16,184)	(188)
Service Charges	(575)	(590)	(15)
Non Dwelling Income	(183)	(195)	(12)
Other Income	(10)	(79)	(69)
Interest Received	(10)	(10)	-
Total Income	(16,774)	(17,059)	(285)
Housing Management	3,282	3,119	(163)
Responsive Repairs and Maintenance	2,007	1,816	(191)
Building Services	1,204	1,044	(160)
Depreciation	3,313	3,313	-
Interest payable	3,161	3,161	-
Debt Repayment	500	500	-
Revenue Contribution to Capital	2,875	1,206	(1,669)
Bad Debt Provision	98	98	-
Total Expenditure	16,440	14,257	(2,183)
Deficit / (Surplus) for Year	(334)	(2,801)	(2,467)

- 6.4 The forecast variances identified within this report have been taken into consideration when setting the budgets for 2021/22.
- 6.5 The main items that are included in the overall favourable variance of £2,467k are detailed below:
- 6.6 **Income – a favourable variance / income surplus of £285k**

- **Dwelling rents** – as mentioned in section 5.2 of this report, it is now unlikely that our estimated income from dwelling rents will be impacted by COVID19 in 2020/21. The favourable variance of £188k is as a result of the income budget being set too low.
- **Other Income** – a favourable variance of £69k. The majority of which can be attributed to the one-off receipt of an easement for land located west of Airey Close in Sudbury.
- There are also small favourable variances totalling £27k for service charges and non-dwelling rents which include utilities for sheltered schemes as well as garage rents.

6.7 **Housing Management – a favourable variance of £163k**

A number of items make up the favourable variance of £163k. These are largely due to the impact of COVID19 and the changes in working practices to keep our employees and tenants safe. These can be broken down as follows:

- A underspend of £101k relating to employee costs - 4 fte vacant posts (shared between the two Councils) and delayed start dates for those posts that have now been appointed to.
- A favourable variance of £23k for reduced travel costs as a consequence of COVID19.
- It is anticipated that more time will be charged to Babergh's General Fund and Capital Projects for surveyors' time resulting in higher levels of income via recharges and a favourable variance of £21k.
- Other items (net) – a favourable variance of £18k, this is made up of a number of smaller items.

6.8 **Building Services (Responsive Repairs and Maintenance) – a favourable variance of £191k**

There are a number of items that contribute to the favourable variance of £191k. These are largely due to the impact of COVID19 and the changes that the Council has made to safely deliver its repairs and maintenance services. This can be broken down as follows:

- Due to the prioritising of urgent / emergency jobs only, spend on materials and fuel is less than expected resulting in a favourable variance of £108k.
- The use of sub-contractors has reduced and so a favourable forecast of £60k is expected.
- A favourable variance of £15k for employee costs due to vacant posts (4 fte, shared 50:50 with Mid Suffolk, 2 of which have now been appointed to).
- Other items (net) – a favourable variance of £8k.

6.9 **Building Services (Planned Maintenance) – a favourable variance of £160k**

- Whole House Servicing contract (WHS) - due to the impact of COVID19 there are expected delays and so less work being carried out as part of the WHS contract. As a result, an underspend of £100k is anticipated.
- Asbestos inspections ceased during the initial lockdown period resulting in an underspend of £60k. These inspections have now recommenced.

6.10 **Revenue Contribution to Capital – a favourable variance of £1.669m**

- A favourable variance of £1.669m is expected, because of slippage in the 2020/21 capital programme, due to the impact of COVID19. Future contributions have been reviewed as part of the budget setting process for 2021/22, based on the updated capital programme.

6.11 The net £2.801m surplus position means that the total HRA balances at 31 March 2021 are forecast to be £16.757m. This includes a minimum working balance of £1m, £15.641m in the Strategic Priorities Reserve and £116k in other earmarked reserves.

Capital

- 6.12 Use of capital and one-off funds is critical and needs to be linked into our future delivery plans. Actual expenditure is even lower than normal for this time of year as a result of the COVID19 impact. A number of projects have fallen behind schedule, there have been supply difficulties and increased costs raised by our suppliers to cover the cost of PPE etc.
- 6.13 With complex capital schemes it is difficult to accurately assess the level of payments that will be made during the financial year. The Council continues to embark on new projects e.g. building new homes, where it is difficult to accurately predict at the planning stage how payments will fall. Members should therefore focus on whether overall outcomes are being achieved as a result of the capital investment rather than variances against the plan for a particular year.
- 6.14 Actual capital expenditure for the period April to December 2020 totals £7m, against the budget (including carry forwards) of £28.8m, as set out in Appendix A. As mentioned in section 6.12, a number of projects have fallen behind schedule as a consequence of COVID19. Development of some sites will be commencing soon but we anticipate that a number of budgets will be carried forward to meet expenditure incurred in 2021/22.
- 6.15 New Build - Babergh's capital programme is being reviewed to refine the pipeline of new build development and acquisitions in conjunction with a review of the 30-year business plan and the affordability of these schemes. The updated business plan will be coming forward later this year.

7. LINKS TO THE CORPORATE PLAN

- 7.1 Ensuring that the Councils make best use of their resources is what underpins the ability to achieve the priorities set out in the Corporate Plan. Specific links are to financially sustainable Councils, managing our housing assets effectively, and property investment to generate income.

8. FINANCIAL IMPLICATIONS

- 8.1 These are detailed in the report.

9. LEGAL IMPLICATIONS

- 9.1 There are no specific legal implications.

10. RISK MANAGEMENT

- 10.1 This report is most closely linked with the Council's Significant Risk No. 11 – We may be unable to respond in a timely and effective way to financial demands and also Corporate Risk No. SE05 – if the Finance Strategy is not in place with a balanced position over the medium term the Councils will not be able to deliver the core

objectives and service delivery may be at risk of not being delivered. Other key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
If we do not consider the ongoing impacts of the Welfare and Funding Reforms, then it could lead to unpreparedness for further changes.	Unlikely - 2	Bad – 3	Ensure adequate bad debt provision and that the Income Management Strategy seeks to mitigate the impact of the changes on residents, the Council's income streams and budgets.
If there are increases in inflation and other variables, then Council Housing self-financing could result in a greater risk to investment and service delivery plans.	Unlikely - 2	Noticeable – 2	Inflation and interest rate assumptions have been modelled in the HRA business plan. Capital receipts and capital programme funding reviewed.
If we fail to spend retained RTB receipts within 3-year period, then it will lead to requirement to repay to Government with an additional 4% interest.	Unlikely - 2	Bad - 3	Provision has been made in the updated HRA Investment Strategy to enable match funding and spend of RTB receipts.
If we borrow too much to fund New Homes, we will not be able to pay the loan interest.	Unlikely - 2	Bad - 3	Follow the CIPFA Prudential Code which states Capital investment plans must be affordable, prudent and sustainable.
If Brexit has a negative impact on the Economy, then interest rates/inflation/house prices and demand/jobs could be impacted.	Probable - 3	Bad - 3	Understanding and acting on intelligence from the Local Government Association (LGA) and CIPFA.
If economic conditions and other external factors like COVID19 change for the worse then it could have an adverse effect on the Councils financial position	3 - Probable	2 - Noticeable	Focus is on monitoring key income and expenditure streams (including a monthly COVID19 return MCHLG), but Government changes and economic conditions continue to affect costs and income for a number of services
If capital data is inaccurate it could lead to problems with treasury	Unlikely - 2	Bad - 3	Work closely with treasury management when setting capital budgets and how this will be financed.

Risk Description	Likelihood	Impact	Mitigation Measures
management debt and cashflows.			Monitor the capital spend quarterly and raise any changes with treasury management.

11. CONSULTATIONS

- 11.1 Consultations have taken place with Assistant Directors, Corporate Managers and other Budget Managers as appropriate

12. EQUALITY ANALYSIS

- 12.1 An equality analysis has not been completed because there is no action to be taken on service delivery as a result of this report.

13. ENVIRONMENTAL IMPLICATIONS

- 13.1 There are a number of areas that as a result of COVID19 have had a positive impact on the Council's environmental impact as well as the financial position. They include for example, reduced travel and fuel costs as mentioned in sections 6.7 and 6.8 of the report.

14. APPENDICES

Title	Location
APPENDIX A – Capital Programme	Attached

15. BACKGROUND DOCUMENTS

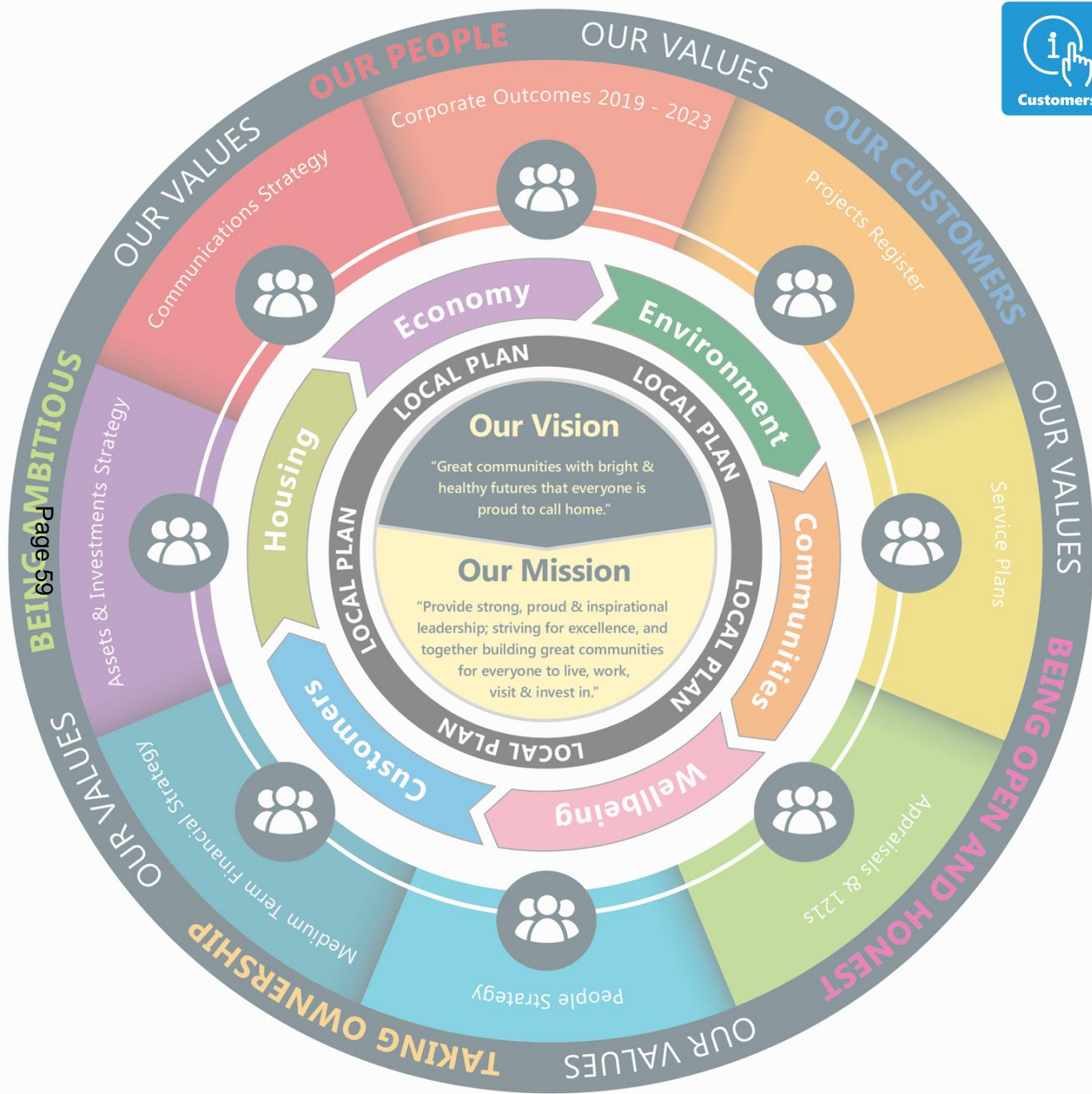
26 February 2020 Housing Revenue Account (HRA) Budget and Four-Year Outlook Report 2020/21 – BC/19/36

7 September 2020 Quarter 1 Housing Revenue Account (HRA) Financial Monitoring 2020/21 – BCa/19/61

10 December 2020 General Fund Financial Monitoring 2020/21 – BCa/20/12

2020/21 Capital Programme

BA BERGH CAPITAL PROGRAMME 2020/21	Original Budget	Carry Forwards / Budget Adjustments	Current Budget	Actual Spend	Full Year Forecast at Q3	Expected Carry Forward	Full Year Forecast LESS Budget (favourable) / adverse	Explanation of major variances since previous quarter
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	
Housing Maintenance								
Planned maintenance	4,558	2,548	7,104	1,571	4,249	2,455	(400)	Further lockdown restrictions have resulted in less internal work to properties. A higher carry forward amount will now be required
ICT Projects	200	50	250	37	55	195	-	
Environmental Improvements	500	510	1,010	4	150	880	-	
Disabled adaptations to council dwellings	200	83	283	68	110	173	-	Further lockdown restrictions have resulted in less internal work to properties. A higher carry forward amount will now be required
Horticulture and play equipment	30	-	30	-	30	-	-	
New build programme including acquisitions								
New build programme including acquisitions	5,998	14,151	20,147	5,394	12,998	7,149	-	
Total HRA Capital Spend	11,484	17,340	28,824	7,073	17,592	10,833	(400)	



Quarter 3 Performance

Babergh District Council

March 2021 Cabinet

Agenda Item 10





This performance report has been developed in collaboration with Cabinet Members, Senior Leadership Team and Corporate Managers.

The report highlights the six key priority areas from the Corporate Plan (2019-27), together with information on the Health of the Organisation. Firstly, providing a snapshot of the headline performance indicators against each priority, followed by progress on key objectives and narrative on other main achievements. The report also includes a 'look forwards' by providing key information on work commencing in the coming months. Taken in its entirety the report seeks to provide high level assurance that the Council is delivering against the Corporate Plan.

Sitting below the information, additional performance measures are set and regularly monitored by services to support operational and day to day management of the service, these remain available at any time as a self-service option, alongside performance information from previous years as part of the 'Our Performance' section located on Connect.

This presentation covers October/November/December 20, a period of time in which the Council remained focused on our response to Covid-19. With the pandemic continuing to grip the country and the introduction of further restrictions, a major part of the work undertaken by the Council involved continuing to support our communities and businesses. Including the reopening of the Home But Not Alone free phonenumber. The helpline is in place to support clinically extremely vulnerable people who may need additional information or support. This has impacted on the progress made against some of the main objectives with a number of projects being paused temporarily, as staff have been redeployed to focus on the additional work required in our response to Covid-19. Examples of the continued support provided are illustrated throughout the following presentation. However, we can also highlight our commitment to continue to strive forwards on work to ensure that the key priorities agreed are delivered, and essential services to our communities continue to be provided.

Customers

Headline Performance Indicators

Combined data for both Councils



Customer Experience

Website activity



Average web visits per day

4,546

(An increase of 4% from last quarter and 18% from the same quarter last year)

Our web traffic has increased from all referral sources e.g. direct to the website, through a referral through social media etc from Q2 to Q3. This demonstrates an increase in demand for web-based services)

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Customer Feedback

Website feedback bar:



2.26 out of 5

Top 3 areas of customer feedback:

Waste, planning and Council Tax

We either respond or provide the service area with the feedback as this often relates to service requests e.g. missed waste collections rather than being feedback about our website itself.

Customers at the heart of everything we do

Customer Access



424

Average calls received per day (down 11% from Q2) of these 161 calls related to home but not alone and self-isolation payments.

Over this year to date our calls have reduced by 27% from 2019.



7%

Abandon rate (down 2% from Q2)

95

Average number of emails responded to per day (increase of 10% from quarter 2)



1 minute and 8 seconds

Average wait time for the quarter

Customer insight and intelligence



77

Compliments received (increase of 28% from Q2) The area with the most compliments was planning.



160

Stage 1 complaints received (a decrease of 18% from Q2) of these 74% were not upheld and of those that were they consisted of 1 off error or process improvement instigated.

Customers

Objectives and progress



What we committed to do and our progress

Objective 1 – We will implement the technology capabilities that support and enhance customer and employee experience, invest in our people to give them confidence to use and promote digital services and tools and underpin this with an ethos and culture of listening and engagement.

Progress:

We have created an automated customer satisfaction survey for our call centre services to ensure we gain satisfaction levels for our telephone services and understand the number of enquiries we are able to resolve first time. This will commence in Quarter 4. During Quarter 3 over 500 staff changed from skype telephone services to Microsoft teams telephone service, this happened with minimal disruption to the organisation.

What we plan to do next

Begin the telephone survey in Quarter 4. Using the data from the survey will allow us to understand our current telephone satisfaction levels and look to create opportunities to use customer feedback. This will ensure that we are continuously improving our services in line with customer feedback.

Work has commenced to review our complaints policy considering the Housing Ombudsman Code, which was released in Quarter 2. Part of this work will be to engage with customers who have submitted a complaint in the last 12 months to understand more about their experience. This will help shape future iterations of our complaints policy. We will present back the findings and approach over Quarter 1 and 2.

Customers

Objectives and progress



What we committed to do and our progress

Objective 2 –We will develop and deliver a phased approach to supporting customers with digital inclusion and digital upskilling. Working with like-minded community partners and using insight and intelligence to baseline our approach and measure our success.

Progress:

We are now in the final stages of bringing our milestone plan together to demonstrate how we will deliver our digital skills approach. We have been piloting device giving schemes with local community organisations who have provided over 70 recycled laptops to members of the public. We have created a digital skills support package for our customers, which we are looking to deliver over Quarter 4.

We will gain feedback from our tenants regarding digital inclusion over the next quarter.

What we plan to do next

We will be sharing information regarding our digital skills approach with our internal teams and Councillors in Quarter 4 and then looking to promote publicly thereafter.

We will start to collate data and success stories from our digital skills approach to ensure that we evaluate the impact of our offer and make changes where necessary, moving forwards.

We will be collating the data over Quarter 4 from our tenant's digital inclusion survey to share this more widely over Quarter 1, alongside our future delivery plans to support tenants with digital inclusion needs.

Customers

Objectives and progress



What we committed to do and our progress

Objective 3 – We are committed to putting our customers first, by reviewing our current processes and re-designing them to ensure that are simple, intuitive and maximise the use of technology.

Progress:

We have concluded our first cohort of NVQ learners who have completed projects in improving processes. We will be implementing some of the improvements made as a result of this work in Quarter 4. This work includes a new web-based form for customers to report fly-tipping incidents to us, with improved mapping capability. This creates a more efficient and user-friendly customer experience and allows us to gain more accurate location details to help us to locate fly tips, first time.

We are in the process of creating an interactive site for internal teams to use to help request process reviews that can support us to create more efficient and effective processes for our customers, across the organisation.

What we plan to do next

We will be continuing to track the projects to ensure they are successfully delivered over the next quarter, recognising that some of the improvements may not be fully realised until Quarter 3 of 2021.

A new interactive process improvement site will be developed over Quarter 4, to ensure that we can start reviewing processes across the organisation and ensuring that we can gain vital customer feedback as a result of process improvement work.

Over Quarter 4 we will create a new NVQ cohort, to give us a greater pool of people available to deliver process improvement work, for the benefit of our customers with future delivery to commence over Quarter 1 and 2.

Customers

Objectives and progress



What we committed to do and our progress

Objective 4 – To increase our digital offer to customers through innovative solutions that offer value and enhance the customers experience. By utilising self-service in real time.

Progress:

We have seen an increase in customers using digital channels with our website receiving over 82,000 more visits than in 2019 as well as our e-mail traffic into customer services increasing by 10% and our telephone traffic decreasing by 26% this year. Therefore, we want to increase the options to use digital means and we are in the final stages of our automated telephony and chatbot 12-month pilot set up for environmental services. This service will start in Quarter 4 and will enable customers to report issues such as missed bins 24/7 using the automated phone service and chatbot services.

We have been working through the key activities and creation of a milestone timeline for the procurement of a digital platform. This will ensure we are improving our online offer for customers so they can access our online services more easily, where this is something they wish to do.

What we plan to do next

We will be monitoring our automated telephone and chatbot services over Quarter 4 to understand more about how customers wish to use these services. The pilot will be ongoing for 12 months and reporting will be provided quarterly to show the trends and volumes of customer using these services to help inform how we may make best use of technology to improve customer experience.

We will continue to work through the timeline for our digital platform offer over the next two quarters and report progress in Quarter 2.



Babergh Communities

Headline Performance Indicators



Community Grants

£107,280

Capital Grant spend

Projects supported include play improvements at Newton and the renovation of Chelsworth Church into a community space. 84% of the 2020/21 Capital Grant budget has been allocated.

Page 6

£2,690

Minor Grant spend

Projects supported include equipment for the Offshoot Foundation and Abi's Footprints Project in Great Cornard. 67.5% of Minor Capital Grant funding has been spent or allocated.

£70,775

Covid-19 Emerging Needs spend

Groups supported through this grant include food banks, community support groups, provision for young people and charities operating within the district. 100% of CV19EN budget has been spent.

£266,920 *(cumulative)*

Total amount of funding offered (not spent) through Capital, Minor and Covid-19 EN Grants

£114,750

£106 funds spent or allocated

Including funding for new play area equipment in Brantham & Newton, as well as renovation of Long Melford FC's Stoneylands ground.

17

No. of Voluntary, Community & Social Enterprises (VCSE) supported

all revenue-supported groups have been contacted on a regular basis throughout the pandemic, including Sudbury & District Citizens Advice, the Quay Theatre and Community Action Suffolk

Community Safety

Anti-Social Behaviour cases reviewed by the ASB partnership;

- 3** County Lines / Drugs / Alcohol
- 2** Domestic Abuse
- 10** Neighbour / Noise Nuisance
- 3** Open Spaces / Vandalism / Unauthorised Encampment

There has been an overall reduction in the number of ASB cases reviewed in this quarter compared to last with fewer County Lines/Drugs/Alcohol and Domestic Abuse cases, Neighbour/ Noise Nuisance has increased by 1 and the remaining category has stayed the same.

Communities

Objectives and progress



What we committed to do and our progress

Objective 1 – To create great places to live and to empower local people and communities to shape what happens in their area

Progress:

- The Strategic Planning team worked tirelessly to progress the Joint Local Plan to the Publication stage (Regulation 19) in November for consultation prior to future Submission of the Plan to the Secretary of State for Examination. Having an up-to-date Plan will provide clarity for communities and enable a plan-led approach to new development. Alongside this, a detailed Infrastructure Delivery Plan has been produced following extensive engagement with stakeholders and an Infrastructure Funding Statement detailing how infrastructure will be funded has been published. A review of the Community Infrastructure Levy Charging Schedules in each district has also been undertaken alongside the Joint Local Plan.
- Neighbourhood Plans continue to be prepared with both the Assington and Little Waldingfield Neighbourhood Plans at Examination in Babergh.
- Commissioning a piece of work around producing a **Strategic Cultural Vision for Sudbury**. The vision will largely focus on art particularly related to Silk activity.
- Led a 'Knock and Check' campaign during the Christmas period to make sure our communities stayed connected, able to keep warm and had enough food. The Team produced and promoted information through networks, Parish Councils and partners so people could make sure they were supported through Christmas with basic needs. This work linked in with the Rural Coffee Caravan with their current project on donating Slow Cookers to vulnerable people.
- Working in partnership with the Rural Coffee Caravan and the Hadleigh Food Banks and linking with a local Chef who is currently looking to provide cookery lessons to young parents and also bereaved widowers to show them how to cook healthy meals which are easy to make. This will be part of the Suffolk Food Plan project currently in the planning stages and will be rolled out when everyone is able to do so depending on Covid-19.
- Working with the Armed Forces Covenant to ensure that Veterans are receiving health support and also working with Clinical Commissioning Groups (CCGs) to look at how to get GP Surgeries to become Veteran Friendly.
- Hadleigh Dementia Action Alliance, which was established with the support of the Council with an aim to make Hadleigh a dementia friendly town, have supported people throughout the pandemic providing
 - Weekly phone calls/letters/newsletters to people in Hadleigh living with dementia
 - Online Chair Based Exercise (CBE)/Otago exercise sessions 5 days a week for 30 mins
 - 2 friendship group sessions per week on zoom offering chill and chat and quizzes
 - With the help of Suffolk County Council organised loan Alcove Samsung tablets to help people keep in touch with friends and family.

Communities

Objectives and progress



Objective 1 – To create great places to live and to empower local people and communities to shape what happens in their area

What we plan to do next:

- Work with Abbeycroft Leisure (ACL) to develop a 12 month holiday activity plan to deliver holiday activities/cooking schools. We are supporting ACL and considering options to extend the offer to cover a wider area. If this can be developed then we will look to take the offer to some of the more rural larger areas where we feel we have a larger proportion of children.
- All of our local running events in both districts were cancelled due to the Covid-19 pandemic. In the case of the Great Run Local (GRL) the events have been stopped permanently with the host company deciding not to continue with hosting and running any events going forward. We have engaged with the local hosts and volunteers who ran the sessions at Alton Water to try to get them to take on the groups locally, Alton Water is run and managed by Anglian Water and they have agreed that the GRL event there will transfer to a Park Run event. This will have a continuing positive aspect for our communities to encourage people to stay active and look after their health and wellbeing.
- We will develop the 'Love Exploring' app across the district to include linking with health walks
- Currently exploring opportunities with Suffolk County Council to develop 'Our Parks' programme to provide free and low cost sustainable exercise targeting our most deprived communities. The programme would encourage all ages to participate from the very young to 'work out' like their super heroes , families from hard to reach communities, right through to older groups and individuals.
- Community Bounce Back is an initiative designed to help local community groups gain the confidence to continue begin providing activities in the community. With lockdown timing not right for a "new year new start" work has commenced to plan and provide the support that these community groups need to restart safely and effectively when the time is right .

Communities

Objectives and progress



What we committed to do and our progress

Objective 2 – To effectively deliver our Community Safety Statutory responsibilities deliver on the priorities agreed within the Western Suffolk Community Safety Partnership (WSCSP) Action Plan.

Progress:

- The WSCSP continues to monitor and evaluate activities detailed in its action plan. A full evaluation of the impacts of the partnership will be presented to Joint Overview and Scrutiny Committee in March. In Quarter 3 the following was completed:
 - White Ribbon campaign in November 2020
 - Disability Awareness Month November 22 – December 20th with a number of social media campaigns
 - Staff attended Criminal Exploitation Disruption Toolkit Training
- Safeguarding – Annual Section 11 Audit reviewed and approved by the SCC Safeguarding Professional Advisor
- Review of BMSDC Anti Social Behaviour (ASB) processes and procedures has been completed with an action plan developed which seeks to improve:
 - The effectiveness in which teams across the Councils work together and share information
 - The effectiveness of partner organisations that input into the ASB panel meetings
 - Roll out of Ecins (Case Management system) to better support the reporting and sharing of data on high risk ASB cases
 - Review the Community Trigger process and feed into the County wide review to ensure all processes are aligned and meet all legislative requirements
 - Respond to the review of the Councils online ASB reporting processes and ensure that all recommendations are supported and processes improved.

Communities

Objectives and progress



Objective 2 – To effectively deliver our Community Safety Statutory responsibilities deliver on the priorities agreed within the Western Suffolk Community Safety Partnership (WSCSP) Action Plan.

What we plan to do next

- Prioritise and commence delivery of all key and high risk actions identified as part of BMSDC response to the Stella Maris Review by end of Quarter 4, Including
 - Roll out of Ecins (Case Management system) to report and manage high risk Anti Social Behaviour (ASB) cases
 - Review of partnership arrangements to sure effectiveness of ASB panel meetings
 - Implementation of enhanced Risk Matrix for high risk ASB cases
 - Implementation of a revised escalation process to ensure appropriate and timely interventions are put in place to ensure ASB cases are managed effectively
- Adoption of revised BMSDC Safeguarding Policy by end of Quarter 4.
- Co-delivery with Community Action Suffolk, of Councillor Safeguarding training during February
- Continued support to the WSCSP and annual evaluation to Overview & Scrutiny Committee – Ongoing
- Staff to attend Criminal Exploitation and County Lines training 12 & 14 January 2021

Communities

Objectives and progress



Objective 3 – To deliver a Community Grants Services that is inclusive and transparent, supports community participation & activity and works with Voluntary and Community Sector organisations to develop thriving communities

Progress:

- We have continued supporting voluntary and community groups to seek external sources of funding and to make applications to the Babergh and Mid Suffolk Community Grant schemes. Since the beginning of the 2020/21 financial year the Grants team has allocated a total of £625,944.17 (£193,147.39 Babergh & £135,826.78 Mid Suffolk, £296,970.00 S106 across both Districts) from Community – Capital & Minor - Grants and S106 funding to community projects. Examples of some of the projects that have been supported include funding to Long Melford Football Club to help redevelop the club house and changing facilities, play projects in Brantham and supporting redevelopment at Nedging-with-Naughton Village Hall.
- Continued work with Revenue funded groups – Welfare checks and frequent communication has been maintained with Revenue clients throughout 2020/21 and Covid-19.
- Grants review progress – changes to policy and Grants (particularly Capital Grants and Locality Awards) requirements have been adopted from the Grants review such as moving to funding 40% of projects through Capital Grants with increased support for renewable energy projects. Our Priorities for Grant funding have also been overhauled with the new Joint Strategic Plan and the Councils' declaration of a climate emergency at their forefront.
- We have provided funding for several projects, which include the extensive redevelopment work taking place at Chelsworth All Saints Church.
- £126,414.18 has thus far been spent in Babergh and Mid Suffolk through Locality Awards, with the deadline date extended to March and funded projects including new Speed Indicator Devices at Little Cornard and Brantham.

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What we plan to do next

- Several projects have recently been awarded Grants or are due an application shortly. Car park projects are being worked up at Copdock Cricket Club and Pinewood Community Centre.
- The Grants review continues, with next steps focussing on Revenue Grants and the digitisation of all application forms.



Babergh Wellbeing Headline Performance Indicators



2

No. of outreach programmes developed with Active Suffolk to support older people to live well.

These are being delivered in Glemsford and Holbrook/Shotley with a slight increase in the number of people signed up. Indicators relating to BMI and mental health will be used to assess the impact of the project for the clients.

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7

No. of schools supported to help young and vulnerable people to live well.

This project is linked to the Active Schools partnership, delivering a 2-year targeted schools' approach around child inactivity.

Currently of the schools within the project 59.9% of pupils either walk or cycle to school. With 3.01% of pupils undertaking physical activity outside curriculum.

63

No. of Home But Not Alone referrals made across both districts by the Communities Team during this period.

More than half of referrals were requesting access to food,
87% of referrals were completed within 1- 3 days
13% referrals took longer where the referral presented multiple complex issues to be resolved such as support for those with mental health issue, hospital discharge and social isolation.



15

Families engaged in the Holiday Activity to Explore Outdoors.

Included cooking lessons from a top chef to support families whose children are entitled to free school meals to access great menus.



15

Families engaged in Explore Outdoor Adventure days

Outdoor activity aimed at children identified by their schools as having needs especially with the impact of Covid-19, such as bereavement issues, mental health, self confidence and social isolation.



8

No. of schools involved in the Christmas Food Parcels Initiative

Where schools identified families that would benefit from a Christmas food parcel. Each parcel included a Christmas roast meal option for both Christmas and Boxing Day for 4 people and included additional treats, recipe cards and a link to online video on how to cook the food in the parcel.

Wellbeing

Objectives and progress



What we committed to do and our progress

Objective 1 – To develop the Councils first Wellbeing Strategy to ensure that we put the wellbeing of our communities at the heart of everything we do. *(Work on the Wellbeing Strategy during this quarter has not been a priority, there has been a significant amount of work and support carried out during this period with the focus on the wellbeing of our communities, below are some examples of the progress made.)*

Progress:

- Continued to lead Home But Not Alone referrals throughout Lockdown 2, responding to referrals and offering support and advise to individuals in need, making outbound welfare calls to the clinically extremely vulnerable (CEV), community groups and Voluntary, Community and Social Enterprise organisations. In addition, the Council maintained contact with the districts foodbanks to make sure their supply and demand is balanced and have the resources to be effective.
- Providing input and support with the Health and Wellbeing Academy Programme currently being developed at University of Suffolk. Working in partnership with Public Health, Health, Mental Health and social care partners to help develop and promote a new course which links on how all partners work in different ways to enable people to live healthily and to introduce and encourage young people to learn about health and wellbeing, work in this particular employment and keep young people in Suffolk.
- Strategic support on the Adult Healthy Weight work alongside Public Health. This is a strategic group which works with partners to ensure that any policy or strategy incorporates the latest messages and interventions around adults' healthy weight and looking at reducing obesity, through joint working.
- Partnership working with Public Health on the Skills Sharing project for young people and is currently exploring how to support the wellbeing of young people through vocational skills, volunteering and possible routes into employment.
- Developing community network with Norfolk and Suffolk NHS Foundation Trust (NSFT) and their community work. NSFT have now got a Communities Team within the Trust and are currently putting on workshops linking with other Community Teams. Initial meetings have taken place to make introductions and progress linking teams work together to support mental health in the communities.

Wellbeing

Objectives and progress



What we committed to do and our progress

Objective 1 – To develop the Councils first Wellbeing Strategy to ensure that we put the wellbeing of our communities at the heart of everything we do.

Progress: continued

- Leading the work on the Five Ways to Wellbeing with the Emotional and Wellbeing in the Community Cell on the Suffolk Says Thanks Campaign. Linking with all the Local Authorities on a joined plan on the “Keep Learning” which collectively has been decided on Learning IT skills, where young people will help older people to learn new IT skills. Young people will gain skills in training and will encourage stronger family bonds as well possible interest in volunteering.
- Active wellbeing projects have continued to address inactivity in older adults. The project has seen some challenges due to Covid-19 with many of the face-to-face appointments being held virtually along with initiatives for people to be involved in activities online. So far this year the project is seeing a steady increase in people taking up the offer actively engaging in initiatives such as Fit Villages projects, Health walks, swimming or online exercise such as Zumba or Pilates
- Holiday Activities Explore Outdoor - Family Park Cooking where 15 families at Gt Cornard took part in 6 hours of outdoor activity including a cooking lesson using recipes from a top local chef to enable them to buy and make healthy, fun and delicious meals using their free school meals vouchers. Each family was then provided with a 5 day food parcel to take away at the end of the day. Food parcels were put together with local produce from a local supplier, using restaurant quality ingredients.
- Explore Outdoor, Adventure Days - Working alongside the Family Park Cooking project to provide further outdoor activities aimed at children not necessarily entitled to free school meals but may have other needs identified by their schools especially with the impact of Covid-19, such a bereavement, issues with mental health, self-confidence, social isolation.

Wellbeing

Objectives and progress



Objective 1 – To develop the Councils first Wellbeing Strategy to ensure that we put the wellbeing of our communities at the heart of everything we do.

What we plan to do next:

- Officers have continued to progress the draft Wellbeing Strategy and high level Action Plan. This will be further discussed by the Extended Leadership Team before discussion with Cabinet Members for Communities as well as representatives on the Health and Wellbeing Board.
- Continue to deliver Home But Not Alone (HBNA) support to those that need it and to extend that work to support vital track and trace work making calls to those who have tested positive with Covid-19 and self-isolating. This work will be supported and tracked with referrals into HBNA.
- We have 5 Integrated Neighbourhood Teams (INT) (combining Health and Social Care Services, GPs, local statutory services and voluntary organisations) in the two districts which include: Eye and North West; Sudbury; Stowmarket; South Rural and Bury Rural INT. All INTs have recently developed a service plan following on from a public health Place Based Needs Assessment and we will work together with their community engagement teams, looking at how we continue to achieve their health targets by developing local interventions. This includes a joint piece of work with Suffolk County Council on the reduction of Diabetes in Eye and the North West. There is also a piece of work being developed which we are leading on working with Volunteers in Bury Rural INT and how they can connect with INTs through and post the pandemic. The other areas currently being raised are around frailty and mental health.
- Developing a programme of Wellbeing Project ‘concepts’ to be able to respond quickly to future funding opportunities and plug gaps in provision. Ongoing
- Continue to work in partnership with Active Suffolk to deliver the Active Wellbeing and Active Schools projects across the districts. This project only has a further 6 months to run.

Babergh Environment

Headline Performance Indicators



379

New garden waste subscribers

Total subscriptions to date 15,431, and the highest number of subscribers since reporting in 2017/18

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1

New bottle bank

This has been installed at Hadleigh Bridge Street, there are now 196 banks across 92 locations.



3

Building Control visits in connection with dangerous structures

The building control team dealt with 3 reports of unsafe structure, these related to structural damage to archway, an unsafe wall and unsafe building work

144

Incidents of fly tipping

This compares to 63 for the same period in 2019



19.55%

of recycling collected was identified as contaminated or too small to process (under 45mm)

Items included glass, wet paper and bagged items/plastic bags, food waste

This is an increase of 6.49% on Q2.

96%

of fly tips cleared in 48 hours

**Fly tipping data relates to tips on public land only*

* Data from Materials Recovery Facility input sample

Environment

Objectives and progress



What we committed to do and our progress

Objective 1 – To achieve the Councils’ ambition to become carbon neutral by 2030, following the adoption of the Carbon Reduction Management Plan.

Progress:

- The business case submitted to the Environmental Board in mid -August in relation to transitioning Council fleet vehicles to electric or other zero carbon fuel sources such as Hydrotreated Vegetable Oil (HVO) has been approved and report to cabinet in January 2021. Approval has been granted; next step is procurement.
- Leisure Centre Energy: Work is underway to move our Leisure Centres onto accredited green tariffs for their energy. This is a short-term solution while we look at longer term energy generation and storage. We have been awarded £25K from the Government’s Low Carbon Skills Fund to appoint consultants to produce Low or Zero Carbon Feasibility Studies and/or opportunities for installation of renewables at our leisure centres and the Trades Team depot at Wenham. This work will be completed in Quarter 4, with the intention of using the results to bid to the Government’s Public Sector Decarbonisation Scheme for funding to implement the recommended measures.
- Carbon Literacy Toolkit: We are working with the Department for Business, Energy & Industrial Strategy (BEIS) to introduce the newly produced Carbon Literacy Toolkit that helps Council staff understand the impact of their work on the environment. This Toolkit was developed with the University of Manchester. Two new modules are currently being written, one for Senior Managers and one for Elected Members.
- As part of the Suffolk Climate Change Partnership, BMSDC was awarded £280K from the Government’s Green Homes Grant Local Authority Delivery scheme, which is being used to retrofit 48 Council properties by installing renewable heating systems and upgrading thermal insulation.
- Solar Car Port and Battery Storage project is underway with energy consultant feasibility work at Sudbury and Stowmarket sites continuing and due for completion in February 2021. Up to £400k central government grant is available per site which now needs to be match funded. REN Energy have been appointed to produce detailed site viability and design options including investment payback, whole lifetime costs modelling and identifying match funding opportunities. Reporting business case and options to Cabinet is currently scheduled for March.
- Work is now underway to ensure business travel does not return to its previous levels.
- Work by the Housing Directorate has also been carried out in line with the Carbon Reduction Management Plan, further details can be found within the Housing objectives.

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What we plan to do next

- Business Case for transferring leisure energy tariffs from blue to green.
- Bid to the Government’s Public Sector Decarbonisation Scheme for funding to ‘decarbonise’ the leisure centres and the Wenham Depot and/or install renewables.
- Produce Business Case for a pilot project to recover waste heat from the water filtration systems for leisure centres (re-use of hot / grey water).
- Develop Electric Vehicle Charging business case.
- Environmental Impact Assessment: The Environmental Management Team are producing a revised impact assessment template that will be used going forward to assist Cabinet in their decision making. This will be ready early 2021.

Environment

Objectives and progress



What we committed to do and our progress

Objective 2 – Improve the biodiversity of the district, consistent with the biodiversity pledge adopted by the Council

Progress:

- Suffolk Wildlife Trust and Suffolk Biodiversity Information Service carrying out mapping project to produce up to date habitat network map.
- Public Realm officers attended the first Suffolk Tree Partnership meeting and will continue to support the partnership.
- All parishes asked if they wished to express an interest in our tree and hedge planting scheme.
- Parish Tree and Hedge planting application process drafted. To be launched in March 2021 along with further Parish communication work.
- Sites for new meadow and verge management techniques (cut and collect, wildflower verges) identified.
- Cut and Collect mower procurement underway.
- Phase 1 of Design Council / Design in the Public Sector project to develop messaging for biodiversity campaign completed.

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What we plan to do next

- Partnership working with Tree Warden Network and Woodland Trust planned to ensure landscape scale impact of tree and hedge planting
- Parish tree and hedge planting application form finalised and published.
- Phase 2 of Design Council project starts 20th January – user research to identify how people use their local green / open space and how they value it.
- Parish and Town Councils identified as sites for trials of novel meadow and verge management techniques to be contacted, proposals to be worked up and agreed.

Environment

Objectives and progress

Sustainable environment for



What we committed to do and our progress

Objective 3 – To promote a safe, healthy, and sustainable environment for our districts.

Progress:

- Garden waste subscribers have continued to increase through Quarter 3 which usually plateaus, with a higher than usual uptake of subscriptions seen throughout the pandemic and 2nd lockdown.
- There has been a significant increase in the incidents of fly-tipping compared to the same period last year. This could be down to a number of reasons relating to the Covid-19 restrictions. For example, Household Waste and Recycling Centres were initially closed and now operate on a booking system. Whilst the majority of people are happy to use the revised arrangements, there is likely to be a significant minority who are not so-inclined which may have contributed to the increase. Along with people spending more time at home and having 'clear-outs' of unwanted household belongings which in the past may have been donated to charity shops which have also been closed during the pandemic. There also appears to be a number of people offering 'clearance service' via social media, these may not all be authorised traders who are then not disposing of the waste in the correct way. The increase in fly-tipping has had a direct impact on the IdVerde operations team, regularly taking staff away from the winter works programme to carry out fly-tipping clearance activities.
- The Public Protection team continues to respond to Covid-19 outbreaks in businesses, offer advice, guidance and enforcement on current (regularly changing) Covid-19 regulations whilst maintaining as far as is practical interventions in other areas such as food safety and health and safety. All complaint based and responsive work across the whole team also continues, involving for example, statutory nuisance, fly tipping and abandoned vehicles. Working remotely and, over the past three months with health and safety constraints protecting the team themselves from Covid-19 changing with the scale of the pandemic, many tasks take longer.
- There are 4373 active licenses across the two districts. Only marginally more than in the previous quarter, probably demonstrating the start of the impact of coronavirus on businesses that need licenses.

What we plan to do next

As the organisation is currently working in response to the pandemic the normal ongoing objectives are not the main focus. We will continue to contribute to the implementation of the Covid-19 outbreak control plan as a priority whilst doing as much as possible to maintain the 'normal' work of the services.

Babergh Housing

Headline Performance Indicators



38



Households placed into temporary accommodation

A significant increase compared to Q2. This may in part have been as a result of the second lockdown. We have also seen a rise in cases where a relationship has broken down. Additional Temporary Accommodation has been arranged to ensure sufficient safe accommodation is available. This is being funded through the Next Steps Accommodation Programme, for which both Councils were jointly awarded £100K.

2



Affordable Homes Acquired or Built

2 units completed with additional nine acquisitions to follow in Q4. 0 New Build for Q3 however, 23 units will complete in Q4.

45



No. of cases where homelessness has successfully been prevented or relieved

This is an increase compared to Q2. Despite the challenges surrounding the pandemic, the team continue to work incredibly hard on preventing or relieving homelessness wherever possible. The increase in performance this quarter is really positive. It shows the beneficial impact the service has on resolving our residents situations who are having a housing crisis.

55



Properties relet (not temporary accommodation)

An increase compared to Q2 due to a significant increase in properties being returned for re-letting. We expect this to rise further in Quarter 4. However, despite an increase in properties being returned, VOID performance continues to be within target.

17



Average number of days for VOID re-lets

This is an improvement of 1 day from Q2. The voids performance has increased further this quarter. The team continue to work incredibly hard to ensure voids are let within 21 days. We are currently on track to be within target at the end of Q4 for the year overall.

Housing

Objectives and progress



What we committed to do and our progress

Objective 1 – Enabling delivery and provision of homes within the Districts.

Progress:

- Homelessness and Temporary Accommodation – We have seen a noticeable increase in demand for temporary accommodation again. This may be due to the recent lockdown, but also because of the time of year. It is also being impacted by a lack of suitable ‘move on’ accommodation for those currently in temporary accommodation. We have been using a commercial hotel again during Quarter 3, which is being funded through the Next Steps Accommodation Programme Funding, which we were successfully awarded in Quarter 2. We have bid for further funding through the Cold Weather Fund, part of the Government’s ‘Protect’ programme. The funding will contribute towards providing dedicated support for rough sleepers, who we have placed into temporary accommodation.
We have recently responded to a Government Consultation on proposed changes to Shared Ownership, which will have an impact on us and partners who own and are continuing to deliver Shared Ownership Schemes.
- Central Suffolk Lettings is proving incredibly successful, despite the challenges associated with Covid-19. We now have 15 Guaranteed Rent Scheme Tenants in Babergh, which has exceeded our original target for the first year.
- Progress on the Design Guide continues and is being developed alongside the Housing Revenue Account Business Plan.
- Significant work was undertaken last quarter which resulted in legal commitments to purchase 79 s106 units in Babergh (Lavenham, Klondyke at Wherstead and Waldingfield Road in Sudbury). In addition, we completed the purchase of two homes in Babergh and agreed to purchase a further nine. These are due to complete in the next few weeks. We also agreed to acquire a site in Sudbury for development, which should complete within the next month. Works continue on site with the development of Angel Court in Hadleigh and sites in Brantham and Shotley to deliver 38 new affordable homes.
- During Quarter 3, a total of 21 housing specific applications were granted, which will deliver a total of 104 homes.

What we plan to do next

- A new Assistant Corporate Manager joins the Strategic Property Team in March. She will be overseeing the housing delivery programme.
- There are further S106 schemes that we are working on to get to exchange including 11 units, Great Waldingfield. These are in addition to our development pipeline, which we will continue to oversee delivery.

Housing

Objectives and progress



What we committed to do and our progress

Objective 2 – Reducing our carbon footprint, working towards specific actions within the Carbon Reduction Management Plan

Progress:

- Our Maintenance staff collectively travel 2,500 miles each week, on average, in order to carry out repairs on our council homes. The fuel usage creates approximately 27,712kg CO², 710g per vehicle, of emissions. We are in discussions with a fleet contract provider to conduct a phased lease renewal over the next two years. This will initially start with 26 new vehicles which have the newer and more economical Eco Blue engine. The newer engines will result in a CO² saving of around 43g per week per vehicle, or 2.2kg per year. To further reduce the levels of CO², these vehicles will be powered by Hydrotreated Vegetable Oil (HVO). This will significantly reduce the CO² output from each vehicle by circa 90% compared with a diesel equivalent, while vehicles using HVO emit less nitrogen oxide and particulates than diesel vans because the fuel contains no sulphur. This leads to a reduction of 600g less CO² emissions per week per vehicle, or 31.2kg per year over and above the initial savings due to switching to the newer engines. We expect to see the technology improve at a rapid rate in the future and this is the reasoning behind a phased lease renewal, as it will allow us the flexibility to alter the vehicles as our requirements change.
- Our in-house IT team have developed a new app to help Maintenance Operatives. They can now order materials direct when they need to replenish their van stock after each job. These materials are delivered to our depot, by the supplier, along with all other orders placed that day. This reduces our number of visits to suppliers for replenishing and thus cuts down further on the vehicles CO² output. It also means the Operatives have more time to complete more tasks in a day and first-time fixes, providing a better service to our tenants.
- Seven members of the team are currently part way through an accredited PAS 2035 Coordinator training package. This will see them become qualified assessors who are able to develop retrofitting plans for the current housing stock. This will not only reduce our carbon output but will also benefit our tenants via cheaper energy bills due to the improvements made to the properties. By upskilling our own staff, there will be less reliance on external support which can have lengthy lead times due to the current skills shortage in the sector and delay our progress to Carbon Neutrality by 2030. PAS 2035 is a specification which outlines the necessary standards for all future domestic retrofit projects and is a requirement to be eligible for public funding which is supported by BEIS and TrustMark, the Retrofit Coordinator role is a critical element to achieving the mandatory requirements.

What we plan to do next

- We are currently running a pilot programme on five bungalows at Harleston Corner to develop and learn the best approach with regards to retrofitting. From this, we will identify the most beneficial aspects which we will then roll out on suitable properties across the Districts. We anticipate that these works will not only reduce our carbon footprint but will also assist with reducing energy bills for our tenants.
- Our External Wall Insulation (EWI) programme is being accelerated to utilise as much funding from the Green Homes Grant. The grant application and collecting was a condition included in the tender package which was eventually awarded to Aran Services. This will enable us to deliver an energy saving system as quickly as possible. Over recent years, we have added EWI to 36 properties in Babergh, and we have another 74 across Babergh planned for completion in 2021.

Housing

Objectives and progress



What we committed to do and our progress

Objective 3 – Launch our new in-house Independent Living Service

Progress:

We have successfully launched our new in house service that will deliver all our Minor Adaptations and Disabled Facilities Grants.

Since 2015, Babergh and Mid Suffolk have discharged this duty through our Orbit Home Improvement Agency contract, which was procured by Suffolk County Council in partnership with the District and Boroughs.

This contract ended on the 30 November 2020.

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After Cabinets unanimously approved the creation of our new in-house service in October 2020, BMS Independent Living Service successfully launched on the 1 December.

The service has two dedicated officers, a Case Worker and a Minor Works Surveyor, who work to support individuals and families who apply for adaptations and grants. We will be recruiting additional capacity, as set out in the Business Plan, once we have an accurate understanding of the demand for the service. Feedback received from residents since the service launched has been positive.

One customer wrote: *"My wife and I would like to say thank you for allowing us a grant to have a bathroom conversion. We are finding it so much easier to have a shower. The builders who did it, have done an excellent job and we are very grateful to the council for allowing this to happen. Once again, thank you very much."*



What we plan to do next

With the service operating under our direct control, we expect to deliver an improved service, which is cost effective, efficient, and most importantly, improves the lives of our residents and reduces the demand on the wider NHS and care services provided in Suffolk. We have a number of measures, which we are using to monitor the service and the demand for the grants budget. We will be using this to accurately inform the future direction of the service. We will also shortly be implementing a customer survey, to look at any ways we can improve our service further.

Housing

Objectives and progress



What we committed to do and our progress

Objective 4 – Review of our existing support service function within our Sheltered Housing Service

Progress:

Within our 11 Sheltered Housing Schemes in the Babergh District, 31% of our 281 tenants are not taking advantage of the floating support service that is provided by the Sheltered Housing Officers and paid for from service charges that tenants pay. The support service provides advice and support to the tenants on the services available – both from the council and from other partners, responds to emergencies, and offer daily contact and welfare checks for tenants (weekdays only).

Nearly 1 in 3 of our Sheltered tenants either have no real need for Sheltered Housing, or the service is not providing the type of support that they require.

We are going to review the service in light of this information. The first step of our review will start in the New Year (Covid-19 is impacting on start of project) and take the form of a comprehensive survey of all Sheltered Housing tenants to better understand the nature of the service they would like and to understand what it is about the supported service that is not meeting tenant need.

What we plan to do next

The survey results will help us understand what our tenants want from the support service and in particular, why so many refuse the service. The results should help us make the changes necessary in the short term to better meet the needs of older residents and will be shared with Members. The second stage of this project will be to try and anticipate the direction sheltered housing should take to meet the needs and expectations of future tenants.

Tenant Engagement Success

Case Study

Our Tenant Engagement Co-Ordinator, Pete Grace, joined the Councils in the Summer.

Since his arrival, Pete has worked hard to recruit new members to our Tenant Board. Tenants who expressed an interest in joining the Board, as part of their and Survey of Tenants and Residents (STAR) survey response, were contacted and five new tenants have been successfully recruited and trained to work with the existing Members.

COVID has not put a stop on Tenant Board activity and they have embraced the use of technology with online training through webinars and online Team meetings. Work is ongoing to equip all Tenant Board members with tablets so that they can continue to work digitally in the future.

Tenant Board Member, Liz Perryman recently said: "The training we have received has been excellent – very thorough! My tablet has meant that I am able to separate my personal online stuff from the Tenant Board and has made me feel more secure about it."

"Using Teams was a challenge for people at first, however has turned out to be a good way to keep the TB meeting whilst adhering to social distancing."

In the New Year the Board have committed to scrutinising the Housing Service response to Covid-19 situation. They will be looking at performance information and also interviewing staff from repairs, front-line housing colleagues and our customer service staff.

As well as the Tenant Board, there are around 70 tenants who have also taken part in 'Sounding Board' engagement activities in Quarter 2 and 3.

Pete has also been working with tenants on our Sounding Board on the following projects:

- Housing Revenue Account Business Plan Review – helped to shape new style and content guides
- Covid-19 Tenant Board Scrutiny Project – postal survey sent for opinions on a range of housing issues during the pandemic that will feed into the Tenant Board work in the New Year.
- Pet Policy review - conditions relating to pets within the home.

Babergh Economy

Headline Performance Indicators



Covid grant funding:

£1,043,696

Local Restrictions Support Grant (LRSG) (Closed)
(Addendum) November Lockdown
Paid to 688 businesses

£14,204

LRSG (open) (Tier 2) – discretionary element
Paid to 13 business

£14,290

LRSG Closed (Tier 2 period) (closed Pubs)
Paid to 11 businesses

£17,000

Christmas Support Payment
Paid to 17 businesses

£141,070

LRSG Open (Tier 2)
Paid to 152 businesses

£97,356

Additional Restrictions Grant (discretionary grant for businesses affected by Nov. Lockdown)
Paid to 58 businesses



78.4%

of business rates collected

This is 4.8% below target, impacted by the pandemic, with priority given to administering the various grant schemes.



1533

sqm of new commercial floorspace

Economy

Objectives and progress



What we committed to do and our progress

Objective 1 – Connected and Sustainable : *To be one of the best-connected places in the East of England and be a testbed for new innovation in clean growth industries*

Progress:

- Suffolk wide energy prospectus developed to showcase key developments and opportunities across the County.
- Installation of new cycle storage in Sudbury having secured funding from the Governments Active Travel Fund.
- Active Travel Tranche 2 fund has been secured and consultation on a route in Sudbury town centre will commence in June.

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What we plan to do next

- Develop costed pipeline of projects in conjunction with the Local Enterprise Partnership (LEP) and move forward delivery of the solar car port and battery storage project following successful funding secured from the governments Getting Britain Building Fund.
- Review reopening plans for town and village centres in line with changing restrictions.
- Develop specific sector intelligence for key sectors to inform investment and business support in Clean Growth.
- Sign legal agreement and project documentation for the delivery of Sproughton Enterprise Zone.
- Develop high level concept and feasibility for Hadleigh grow on space scheme.
- Develop plan for localised energy showcase event to be held in autumn 21.
- Develop digital infrastructure strategy for rollout of ultrafast broadband and promotion of broadband vouchers to businesses.

Economy

Objectives and progress



What we committed to do and our progress

Objective 2 – Innovative and Creative : *We will become a growing area for Innovation, Enterprise and Creativity in the East*

Progress:

- Business grants programme worth £1.327m delivered to 939 businesses in relation to November lockdown and Tier 2 restrictions.
- Developed new discretionary policy for Tier 2 grants to support businesses excluded from main grants programme.
- Delivered online Innovation Awards event on 3 November with 120 attendees and very positive feedback.
- Worked with the Local Enterprise Partnerships (LEP) Inward Investment team to promote sites within the District to a number of inward investors.
- Virtual High Street pilot launched in Sudbury - over 110 businesses already signed up.
- Funding confirmed for extension of Virtual High Street Pilot to Hadleigh.
- Work progressed on Market Hill in Sudbury through phase 2 of the WSP (consultancy partner) commission and public consultation.
- Belle Vue and Hamilton Road site Master planning options progressed.

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What we plan to do next

- Support the inaugural Artificial Intelligence (AI) Festival being hosted by Innovation Labs and BT to showcase innovation and opportunities across the Districts.
- Launch “Shop local” programme to support independent retailers and businesses across the Districts.
- Launch extension of Virtual High Street programme to Hadleigh, including recruitment of a coordinator and delivery of digital skills programme.
- Develop supply chain analysis for poultry industry.
- Progress plans for a Centre of Excellence linked to Innovation Labs to showcase innovation in the region.
- Support plans for redevelopment of key employment/development sites including Brantham and Delphi.
- Launch of new business grants programme in Spring.
- Conclude the development and launch of a new Economic Strategy.
- Develop an Innovation Network and new Innovation Newsletter.
- Extend the Innovation Cluster Steering group and launch an Innovation Board covering both Districts.
- Development of an Inward Investment website to ensure the Districts are promoted to investors as a place to locate.

Economy

Objectives and progress



What we committed to do and our progress

Objective 3 – Successful and Skilled : *We will raise levels of aspiration and ambition in our districts and recognise and celebrate our success*

Progress:

- Supported submission of Institute of Technology bid led by University of Suffolk.
- Successful funding bid for Digital Skills programme for businesses and rollout of Virtual High Street pilot.
- Continued support for the launch and early rollout of the Kickstart programme. (Kickstart provides funding to employers to create job placements for 16 to 24 year olds on Universal Credit).

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What we plan to do next

- Launch a “trade local” scheme to celebrate the innovation from our businesses during Covid-19 and maintain ongoing local business to business trade.
- Develop workspace strategy and delivery plan across the District to ensure we have sufficient workspace.
- Work with the Local Enterprise Partnership and Visit East of England to deliver project for raising skills levels across the visitor economy.
- Develop an innovation futures pilot in a local school.

2020 Innovation Awards



The winners of the Babergh and Mid Suffolk Council Innovation Awards were announced at a virtual ceremony on Tuesday 3 November.

The awards recognised and celebrated organisations who are thinking outside the box and finding new ways to reach customers, becoming more sustainable or growing their business.

Almost 30 businesses were shortlisted in 11 categories in a range of sectors including food, retail, technology, and customer service.

The Shooting Star award, for most innovative company was presented to Stowmarket based Halo Service Solutions, while Challs International Ltd in Hadleigh were awarded Most Innovative SME.

One of the stars of the evening was Modece Architects Ltd in Stowmarket who received three awards on the night: Most Innovative Microbusiness, Innovation in Sustainability and Innovation in Construction

The Tomorrow's World award for technology was presented to Acorn Bots Ltd from Fressingfield. The Innovation in Healthcare award winner was the Personal Training Centre in Sudbury.

The Innovation in Customer Service award and High Street Innovation awards were presented to West View IT Ltd (Stowmarket) and Ferguson's Deli (Hadleigh) respectively. Yum Rosenfield Tree Fudge, who are based in Woolpit, were presented with the Future Food award.

The Rising Star award recognised the region's young innovators aged between 16-25. It was presented jointly to Chloe Davis and Sophie Tapscott for their work and commitment to supporting other young people at The Mix in Stowmarket.

The event was originally planned as a black-tie event. Due to COVID-19 restrictions, Babergh and Mid Suffolk District Councils decided to take an innovative approach and hold the awards virtually instead.

Sponsors of the 2020 Innovation Awards included: Orbital Media, EO Charging, Larking Gowen, Scrutton Bland, the University of Suffolk, Central Suffolk Chamber, Norse, Business Growth Coaches Network Ltd, Marshall Wolfe, Omega Ingredients and Hudson Group.

Babergh Health of the Organisation

Headline Performance Indicators

Combined data for both Councils if not specified



Average no. of days sickness per fte

2.94 *(cumulative)*



Total number of days lost to sickness

548

Top 2 reasons for absence:

20% Gastro-intestinal

15% Hospital/Post-operative



No. of staff who attended the Virtual Wellbeing Programme

120+

6 virtual sessions have been delivered since April focusing on raising self-awareness and exploring ways to respond to adversity. The remaining 4 sessions will be delivered during Q4.



175,000

Babergh Twitter impressions

'impressions' are the number of times a Twitter user sees our Tweets



306,414

Babergh Reach for Facebook

'reach' is the number of unique users who had any content from our Facebook page or about the page enter their screen

In November the post relating to the finalisation of the Joint Local Plan received 151 likes.



1252

Babergh Committee / Council meeting views

There were also 50 views of joint meetings during this period

Health of the Organisation

Objectives and progress



What we committed to do and our progress

Objective 1 – Develop and implement a comprehensive 'People' Strategy that ensures we are a great organisation to work for, that our people are supported to learn and grow, energised and enabled to deliver our ambitions

Progress:

We have commenced Phase 2 of our Wellbeing Programme. 4 Sessions were facilitated during the first lockdown. 2 sessions of Phase 2 have taken place with over 120 attendees at each session. These sessions focus on raising self-awareness and exploring ways to respond to adversity. The remaining 4 sessions will be delivered during Quarter 4.

The Solace Leadership and Management Development Programme is now in place.

Work has commenced with the Senior Leadership Team to agree an action plan following the results of the staff survey.

What we plan to do next

We are continuing to develop our programme for our apprentices and early careers.

We are starting to scope out the work required to improve our HR systems.

We are further developing our Wellbeing Programme.

We continue to support the delivery of the Accommodation and Agile Working Strategy.

Health of the Organisation

Objectives and progress



What we committed to do and our progress

Objective 2 – Provide robust effective management of the Councils finances, including our capital projects and contracts. We will use our resources in a sustainable way and prioritise based upon our Corporate Plan.

Progress:

2021/22 General Fund and HRA budgets approved.

Completion of regular returns to the Government to demonstrate the financial impact of the Covid-19 emergency.

Payment of £27.4m grants to business and checking eligibility for discretionary grants to combat potential fraudulent claims.

Assessment of impacts related to Covid-19 as reported in Quarter 3 reports.

Covid-19 General Fund impact 2020/21 forecast £2.644m, financial support from the Government £1.822m, leaving an unfunded GAP of £822k.

Other General Fund net savings/underspends identified for 2020/21 of £2.210m.

What we plan to do next

Work towards full adoption of the new Chartered Institute of Finance and Accountancy (CIPFA) Financial Management Code by April 2021.
Provide further financial management training for Corporate Managers.

Health of the Organisation

Objectives and progress



What we committed to do and our progress

Objective 3 – Effective and efficient management of our property portfolio to make the best use of our assets.

Progress:

Finalised draft of the Asset Management Strategy and action plan, following engagement with Council service areas with a view to Council considering for adoption in January 2021.

Developing Accommodation and Agile Working Strategy including principles and practices for critical use of Endeavour House during the pandemic.

Progressing Land Registry project to register unregistered Council assets. Reviewing and compiling asset datasets.

What we plan to do next

Support the delivery of the accommodation and agile working strategy resulting from the opportunities presented by the emergency for new ways of working ensuring the best use of our accommodation in the future including a review of operational accommodation requirements e.g. Depots

Complete the Asset Management Strategy for adoption early 2021.

Continue to work with tenants to agree repayment strategies for any rental arrears accrued as a consequence of Covid-19.

Work with Babergh Growth to deliver the redevelopment of the former HQ site to deliver regeneration and income for the Councils.

Agenda Item 11

BABERGH DISTRICT COUNCIL

TO: Cabinet	REPORT NUMBER: BCa/20/42
FROM: Councillor Clive Arthey - Cabinet Member for Planning	DATE OF MEETING: 11 th March 2021
OFFICER: Tom Barker - Assistant Director Sustainable Communities	KEY DECISION REF NO. CAB255

COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE PROGRAMME MARCH 2021

1. PURPOSE OF REPORT

- 1.1 The CIL Expenditure Framework and the CIL Expenditure Framework Communications Strategy were adopted by both Councils on the 20th April 2020. These were accompanied by a Key CIL Dates Calendar 2020. (Background Documents refer).
- 1.2 The processes and governance around CIL expenditure is set out in these documents and the type of infrastructure that CIL monies can be spent on is set out in each Councils Infrastructure Funding Statement – Infrastructure List. (Background Documents refer).
- 1.3 CIL expenditure operates using a process of twice-yearly bid rounds which occur on the 1st - 31st May and 1st - 31st October each year. Once all the Bids have been validated, all valid Bids are then screened for the availability of s106 funds and other funding streams. Following this all valid Bids are prioritised using criteria set out in the CIL Expenditure Framework and recommendations on Valid Bids are included within a CIL Expenditure Programme for each District. The CIL Expenditure Programme for that District will be considered by that Councils Cabinet with decisions on all valid Bids either for Cabinet to make or for Cabinet to note (if the Bid has been determined using delegated powers).
- 1.4 This report seeks to obtain approval by Cabinet for Babergh' s CIL Expenditure Programme – March 2021 which forms Appendix A to this report. This report contains the assessment of 4 CIL Bids (B20-16, B20-06, B20-12, and B20-15) including the judgement around the prioritisation criteria for those Bids (Appendix B).

2. OPTIONS CONSIDERED

- 2.1 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.

3. RECOMMENDATIONS

- 3.1 That 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) which include decisions on these CIL Bids for Cabinet to make and approve as follows: -

Decision for Cabinet to make: 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	Recommendation to Cabinet to approve CIL Bid for £50,000 from the Strategic Infrastructure Fund

Decision for Cabinet to make: 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	Amount of CIL Bid £22,000 Total costs £56,928	Recommendation to Cabinet to approve CIL Bid for £22,000 from Ringfenced Infrastructure Fund for Long Melford

Old School Car Park - upgrade and resurface including 10 new additional car parking spaces, 4 disabled spaces and 3 EV charging points and drainage and lighting		
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Decision for Cabinet to make: 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	Recommendation to Cabinet to approve 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	Recommendation to Cabinet to approve CIL Bid B20-15 for £43,440.00 from the Local Infrastructure Fund

- 3.2 Cabinet are also asked to note and endorse this CIL Expenditure Programme which includes the position in respect of approved CIL Bids from Rounds 1, 2, 3, 4, 5 and 6 (including Cabinet decisions - December 2020) (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 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.

4. KEY INFORMATION

4.1 Given the determination of “available monies” for CIL Bids, B20-06, B20-12, B20-16 and B20-15 which are the subject of this report - (paragraphs 6.8 - 6.9 inclusive) Members are advised:

- Bid round 6 (between 1st - 31st October 2020) has closed. All new Bids have been acknowledged. Under the CIL Expenditure Framework all Bids are examined and validated, and where valid they are then screened, consulted upon, and assessed against prioritisation criteria (under the agreed procedures). The decisions are then presented to Cabinet to make and/or note (where delegated decisions have been made). These are included in the CIL Expenditure Programme and the Technical Assessments are presented to Cabinet to consider.
- This CIL Expenditure Programme document focuses on the following 4 CIL Bids. Further key information about these Bids is set out below (augmented by the Technical Assessments comprising Appendix B) as follows-
 - **B20–06 – Sudbury** - The project relates to the provision of a New HVO Fuel Tank (Alternative Low Carbon Fuel for Refuse/Recycling Collection Vehicles). This project provides a high Carbon Impact Saving, it directly relates to the District Councils objectives of the Climate Emergency Declaration. The Councils declared a Climate Emergency in 2019 and the Cabinet’s Carbon Reduction Management Plan was recently published. Proposal 4.3 of the Plan states: *‘We will secure the transition of appropriate Council fleet vehicles to electric or other zero carbon fuel sources such as Hydrotreated Vegetable Oil, HVO. Produce a feasibility study including a costed proposal, for using low carbon fuel in the Refuse Collection fleet in place of diesel (as an interim measure prior to full replacement with electric or renewable fuel vehicles). All Euro 6 standard vehicles have the ability to use alternative fuel without the need to retrofit.’*
 - The project represents a step towards this objective and is acceptable waste infrastructure which is specifically listed in the Infrastructure Delivery Plan and the Infrastructure Funding Statement (Infrastructure List) for Babergh.
 - **B20–12 – Long Melford** - The project relates to the upgrade and improvement of a car park at the Old School Community Centre in Long Melford by the provision of 10 additional spaces, 4 disabled spaces and the installation of new drainage and lighting. The latter will improve security and overall ease of using the site. The project also provides 3 new electric charging points to the car park to enable electric cars to recharge on site, which will also enhance the sustainability and green values of the project.

- This surface treatment of the car park will use materials in keeping with the listed buildings in the vicinity together with ensuring that the works do not detract from the character and appearance of the area. This project has community and local Ward Member support.

- The amount of CIL funding for the completion of this project is regarded as acceptable under the terms of the CIL Expenditure Framework as the CIL Bid of £22,000 represents 39% of the total project costs (and lies within the community infrastructure thresholds of not exceeding £75,000 and 75% of the total costs). This project has been developed under the Community Infrastructure section within the Infrastructure Funding Statement (Infrastructure List) within Babergh.

- **B20–16 – Cockfield** - This project has wide community support and will complete an infrastructure mitigation project in proximity to residential development in the area; both existing and proposed. It is an affordable “oven ready” scheme where some s106 monies have been offered towards the cost of the project. Other funds are coming direct from the Parish Council in the form of using their Neighbourhood CIL. This project started in 2019/2020 having been approved in an earlier Bid round. However it was unable to be completed within the 2 year deadline for expenditure of all the CIL monies given unforeseen delays linked to accessibility of the land. These issues were outside of Cockfield Parish Council’s control.

- The previous project was for the provision of recreational land and shelter which will secure a long term and strategic legacy for the village and to provide joined up access to other green spaces. This included the purchase of the meadow and disused railway from Suffolk County Council, works to the decaying timber sleepers to the bridge over the river and provision of a sheltered picnic area. CIL funding of £27,843.51 was approved and £19,809.00 was spent within the two year window. This CIL Bid is larger due to extra necessary works needed to the bridge which were uncovered upon a recent inspection and would allow the completion of the project. The overall project costs have increased by £7,764.85. This rise in costs has been assessed and are considered reasonable given the circumstances.

- The amount of CIL funding for the completion of this project is regarded as acceptable under the terms of the CIL Expenditure Framework as the CIL Bid of £15,799.36 and represents 75% of the newly appraised total project costs (and lies within the community infrastructure thresholds of not exceeding £75,000 and 75% of the total costs). This project has been developed under the Community Infrastructure section within the Infrastructure Funding Statement (Infrastructure List) within Babergh.

- **B20-15 – Lavenham** - The project relates to the upgrade of the existing building to provide new toilets and a parish office building in Lavenham which will enhance the appearance of this existing building both in particular and of Church Street in general. This reconfiguration of the existing public conveniences which are owned by Babergh District Council and operated by Lavenham Parish Council will provide a significant tangible betterment of the existing facility by providing direct access to a number of single cell toilet units and thus avoid the need for any internal communal space. This design is Covid-19 and disability compliant. It will also significantly reduce operating costs of the toilet block facilities. It also affords the opportunity to create some space for a parish office for the village.
- This project has wide community and Ward Member support.
- The amount of CIL funding for the completion of this project is regarded as acceptable under the terms of the CIL Expenditure Framework as the CIL Bid of £43,440 and represents 75% of the total project costs (and lies within the community infrastructure thresholds of not exceeding £75,000 and 75% of the total costs). This project has been developed under the Community Infrastructure section within the Infrastructure Funding Statement (Infrastructure List) within Babergh.

4.2 This CIL Expenditure Programme also provides an up to date progress position on all those CIL Bids which have previously been approved in Bid rounds 1, 2, 3, 4, 5 and 6 (including Cabinet decisions - December 2020) together with a section which outlines the progress of emerging CIL Bids which are being discussed at pre submission stage (Appendix A section C).

5. LINKS TO JOINT CORPORATE PLAN

5.1 The effective spending of CIL monies will contribute to all the three priority areas that Councillors identified in the Joint Corporate Plan. Economy and Environment Housing and Strong and Healthy Communities.

6. FINANCIAL IMPLICATIONS

6.1 The adopted CIL Expenditure Framework is critical to the funding of infrastructure to support inclusive growth and sustainable development.

6.2 The CIL Regulations stipulate that CIL monies which are collected must be spent on Infrastructure. Before 1st September 2019, each Council was required to publish a list of infrastructure that they will put the CIL monies towards. These lists were known as the "Regulation 123 Lists". However, on the 1st September 2019, new CIL Regulations were enacted, with the CIL 123 Lists being abolished, and in order to provide clarity given this changing situation, each Council adopted a CIL Position Statement containing a list of infrastructure that it would spend its CIL monies on. The authority for this was provided by a Council decision in March 2019 when the first review of the CIL Expenditure Framework was undertaken and a revised scheme was agreed (by both Councils). The CIL Position Statements were identical for both Councils.

- 6.3 However these replacement documents (known as the CIL Position Statement) were replaced by separate Infrastructure Funding Statements (Infrastructure List) for both Councils. They were both approved by each Councils Cabinet in November 2020.
- 6.4 CIL is collected and allocated in accordance with the CIL Regulations 2010 (as amended). Each Council retains up to 5% of the total CIL income for administration of CIL. From the remainder, 15% is allocated to Parish or Town Councils (subject to a cap) but where there is a made Neighbourhood Plan in place this figure rises to 25% (without a cap). For those parishes where there is no Parish or Town Council in place the Council retains the monies and spends the CIL Neighbourhood funds through consultation with the Parish.
- 6.5 Since the implementation of CIL for both Councils on the 11th April 2016 there have been nine payments to Town/Parish Councils; these have taken place in October 2016, April and October 2017, April and October 2018, April and October 2019 and April and October 2020. At the time that the Neighbourhood payments are made, the 20% set aside for Strategic Infrastructure fund is also undertaken. The Strategic Infrastructure Fund money is stored separately to the Local Infrastructure Fund at this point. In addition, money is also stored in a Ringfenced Infrastructure Fund (explained in Paragraph 6.7 below). As this accounting requires Finance to verify the figures, daily accounting in this way would be too cumbersome and resource hungry to carry out. There is no adverse impact on the Bid Round process or cycle to this method of accounting. Indeed, these dates work well with the Bid round process. (Paragraph 1.3 refers).
- 6.6 The remaining 80% of the CIL monies comprises the Local Infrastructure Fund (with the exception of the monies held in the Ringfenced Infrastructure Fund - explained in paragraph 6.7 below).
- 6.7 Within the CIL Expenditure Framework, infrastructure provision for major housing developments is prioritised and ringfenced for spend against these housing projects. In this way housing growth occurring within the Districts is supported by infrastructure provision. When commencement of these major housing schemes occurs, monies are collected according to the CIL payment plan in place. If the scale of development is large the CIL payment plan could be up to 5 equal payments collected over a two-year timescale. Smaller developments are required to pay the money in less instalments and over a shorter timescale. The monies (accrued from developments of 10 dwellings and above) are held in a Ringfenced Infrastructure Fund account separate from the Strategic and Local Infrastructure Funds to ensure the monies are safeguarded towards infrastructure supporting these developments. The remaining unallocated monies are known as the “available funds” and it is these funds that can fund the majority of CIL bids.
- 6.8 These available funds are: -
- Strategic Infrastructure Fund (including interest) as at 30th September 2020 = £442,617.06 (this figure takes into account the expenditure from Bid Round 6 (October 2020) with Cabinet decisions made in December 2020)

- Total Ringfenced Fund as at 30th September 2020 = £1,549,839.68 (this figure takes into account the expenditure from Bid Round 6 (October 2020) with Cabinet decisions made in December 2020)
- Local Infrastructure Fund available as at 30th September 2020 = £923,769.77 (this figure takes into account the expenditure from Bid Round 6 (October 2020) with Cabinet decisions made in December 2020)

6.9 These are expressed as follows:

EXPENDITURE	TOTAL
Total Expenditure allocated in Bid Rounds 1-6 (including December 2020) (Strategic Infrastructure Fund only)	£481,103.56
Total Expenditure allocated in Bid Rounds 1-6 (including December 2020) (Ringfenced Fund only)	£163,829.60
Total Expenditure allocated in Bid Rounds 1-6 (including December 2020) (Local Infrastructure Fund only)	£949,492.59
AVAILABLE FUNDS FOR BID ROUND 6 – MARCH 2021	TOTAL
Total amount available for Expenditure in Bid round 6 (March 2021) (Strategic Infrastructure Fund)	£442,617.06
Total amount available for Expenditure in Bid round 6 (March 2021) (Ringfenced Infrastructure Fund)	£1,549,839.68
Total amount available for Expenditure in Bid round 6 (March 2021) (Local Infrastructure Fund)	£923,769.77

7. LEGAL IMPLICATIONS

- 7.1 The detailed framework for CIL expenditure is legally sound and robust and was designed including a legal representative from the Councils Shared Legal Service (who also attended each of the Joint Member workshop sessions) and agreed the adopted CIL Expenditure Framework documents (prior to consideration by Cabinet and Council of both Districts).
- 7.2 This report and the accompanying CIL Expenditure Programme for Babergh District Council – March 2021 – Appendix A (including the technical assessments comprising Appendix B) have also been endorsed as being sound and legally compliant by the Councils Shared Legal Service.
- 7.3 Governance arrangements agreed in April 2018 and which have remained largely unchanged as part of the second CIL Expenditure Framework Review of 2020 are clear in respect of the determination of these Bids. They are Cabinet decisions and paragraph 3.1 of the CIL Expenditure Framework allows Bids to come forward independent of others if there are exceptional reasons.
- 7.4 Regulation 62 of the CIL Regulations 2010 (as amended) required CIL charging authorities to publish monitoring statistics for collection allocations and expenditure of CIL monies by the 31st of December for each year. The 2017, 2018 and 2019 Monitoring Report for both Councils are published on the websites (see below).

<https://www.babergh.gov.uk/assets/CIL-and-S106-Documents/Babergh-District-Council-CIL-Monitoring-Report-2016-17.pdf>

<https://www.babergh.gov.uk/assets/CIL-and-S106-Documents/FINAL-BDC-Reg-62-Report.pdf>

<https://www.babergh.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/cil-reporting/>

- 7.5 Under the new CIL Regulations 2019, each Council has produced and approved an annual Infrastructure Funding Statement (dealing with both CIL, s106 developer contributions and Neighbourhood CIL). There is also a requirement for each Council to produce an “Infrastructure List” – a list of infrastructure projects that the Council is /or will be funding going forward. (Under the new CIL Regulations this must be produced annually by both Councils with the first one meeting a deadline of 31st December 2020.
- 7.6 For Babergh the annual Infrastructure Funding Statement was approved by Cabinet on the 9th November 2020. This document (which includes the “Infrastructure List”) was published on the Councils Website on the 11th December 2020.(Background Papers refer).

8. RISK MANAGEMENT

- 8.1 The following have been identified as key risks pertaining to this report.
- 8.2 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
<p>Failure to allocate expenditure such that if we do not secure investment in infrastructure (schools, health, public transport improvements etc.), then development is stifled and/or unsustainable.</p> <p>Current Risk Score: 6</p>	Unlikely (2)	Bad (3)	<p>Adopted Community Infrastructure Levy (CIL), secures investment on infrastructure via the planning process (which includes S106). Creating the Joint Corporate Plan, the emerging Joint Local Plan with associated Infrastructure strategy and Infrastructure Delivery Plan and Infrastructure Funding Statement will ensure that infrastructure across both Councils is addressed. New Anglia LEP Economic Strategy, draft created together with the Councils Open for Business Strategy.</p>
<p>Failure to produce a yearly Regulation 62 report would result in non-compliance with the CIL Regulations 2010 (as amended) and may mean that Members and the public are not aware of CIL income and expenditure activities.</p> <p>Under the CIL Regulations 2019 an annual Funding Statement is required to address CIL and s106 developer contributions and a list of infrastructure projects (“Infrastructure List”) with the first one meeting a deadline of the 31st December 2020. Failure to so will also result in non-compliance with the CIL Regulations (as amended)</p>	Highly Unlikely (1)	Noticeable /Minor (2)	<p>The Infrastructure Team produces the required report which is checked and verified by Financial services/open to review by External Audit. Reminders are set to ensure the report is published by the statutory date. The format of the Monitoring report which in future will be known as the annual Infrastructure Funding Statement (IFS) is laid out in the CIL Regulations, so there is no risk in relation to the way the information is presented</p>

<p>Failure to monitor expenditure such that CIL expenditure is not effective.</p>	<p>Unlikely (2)</p>	<p>Bad (3)</p>	<p>The software which supports CIL collection will be used to support CIL expenditure. In addition, it is envisaged that a twice yearly (at least) CIL Expenditure Programme will be produced which will include details of all allocated and proposed CIL expenditure and this together with the software will be used for effective monitoring.</p>
<p>If too high a value is allocated into the Strategic Infrastructure Fund, there is a risk that there would be insufficient Local Infrastructure Funding available to deliver the infrastructure required to mitigate the harm, thereby ensuring sustainable development.</p>	<p>Unlikely (2)</p>	<p>Bad (3)</p>	<p>The Infrastructure Team will continue to monitor all allocations of CIL Funds and the CIL Expenditure Framework review will include this risk as a key element of the review to ensure the level set remains appropriate.</p>
<p>If 25% Neighbourhood CIL is automatically allocated to any Parish/Town councils where there is no Neighbourhood Plan in place, there is a risk that there would be insufficient CIL Funding to allocate to the Strategic Infrastructure Fund and also the risk that there would be insufficient Local Infrastructure Funding available to deliver the infrastructure required to mitigate the harm, thereby ensuring sustainable development.</p>	<p>Unlikely (2)</p>	<p>Bad (3)</p>	<p>The Infrastructure Team will continue to monitor all allocations of Neighbourhood CIL and other CIL Funds and the CIL Expenditure Framework review will include this risk as a key element of the review to ensure allocations of CIL remain appropriate and projects to make development sustainable are able to be delivered.</p>

If commencements of major housing developments were not correctly monitored or the incorrect apportionment of CIL monies were to occur such that monies could not be allocated towards major housing developments, inadequate infrastructure provision would result.	Unlikely (2)	Disaster (4)	The Infrastructure Team will continue to monitor all commencements of development through the service of the required Commencement Notice by developers such that correct apportionment of CIL Funds can be undertaken. The CIL Expenditure Framework review will include this risk as a key element of the review to ensure allocations of CIL remain appropriate and projects to make development sustainable are able to be delivered.
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Assurances (for collection of CIL monies)

8.3 In September 2016 Internal Audit issued a report in relation to CIL governance processes. The Audit Opinion was High Standard and no recommendations for improvement to systems and processes were made. Table 5 provides a definition of this opinion:

Table 5

	Operation of controls	Recommended action
High standard	Systems described offer all necessary controls. Audit tests showed controls examined operating very effectively and where appropriate, in line with best practice.	Further improvement may not be cost effective.
Effective	Systems described offer most necessary controls. Audit tests showed controls examined operating effectively, with some improvements required.	Implementation of recommendations will further improve systems in line with best practice.
Ineffective	Systems described do not offer necessary controls. Audit tests showed key controls examined were operating ineffectively, with a number of improvements required.	Remedial action is required immediately to implement the recommendations made.
Poor	Systems described are largely uncontrolled, with complete absence of important controls. Most controls examined operate ineffectively with a large number of non-compliances and key improvements required.	A total review is urgently required .

8.4 On the 18th December 2017 Joint Overview and Scrutiny received a fact sheet on collection and current thinking on CIL expenditure and questions were answered in relation to it. Members of that Committee were advised of the route map towards getting a framework for CIL expenditure formally considered. Members were advised that this would be a key decision for both Councils and would need to go to Cabinet and then full Council. The resulting joint CIL Expenditure Framework, the CIL Expenditure Communications Strategy and the Timeline for the Expenditure of

CIL and its Review were adopted by both Councils on the 24th April 2018 (Babergh) and 26th April 2018 (Mid Suffolk).

- 8.5 In May 2018, the results of an investigation by Internal Audit on behalf of the Assistant Director Planning and Communities were produced following complaints regarding the CIL process in place for Babergh and Mid Suffolk. The investigation concluded: -

“The information provided to the public in relation to the CIL process is superior to that found for some other Councils and the team go over and above the requirements when supporting applicants where resources allow them to do so. It is Internal Audit’s opinion that the Infrastructure team, even though working under challenging conditions with increasing numbers of applications, are providing a good service to customers and also pro-actively looking for ways to improve where possible.”

“The audit opinion is therefore high standard” – (paragraph 8.3 Table 5 defines high standard classification).

- 8.6 In September 2018 Internal Audit conducted a review of CIL Expenditure processes and released a written report. It contains a Substantial Assurance audit opinion (with two good practice points needing to be addressed relating to further clarification of “best value” (one of the criteria for assessing CIL Bids) and storage of all electronic communication.
- 8.7 On the 19th September 2019, a report was prepared for consideration by Joint Overview and Scrutiny on CIL expenditure with five witnesses including Infrastructure Providers, Cockfield Parish Council, and a member of the Joint Member Panel; the latter of which informed the second review of the CIL Expenditure Framework. The changes agreed under this review process were adopted by both Councils on the 20th April 2020.

Assurances (for collection and expenditure of CIL Monies)

- 8.8 It is expected that Internal Audit will continue to regularly audit CIL collection allocation and expenditure processes and actual expenditure once any schemes are developed and implemented.
- 8.9 As Members will recall there is a timeline for implementation of CIL and its review which contains key dates for the remainder of the CIL expenditure year cycle (Background papers referred.)
- 8.10 The first review of the CIL Expenditure Framework took place in 2018 following consideration by Joint Overview and Scrutiny in November 2018. The Joint Member Panel also informed the review and the conclusions were presented to both Councils and adopted in March 2019. This decision by both Councils planned for a further review of the CIL Expenditure Framework to occur at the same time as the Bid round no 4 so that any revised scheme would be in place before Bid round 5 (in May 2020). This second review of the CIL Expenditure Framework was adopted by both Council in April 2020. In making this decision Members agreed that a further third review would take place at the same time as Bid round 6 (October 2020) so that it is in place before Bid round 7 starts (in May 2021).

9. CONSULTATIONS

9.1 The CIL Expenditure Communications Strategy contains a requirement for both Councils to consult the following bodies or organisations (for a period of 14 days) where valid Bids for their Wards or Parish have been submitted as follows: -

- District Member(s)
- Parish Council
- Division County Councillor

9.2 Where appropriate as part of the CIL process and assessment of the Bids, Officers have also taken advice from other Officers within the Council; including the Communities team

9.3 Regular Parish events and Member briefings will continue to be held to familiarise all with the Expenditure Framework and how we can continue to work together to provide infrastructure for the benefit of our communities.

10. EQUALITY ANALYSIS

10.1 Please see attached Screening report.

11. ENVIRONMENTAL IMPLICATIONS

11.1 It is important that appropriate infrastructure mitigates harm which could be caused by new development without its provision. CIL is one way in which infrastructure is provided and the CIL Expenditure Framework requires two bid rounds per year supported by the provision of a CIL Expenditure Programme for each Bid round. There is no EIA Assessment required.

12. APPENDICES

Title	Location
A. Appendix A - CIL Expenditure Programme for Babergh – March 2021	ATTACHED
B. Appendix B - Technical Assessment of CIL Bids (B20-06, B20-12, B20-16, and B20-15) – March 2021	ATTACHED
C. Appendix C Screening report for Equality Analysis	ATTACHED

13. BACKGROUND DOCUMENTS

13.1 The CIL Expenditure Framework, the CIL Expenditure Framework Communications Strategy and the Infrastructure Funding Statement (including the Infrastructure List) together with the Key CIL Calendar dates for 2020 constitute background papers for this report. The original documents were adopted by both Councils in April 2018. They

were reviewed and adopted by both Councils in March 2019 (Babergh – 18th and Mid Suffolk - 19th March) and further amended and adopted by both Councils in April 2020. These amended background documents are as follows: -

- The CIL Expenditure Framework (amended in April 2020):
<https://www.babergh.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/spending-cil/>
- The CIL Expenditure Framework Communications Strategy (amended in April 2020):
<https://www.babergh.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/spending-cil/>
- Key CIL Calendar dates 2020
<https://www.babergh.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/spending-cil/>
- Infrastructure Funding Statement for Babergh
<https://www.babergh.moderngov.co.uk/documents/s20600/BDC%20Infrastructure%20Funding%20Statement.pdf>

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The Community Infrastructure Levy (CIL) Expenditure Programme

Babergh District Council

MARCH 2021

Appendix A

CIL EXPENDITURE PROGRAMME MARCH 2021

KEY FACTS

- The CIL Expenditure Framework, the CIL Communications Strategy were reviewed and approved on 20th April 2020. A Key dates for CIL document has also been published on the website in calendar format. These can be viewed on the web site using the following hyperlink: <https://www.babergh.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/spending-cil/>
- Bid Round 6 (for Infrastructure providers including Officers from BMSDC and Parishes and Community Groups) took place between 1st October-31st October 2020. Previous bid rounds were in May and October 2018, May and October 2019 and May and October 2020.
- The above documents contain the processes, criteria for consideration and governance of the scheme which includes the production of a CIL Expenditure Programme (at least twice yearly – after each Bid Round). This document contains the decisions to be made by Cabinet on Bids and for Cabinet to note decisions which have been made under delegated powers (all as detailed in the Governance section of the CIL Expenditure Framework)
- 20% of all CIL collected (after the 5% Admin charge and the Parish apportionment has been deducted) is being saved for Strategic Infrastructure expenditure (definition in the CIL Expenditure Framework)
- Infrastructure for new housing growth (ten dwellings and over) is prioritised in the CIL Expenditure Framework and the CIL monies collected against such schemes are saved in a different Ringfenced Infrastructure Fund in order that these monies are available for those housing projects in that settlement.
- The remaining (Infrastructure Funding Statement – Infrastructure List) monies are available for Local Infrastructure expenditure (as defined in the CIL Expenditure Framework) and it is these “**available funds**” together with prioritised expenditure under the Ringfenced Fund that the majority of the CIL bids will be funded from.
- The “**available funds**” are stated below together with details of all new starts on new major housing growth projects (10 dwellings and over) within the specified period so that Ringfenced Infrastructure Funds can be understood. Also contained in this CIL Expenditure programme are details of progress on already approved infrastructure projects (Section B below) together with details of emerging/developing infrastructure projects (Section C below)
- All CIL expenditure must be in accordance with the Infrastructure Funding Statement – Infrastructure List publicised on the Website on the 11th December 2020. The timetable for consideration of bids and the next review of the CIL Expenditure Framework is also on the website:
-
<https://www.babergh.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/spending-cil/>

CONSIDERATION OF BIDS

- All received bids are acknowledged and all missing or outstanding information must be submitted before the bid can be made valid or progressed to formal determination.
- When a bid is made valid consultation will occur with the Ward District Member(s), the Parish Council, and the Division County Councillor for a period of 14 days.
- All valid bids will be assessed against the Validation Screening and Prioritisation criteria set out in the CIL Expenditure Framework. For each bid there will be a technical assessment which can be viewed in Appendix B.
- The technical assessment of each valid bid contains a conclusion section which the recommendation to Cabinet which the CIL Expenditure Programme is founded upon.
- The CIL Expenditure Programme for each Council contains decisions to be made by the Cabinet together with bids approved under delegated powers for Cabinet to note as detailed in the Governance section of the Councils CIL Expenditure Framework.

PRIORITISATION OF FUNDS

- The CIL Expenditure Framework requires all planning decisions which approve housing/employment development and which carry Infrastructure to be provided by CIL and necessary for an approved growth project (those with planning permission and considered by Planning Committee) to be considered a priority so that the approved development which is ultimately carried out is sustainable.
- As such those major planning applications (over 10 dwellings), which have been commenced and for which CIL monies have been received, shall have the CIL monies kept in a Ringfenced Infrastructure Fund so that the spend against these priority infrastructure projects can be safeguarded for the community receiving the growth. These monies and the Local Infrastructure Fund monies shall be known as the “**available funds**” for expenditure in the bid round process. These schemes where works have started and are subject to CIL will be listed below in this document together with the amount of CIL collected so far. Infrastructure officers continue to work with Infrastructure Providers to ensure that bids are received for infrastructure projects to support these schemes.

PRIORITY HOUSING/EMPLOYMENT SCHEMES (commenced since adoption of CIL – 11th April 2016 to 22 January 2021)

Location	Address	Planning Reference	No of Dwellings Approved	Total CIL due	CIL received to 30 September 2020	Infrastructure Requirements at the time of the Planning Application
HADLEIGH	Former Brett Works	B/16/00760	65	£9,638.18	£9,638.18	Libraries = £14,256.00 Health = £20,580.00
RAYDON	Land east of King Georges Field, The Street	DC/17/06289	24	£287,750.43	£287,750.43	Affordable housing 8 units
CAPEL ST MARY	Land north and west of Capel Community Church, Days Road	B/17/00122	97	£1,023,576.96	£1,023,576.96	Health (amount unspecified) Travel; Plan Evaluation (£1,000 per annum) Travel Plan Implementation (£74,071.00)
LONG MELFORD	Land on the south side of Bull Lane	B/16/00777	71	£719,000.79	£719,000.79	Education - £219,258.00 Early Years - £42,637.00 Health - £22,360.00 Passenger Transport - £35,000.00 Libraries - £15,336.00
ASSINGTON	Land north of the Hollies The Street	DC/17/06170	10	£178,411.15	£178,411.15	None
SUDBURY	Walnut tree Hospital Walnut tree Lane	DC/17/03677	Variation to 55	£42,319.46	£42,319.46	None – Comments made under B/14/00449/FUL
SUDBURY	Walnut tree Hospital Walnut tree Lane	B/16/01192	49	£9,072.48	£9,072.48	None
BRANTHAM	Land North of Windy ridge, Brantham Hill	DC/18/01020	13	693.41	693.41	None

Location	Address	Planning Reference	No of Dwellings Approved	Total CIL due	CIL received to 30 September 2020	Infrastructure Requirements at the time of the Planning Application
SUDBURY	Easterns, 31 Station Road	B/16/01670	15	£46,203.58	£46,203.58	Primary School: £12,181.00 Library Contribution: £3,240.00
LAVENHAM	Land adjacent to Bear's Lane	DC/17/04024	24	£253,499.73	£101,399.90	Primary School: £146,172.00 Secondary School: £91,755.00 Secondary School 16+: £19,907.00 CIL funding at a minimum cost of £73,086 Library Contribution: £5,184.00 Public Transport: £3,000.00 (Bus Stops)
STUTTON	Land West Of 35 - 40 Stutton Close	DC/19/01708	34	£439,950.41	£87,990.08	Affordable rented dwellings 7 Ecological Mitigation £5,722.88
GREAT WALDINGFIELD	Land Off Bantocks Road	DC/18/04309	32	£249,070.03	£99,628.02	None
COCKFIELD	Land To The West Of The Plough And Fleece Inn, Great Green	DC/19/02020	10	£185,368.30	£37,073.66	Response to DC/18/00306 consultation 02.02.2018: Primary School: £36,543.00 Secondary School: £36,710.00 Secondary School 16+: £19,907.00 Library Contribution: £2,160.00
LAVENHAM	Land South Of Howlett Of Lavenham, Melford Road	DC/19/03185	25	£271,572.19	£54,314.44	Primary School: £97,448.00 Secondary School: £110,130.00

Location	Address	Planning Reference	No of Dwellings Approved	Total CIL due	CIL received to 30 September 2020	Infrastructure Requirements at the time of the Planning Application
						Secondary School 16+: £19,907.00 Pre-School Provision: CIL contribution for early years of £18,273.00 Library Contribution: £6,480.00
MONKS ELIEGH	Site of Former Monks Eleigh C P School, Churchfield, Monks Eleigh, Colchester, Suffolk, IP7 7JH	DC/19/01463	17	£200,437.51	£40,087.50	Response to B/16/01718 consultation 16.01.2017: Primary School: £48,724.00 Pre-School: £12,182.00 Library Contribution: £3,672.00
HADLEIGH	Land South of Ipswich Road, Hadleigh, IP7 6BE	DC/17/03902	170	£655,973.33	£0.00	Early Years - £196,110.00 Open Space - £67,216.00 Public Rights of Way - £100,00.00 Highways – £250,000.00 Travel Plan - £70,460.00
WHERSTEAD	Klondyke Field, West of Bourne Hill, Wherstead, Suffolk	DC/20/00701	75	£736,468.42	£0.00	SPA Contribution – £15,000.00 Sustainable Transport Contribution - £22,000.00

ACTON	Land South Of Tamage Road, Acton, Suffolk	DC/19/03126	100	£492,837.65	£0.00	Bus Stop Kerbs Contribution - £5,000.00 Footpath Improvement Works Contribution - £12,500.00 Public Transport Contribution - £50,000.00 School Transport Financial Contribution - £165,347.00
SHOTLEY	Former Peninsula Boatyard, King Edward Vii Drive, Shotley, Suffolk	DC/19/05538	12	£14,740.37	£14,740.37	None

AVAILABLE FUNDING FOR BID ROUND SIX (OCTOBER 2020)

Total Amount of CIL monies available up to 30/09/2020 (after deduction of the 5% CIL admin charge, the making of Neighbourhood CIL payments including payments made by 28th October 2020, allocation of 20% save for the Strategic Infrastructure Fund, the prioritisation of funds to meet the infrastructure costs associated with major housing developments (Ringfenced Infrastructure Fund) and approved Bids from Bid Rounds 1,2 ,3 ,4 ,5 and 6 (including Cabinet decisions - December 2020):-

- **Strategic Infrastructure Fund** (including bank interest) - £442,617.06
- Prioritisation of funds for major housing growth projects: **Ringfenced Infrastructure Fund** - £1,549,839.68
- Available monies for **Local Infrastructure Fund** - £923,769.77

Total expenditure of CIL Bids in this programme to be determined in March 2021.

- Strategic Infrastructure Fund - £50,000
- Ringfenced Infrastructure Fund (Long Melford) - £22,000
- Local Infrastructure Fund - £59,239.36

Conclusions

4 CIL Bids are included in this CIL Expenditure Programme with spend from the Local Infrastructure Fund, Ringfenced Fund and Strategic Infrastructure Fund. The remaining CIL Bids which are as yet undetermined will continue to be worked on. However, all will be subject to the amendments made to the CIL Expenditure Framework and the CIL Expenditure Framework Communication Strategy through the third review (with the likely exception of one Bid round allowed for existing Bids for transitional purposes.) Any changes affecting those Bids will be discussed with the Bid authors. If the above recommendations to Cabinet to approve the CIL Bids at this stage (March 2021) are accepted, the remaining unspent CIL monies for Bid round 7 (May 2021) are set out as below: -

- **Strategic Infrastructure Fund** (including bank interest) for Bid round 7(May 2021) - £392,617.06.
- **Ringfenced Infrastructure funds** (Prioritisation of funds for major housing growth projects) for Bid round 7 (May 2021) - £1,527,839.68.
- **Local Infrastructure Fund** for Bid round 7 (May 2021) - £864,530.41.

A. LIST OF BIDS TAKEN FORWARD INTO AND/OR RECEIVED FOR BID ROUND SIX (1ST October- 31ST October 2020) FOR BABERGH DISTRICT COUNCIL (including recommendations for Cabinet to make decisions or for Cabinet to note the delegated decisions already made).

The following table comprises a list of CIL Bids received before or within Bid Round six (1st October - 31st October 2020). Not all the bids are valid; with either missing information, no formal approvals for the proposed infrastructure or further investigation or clarification being sought. Those bids where no decision can be made or where they are invalid will be carried forward to the next bid round (unless no substantive progress has been made in a 12-month period from submission at which point, they will be treated as withdrawn).

This list should be read in conjunction with Appendix B which comprises the technical assessments upon which the recommendations are based.

Bid Ref.	Location by Parish/ Address	Type of Bid and Bidder	CIL Position Statement compliant	Amount of Money Sought	100% CIL Monies sought (Y/N)	Total costs and other sources of funding	Consultation and expiry date (on valid Bids only)	Valid	Reason(s) why Bid is invalid	Recommendation to Cabinet for decision or delegated decision (for Cabinet to note)
B19-13	SHOTLEY Kidzone,	Shotley Kidzone Building Extension	Yes - Provision of additional pre-school places at existing establishments	£146,000	No	Net cost £150,000. £1,500 Parish Council (decision due 30/11/19) £2,500 Shotley Kidzone	N/A	No	Bid is invalid - No business case has been provided. Only one quote received. Planning permission not yet granted for the works so not all formal approvals are in place. Further investigation is required over the lease and the relationship with the primary school needs full understanding as Kidzone currently use space from the school. Matter is being	Held over whilst education need established for the project with SCC including any timescales for delivery based on committed growth in the locality. Project scope/ costings/ need/ formal approvals are awaited. Outstanding issues require consideration and resolution. Cabinet decision ultimately

Bid Ref.	Location by Parish/ Address	Type of Bid and Bidder	CIL Position Statement compliant	Amount of Money Sought	100% CIL Monies sought (Y/N)	Total costs and other sources of funding	Consultation and expiry date (on valid Bids only)	Valid	Reason(s) why Bid is invalid	Recommendation to Cabinet for decision or delegated decision (for Cabinet to note)
									discussed with SCC in respect any future expansion of the primary School given committed development in Shotley and catchment of school . The start of development being built out at the Ganges site is likely to be critical to this assessment.	
B20-06	SUDBURY Chilton Depot, Alexandra Road	Supply and Installation of Fuel Tank for HVO	Yes, Waste Infrastructure	£50,000	Yes 100%	Total Costs £50,000	Consultation started. Expiry date 10 th November 2020	Yes	N/A	Recommendation for Cabinet to approve CIL Bid B20-06 for £50,000.00 from the Strategic Infrastructure Fund

Bid Ref.	Location by Parish/ Address	Type of Bid and Bidder	CIL Position Statement compliant	Amount of Money Sought	100% CIL Monies sought (Y/N)	Total costs and other sources of funding	Consultation and expiry date (on valid Bids only)	Valid	Reason(s) why Bid is invalid	Recommendation to Cabinet for decision or delegated decision (for Cabinet to note)
B20-12	LONG MELFORD Old School Community Centre Long Melford CO10 9DX	Old School Car Park. Upgrade and resurfacing including 3 EV charging points drainage lighting and 10 additional spaces and 4 disabled spaces.	Yes, Provision of Community Facilities	£22,000	No – CIL Bid is 39% of total costs	Total costs £56,928 £34,928 Parish Council	Consultation started. Expiry date 9 th February 2021	Yes		Recommendation for Cabinet to approve CIL Bid B20-12 for £22,000 from the Ringfenced Fund
B20-13	NEDGING WITH NAUGHTON Village Hall and Community Council	Upgrade and extend the village hall car park together with provision of additional car parking spaces	Yes, Provision of Community Facilities	Unknown	Unknown	Unknown	No	Not yet validated	Held over whilst Bid fully validated and assessed Costings of project require further clarification	Awaiting outstanding Information. Held over until next Bid round. Cabinet decision ultimately

Bid Ref.	Location by Parish/ Address	Type of Bid and Bidder	CIL Position Statement compliant	Amount of Money Sought	100% CIL Monies sought (Y/N)	Total costs and other sources of funding	Consultation and expiry date (on valid Bids only)	Valid	Reason(s) why Bid is invalid	Recommendation to Cabinet for decision or delegated decision (for Cabinet to note)
B20-14	HOLBROOK Academy, Ipswich Road	Increase capacity of the school from 590 to 600 places Suffolk CC	Education	£237,750.00	Yes - 100%	None	No	Not yet validated	Bid received at end of October 2020 and currently being validated and screened. Final Costings awaited	Awaiting outstanding Information. Held over until next Bid round. Cabinet decision ultimately
B20-15	LAVENHAM Church Street Suffolk CO10 9SA	Lavenham PC - Church Street toilet block and parish office	Yes, provision of community facilities	£43,440.00	No – CIL Bid is 75% of total costs	Total Cost £69,504.00 Lavenham PC – £14,480.00 VAT £11,584 will be claimed back by parish	Consultation started. Expiry date 9 th February 2021	Yes		Recommendation for Cabinet to approve CIL Bid B20-15 for £43,440 from the Local Infrastructure Fund
B20-16	COCKFIELD Green Ridge, Howe Lane,	Cockfield Parish Council - Mackenzie Community Open Space Project	Yes, provision of community facilities	£15,799.36	No – CIL Bid is 62% of total costs	Total Cost £25,378.36 S106 – £2,353.08 Cockfield PC - £7,175.92	Yes – Consultation started 22 nd January 2021 ending 4 th February 2021	Yes		Recommendation for Cabinet to approve CIL Bid B20-16 for £15,799.36 from the Local Infrastructure Fund

B. PROGRESS OF BIDS APPROVED IN PREVIOUS BID ROUNDS (Bid Rounds 1,2,3,4, 5 and 6 (including Cabinet decisions in December 2020))

Bid Ref	Project	Project Ref (Exacom)	Amount of CIL Funding Allocated	Project Spend	Unspent Funds Returned	Project Spend
B02-18	VILLAGE HALL - Monks Eleigh - Hearing Loop	533	£10,750.00	£10,750.00	£0.00	Agreed by Cabinet in September 2018.CIL Bid offer letter issued 25/9/18. Offer accepted. Project completed.
B03-18	OPEN SPACE – Cockfield Mackenzie Community Open Space Project	228	£27,843.51	£19,809.00	£8,034.51 Local Infrastructure Fund	Agreed by Cabinet in September 2018. CIL Bid offer letter issued 25/9/18. Offer accepted Commenced Land exchange and completed on the 19/6/19.Issues with access to site which prevented completion of the project. Will reapply if expiry date is reached before the project is complete. Project not complete but deadline for spend reached so part payment made.
B04-18	OPEN SPACE – Cockfield Glebe Community Open Space Project	539	£21,160.94	£20,356.02	£804.92 Local Infrastructure Fund	Agreed by Cabinet in September 2018. CIL Bid offer letter issued 25/9/18 Offer accepted. Glebe land purchased from Diocese on 19/6/19. Land Registry Project complete and under the allocated budget
B06-18	COMMUNITY FACILITY – East Bergholt - Tiered Seating East Bergholt High School	638	£45,000.00	£45,000.00	£0.00	Agreed by Cabinet in March 2019.CIL offer issued 13/3/19.Offer accepted. Project Complete
B07-18	VILLAGE HALL – Preston St Mary - Kitchen and Toilet Extension	635	£130,091.00			Agreed by Cabinet in March 2019 CIL Bid offer letter Issued 13/3/19

Bid Ref	Project	Project Ref (Exacom)	Amount of CIL Funding Allocated	Project Spend	Unspent Funds Returned	Project Spend
						Offer accepted. Further funding being explored to reach the required costs of the project. No works will commence until the full amount of the project is funded. Update 28/07/2020, funding target has been reached. Selection of a contractor is underway and work due to commence in autumn 2020. Update Jan 2021 work yet to commence, meeting took place 25/01/21 to discuss way forward as bid due to expire in March 2021. Discussions are continuing.
B09-18	VILLAGE HALL - Cockfield kitchen & electric supply	529	£9,928.76	£9,928.76	£0.00	Noted by Cabinet in September 2018. CIL Bid offer letter issued 25/9/19 Offer accepted Work commenced - Phase one of electrical works has begun in the kitchens. Materials & appliances being ordered. Remaining £7,738.64 to be claimed – Project Completed
B10-18	GREEN ENERGY - Lindsey Electric Vehicle Charging Point	532	£5,534.34	£5,534.34	£0.00	Noted by Cabinet in September 2018. CIL Bid offer letter issued 25/9/19 Offer accepted. Project Completed
B12-18	COMMUNITY FACILITY - Lavenham Community Hub	634	£30,000.00	£30,000.00	£0.00	Agreed by Cabinet in September 2018. CIL Bid offer letter issued 13/3/19 Offer accepted. Project Completed - Building transferred on 20/05/2019
B13-18	GREEN ENERGY - Lavenham Electric Vehicle Charging Point	637	£33,455.99	£28,688.02	£4,767.97 Local Infrastructure Fund	Agreed by Cabinet in March 2019 CIL Bid offer letter issued 13/3/19 Offer accepted. Work commenced on 10 July but was aborted due to large number of tourists in the area.

Bid Ref	Project	Project Ref (Exacom)	Amount of CIL Funding Allocated	Project Spend	Unspent Funds Returned	Project Spend
						The contractor has applied to Suffolk CC to install traffic lights on Church Street. Expected restart of the works is September 2019. Project complete. Came in under budget.
B14-18	OPEN SPACE - Cockfield Culvert Open Space Project	603	£3,340.00	£2804.50	£536.50 Local Infrastructure Fund	Noted by Cabinet in March 2019. CIL Bid offer letter issued 13/3/19 Offer accepted Started – Offered £3,340 (as per CIL Bid application) Land exchange completed on 19/6/19. Exchange documentation outstanding. Update 28/07/2020, project at 50% completion, hopefully this will be completed by December 2020. Project Complete
B19-18	SPORTS AND FITNESS – Sudbury Kingfisher Leisure Pool (Strategic Fund)	636	£100,000.00	£100,000.00	£0.00	Agreed by Cabinet in March 2019 .CIL Bid offer letter issued 13/3/19 Offer accepted CIL monies paid towards the project in March 2020. Money transferred to offset expenditure to date – Project Complete for CIL purposes
B19-01	COMMUNITY FACILITY – Long Melford New roof (part-as part of wider programme of Village Hall improvements)	474	£6,808.00	£5,778.00	£1,030.00 Local Infrastructure Fund	Noted by Cabinet in September 2019 CIL Bid offer letter issued 18/9/19 Offer accepted Works undertaken and project completed and coming under the allocated budget
B19-02	COMMUNITY FACILITY –Long Melford Village Hall New Car Park Chemist Lane	244	£26,044.16	£21,536.80	£4,507.36 Local Infrastructure Fund	Agreed by Cabinet in September 2019 CIL Bid offer letter issued 18/9/19

Bid Ref	Project	Project Ref (Exacom)	Amount of CIL Funding Allocated	Project Spend	Unspent Funds Returned	Project Spend
						Offer accepted. Works undertaken and project completed coming in under allocated budget
B19-04	COMMUNITY FACILITY – Sudbury Gainsborough House	621	£200,746.00			Agreed by Cabinet in September 2019 CIL Bid offer letter issued 18/9/19 Offer accepted. Update 28/07/2020, Project progressing well, working to a six-week delay on handover due to Covid 19. Handover estimated for end of August 2021. To be reopened late 2021-early 2022. Update Jan 2021 – Work progressing well although there have been some hold ups due to Covid. Handover is due to take place Nov 2021 with opening planned for Spring 2022.
B19-07	COMMUNITY FACILITY – Monks Eleigh Village Hall New car Park	632	£28,765.32	£28,765.32	£0.00	Agreed by Cabinet in September 2019 CIL Bid offer letter issued 18/9/19 Offer accepted – Project completed
B17-18	COMMUNITY FACILITY – Assington befriending scheme - Building to provide permanent toilets on site, disabled ramps storage	416	£26,800.00	£26,800.00	£0.00	Agreed by Cabinet in September 2019 CIL Bid offer letter issued 18/9/19 Offer accepted. Project underway, first instalment paid over to the scheme. Awaiting further requests for payment Project now complete
B19 -10	COMMUNITY FACILITIES -- East Bergholt Constable Memorial Hall – Village hall improvements	666	£14,333.00	£14,333.00	£0.00	Agreed by Cabinet in March 2020. CIL Bid offer letter issued 19/3/20 Offer accepted. Project Complete
B19 -15	COMMUNITY FACILITY – Lavenham – Car Park Water Street	667	£190,000.00			Agreed by Cabinet in March 2020. CIL Bid offer letter issued 17/3/20. Offer accepted. 03/08/2020 Update – Work ongoing in relation to this bid, timescale being affected by Covid 19 restrictions.

Bid Ref	Project	Project Ref (Exacom)	Amount of CIL Funding Allocated	Project Spend	Unspent Funds Returned	Project Spend
						Update Jan 2021 – Site has not been acquired yet due to discussions with National Grid as to the restoration work on the gas holder. Background work is in place so that work can start as soon as the site is acquired.
B19 -16	OPEN SPACE – Cockfield Great Green	665	£25,000.00	£25,000.00	£0.00	Agreed by Cabinet in March 2020. CIL Bid offer letter issued 16/3/20. Offer accepted. Update 28/07/2020, Due to Covid 19 work has not yet commenced. Work will start on site Sept/Oct with completion by December. First staged payment made. Project Complete
B19 -17	BUS PASSENGER TRANSPORT IMPROVEMENT Capel St Mary – Bus Shelter Thorney Road	668	£8,000.00			Noted by Cabinet in March 2020. CIL Bid offer letter issued 17/3/20. Offer accepted. Update Jan 2021 – Base has been laid for the shelter, awaiting the delivery of the shelter.
B19 -05	OPEN SPACE AND RECREATION FACILITY - Newton – Play equipment	673	£87,891.90	£9,029.24		Agreed by Cabinet in June 2020. CIL Bid offer letter issued 9/6/20. Offer accepted 11/06/2020 First staged payment made. Update Jan 2021 – project has started with staged payments started.
B19 -06	COMMUNITY FACILITY – Chelsworth – Community facility All Saints Church	674	£136,244.00	£64,969.35		Agreed by Cabinet in June 2020. CIL Bid offer letter issued 9 /6/20. Offer accepted 23/06/2020. First staged payment made. Update Jan 2021 – project has started with staged payments started.

Bid Ref	Project	Project Ref (Exacom)	Amount of CIL Funding Allocated	Project Spend	Unspent Funds Returned	Project Spend
B19 -14	COMMUNITY FACILITY – Sudbury – St Peters	675	£75,288.00			Agreed by Cabinet in June 2020. CIL Bid offer letter issued 9/6/20.Offer accepted 26/06/2020 Update Jan 2021 – no update received to date.
B20-01	HEALTH – Hadleigh Health Centre	684	£3,526	£3,536.00	£0.00	Agreed by Cabinet in September 2020. Bid offer letter issued. Offer accepted. Project Complete
B20-02	COMMUNITY FACILITY – Holbrook Village Hall	683	£9,900	£9,900.00	£0.00	Agreed by Cabinet in September 2020. Bid offer letter issued. Offer accepted Project Complete
B19-18	OPEN SPACE AND RECREATION FACILITY – Chattisham and Hintlesham – Improved surface for play area and new adult fitness equipment	700	£9,920.83			Agreed by delegated decision in September 2020. Bid offer letter issued. Offer accepted. Cabinet to note decision in December 2020. Update Jan 2021 - Delegated decision noted at December 2020 Cabinet. Work has started but is now delayed due to the current lockdown. Project completion now estimated for June 2021.
B20-04	COMMUNITY FACILITY - LAVENHAM Tenter Piece Sheltered Accommodation	715	£36,054.00			Agreed by Cabinet in December 2020. Bid offer letter issued. Offer accepted.
B20-05	COMMUNITY FACILITY - LAVENHAM Prentice Street Car Park	716	£109,000.00			Agreed by Cabinet in December 2020. Bid offer letter issued. Offer accepted.
B20-11	COMMUNITY FACILITY - SUDBURY AND HADLEIGH CCTV Arrangements	714	£183,000.00			Agreed by Cabinet in December 2020. Bid offer letter issued.



Bid Ref	Project	Project Ref (Exacom)	Amount of CIL Funding Allocated	Project Spend	Unspent Funds Returned	Project Spend
Total CIL funding allocated in Bid Rounds 1, 2, 3, 4, 5 and 6 (including Cabinet decisions in December 2020)			£1,594,425.75	£482,507.35	£19,681.26	

C. LIST OF EMERGING INFRASTRUCTURE PROJECTS / CIL BIDS (prior to CIL Bid Submission)

Project Ref	Project	Parties involved	CIL Funding if known	Project costs if known	Progress
EPB 20-01	HEALTH – Capel St Mary	Clinical Commissioning Group (Health), East Bergholt Practice, Cael St Mary Parish Council	Unknown at this stage	Unknown at this stage	Capel St Mary are interested in securing some health provision in Capel by using their Neighbourhood CIL funds. Health have agreed to undertake a feasibility study which is in progress. No outcome known at this stage. Stage 1
EPB 20-04	EDUCATION – Shotley Primary School	Suffolk County Council	Unknown at this stage	Unknown at this stage	Once any start is made at Ganges the need for this may become triggered. Need to continue to be monitored and assessed going forward
EPB 20-09	COMMUNITY FACILITY – Capel St Mary – Football Artificial Grass Pitch and Community hub	Cllr David Busby	Unknown at this stage	Unknown at this stage	Project Enquiry form submitted. First meeting took place on 15 th October. Project being scoped and developed.
EPB – 20-12	EDUCATION – Early Years - Long Melford	Suffolk County Council	Unknown at this stage	Unknown at this stage	Discussions have started with a potential CIL Bid being made in Bid round 7 - May 2021.
EPB – 21-01	EDUCATION – Expansion of Brooklands Primary School	Suffolk County Council	Estimated at £265,500	Estimated at £1,558,935	Discussions have started with a potential CIL Bid being made in Bid round 7 - May 2021.

Appendix B – Babergh – CIL Bids under the Strategic Infrastructure Fund (Sudbury) and the Local Infrastructure Fund

Technical Assessment of Bid – Project B20-06 – BDC Chilton Depot, Sudbury – New Hydrotreated Vegetable Oil (HVO) Fuel Tank (Alternative Low Carbon Fuel for Refuse/Recycling Collection Vehicles) - from the Strategic Infrastructure Fund.

ASSESSMENT

Validation

VALIDATION	ASSESSMENT
Need /Justification	<p>Supply and installation of an above ground Fuel Tank (50,000 litre) and management system to enable the districts waste fleet to run on Hydrotreated Vegetable Oil (HVO) .</p> <p>This project forms part of the Babergh & Mid Suffolk District Councils’ strategy around the commitment to reduce Carbon (Co2) Footprint to zero by 2030.</p> <p>HVO, or hydrotreated vegetable oil, is a paraffinic second-generation sustainable and renewable fuel. It is produced from renewable raw materials such as waste animal fats and vegetable oils. HVO is 100% hydrocarbon (0% oxygen) allowing it to be used and handled as a drop-in alternative to fossil diesel.</p> <p>The 2018/19 Greenhouse Gas (GHG) emission report for BMS identified that the Refuse and Recycling vehicle fleet is responsible for over a quarter of the Councils’ GHG emissions.</p> <p>The project is listed in the Infrastructure Delivery Plan (Table 39) and contained within the Mid Suffolk Infrastructure Delivery Plan (ref IDP188)</p>
Delivery /timescales	Project aims to start and be delivered in April 2021.
Necessary other approvals	N/A
Public or private land	Public - Freehold
State aid details if any	N/A

Details of future funding maintenance	Maintenance to be dealt with through the service budget.
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SCREENED (for possible s106 expenditure with the opportunity being taken to secure other funding if available)

BIDS SCREENED	ASSESSMENT
Must follow the Infrastructure Funding Statement (Infrastructure List)	Yes - Provision of waste infrastructure contained in Table 39 of the Infrastructure Delivery Plan and the Infrastructure funding Statement (Infrastructure List) for Babergh (ref IDP188).
Can the infrastructure be provided using s106 funds	No
Is Bid complete	Yes
Has information be verified	Yes
Is this infrastructure linked to a major housing project which has priority?	No

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PRIORITISATION (Using criteria from the CIL Expenditure)

PRIORITISATION CRITERIA	ASSESSMENT
Infrastructure necessary for an approved growth project (those with planning permission) in order that development carried out is sustainable.	No
Positively scores against provisions /objectives of Joint Corporate Plan and/or Joint Local Plan and/ or Infrastructure Strategies or other Babergh and Mid Suffolk Strategies or	Yes - The project scores positively against the objectives of the Climate Emergency Declaration Policy, which investigates changing to an alternative Low Carbon Fuel for the Councils' vehicle fleet, specifically for Refuse/Recycling collection vehicles, that are the source of the largest single emission of Carbon dioxide in the Councils' control.

external strategies Babergh and Mid Suffolk support and/or input into	This waste infrastructure would support the waste fleet and serve District Council needs and thereby serve a wide catchment area
It represents key infrastructure (essential)	No
Value for money	Yes
Clear community benefits	This waste infrastructure facility will deliver clear community benefits through its environmental benefits
Community support (including results of Consultation exercise.)	Consultation occurring. This waste infrastructure facility will deliver clear community benefits through its environmental benefits
Deliverability (“oven ready” schemes)	Yes
Affordability (from CIL Funds)	Yes
Timeliness	Project aims to start and be delivered in April 2021.
By releasing CIL money can we achieve infrastructure provision through collaborative spend? (i.e. Infrastructure providers, Parish/Town Councils, Babergh and Mid Suffolk infrastructure provision, or LEP/Government funding)	<p>The total cost of the project is £50,000.</p> <p>No collaborative spend proposed.</p> <p>The CIL Bid application is for £50,000.</p> <p>The CIL bid form refers to this bid being reliant on the approval of the revenue budget to support this project. It is understood from the Bid that a report would be prepared for Cabinet in January 2021 to secure revenue budget.</p>
Supports housing and employment growth	Yes
Have a package of measures been proposed and submitted which allow for ongoing maintenance of the infrastructure such that its longevity can be assured	Maintenance to be dealt with through the service budget.

Must be based on the developing Infrastructure Delivery Plan unless circumstances dictate otherwise	Yes, project listed within the Infrastructure Delivery Plan (Table 39) and within the Infrastructure Funding Statement (Infrastructure List) for Babergh (ref IDP188).
How does the proposal affect green infrastructure principles?	This project would contribute positively towards achieving the District Councils Climate Emergency Declaration objectives.
How does the project address green/sustainability principles/infrastructure?	This project forms part of the Babergh & Mid Suffolk District Councils' strategy around the commitment to reduce Carbon (Co2) Footprint to zero by 2030.
How does the project affect state aid implications?	State aid implications do not apply
How does the project affect security and safety in the community?	There are no adverse impacts to security or safety in the community

CONCLUSIONS

- The project relates to the provision of a New HVO Fuel Tank (Alternative Low Carbon Fuel for Refuse/Recycling Collection Vehicles)
- This project provides a high Carbon Impact Saving, it directly relates to the District Councils objectives of the Climate Emergency Declaration. The Councils declared a Climate Emergency in 2019 and the Cabinet's Carbon Reduction Management Plan was recently published. Proposal 4.3 of the Plan states: *'We will secure the transition of appropriate Council fleet vehicles to electric or other zero carbon fuel sources such as Hydrotreated Vegetable Oil, HVO. Produce a feasibility study including a costed proposal, for using low carbon fuel in the Refuse Collection fleet in place of diesel (as an interim measure prior to full replacement with electric or renewable fuel vehicles). All Euro 6 standard vehicles have the ability to use alternative fuel without the need to retrofit.'*
- The project represents a step towards this objective and is acceptable waste infrastructure which is specifically listed in the Infrastructure Delivery Plan (Table 39) and the Infrastructure Funding Statement (Infrastructure List) for Babergh (ref IDP188).

RECOMMENDATION

- Recommendation to Cabinet to approve CIL Bid for £50,000 as per bid application from the Strategic Infrastructure Fund
-

Technical Assessment of Bid – Project B20-12 – Upgrade to existing car park at Old School Community Centre, Long Melford (from the Ringfenced Infrastructure Fund)

ASSESSMENT

Validation

VALIDATION	ASSESSMENT
Need /Justification	This project represents a tangible upgrade by the provision of 10 additional car parking for residents, users of the old school community centre and visitors to Long Melford. Along with the new car park this project will provide improved drainage, 4 disabled spaces, adding lighting to assist visitors attending the community centre in the evening and will provide 3 new electric EV charging points.
Delivery /timescales	Project aims to start and be delivered once funding has been approved.
Necessary other approvals	Planning permission DC/20/05485 was granted on the 28 th January 2021.
Public or private land	The land is leased land with a 30 year lease which expires on the 28 th September 2048
State aid details if any	No state aid concerns.
Details of future funding maintenance	The Parish Council will maintain the site.

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SCREENED (for possible s106 expenditure with the opportunity being taken to secure other funding if available)

BIDS SCREENED	ASSESSMENT
Must follow the Infrastructure Funding Statement (Infrastructure List)	Yes – this project has been developed under the Community infrastructure section of the Infrastructure Funding Statement.

Can the infrastructure be provided using s106 funds	No
Is Bid complete	Yes – The bid has been validated and other funding is in place. The projects approval will be subject to the planning permission being granted.
Has information be verified	Yes – Validation checks have been completed.
Is this infrastructure linked to a major housing project which has priority?	No

PRIORITISATION (Using criteria from the CIL Expenditure)

PRIORITISATION CRITERIA	ASSESSMENT
Infrastructure necessary for an approved growth project (those with planning permission) in order that development carried out is sustainable.	No
Positively scores against provisions /objectives of Joint Corporate Plan and/or Joint Local Plan and/ or Infrastructure Strategies or other Babergh and Mid Suffolk Strategies or external strategies Babergh and Mid Suffolk support and/or input into	Community Facilities such as the provision of the car park at Long Melford will provide increased capacity to enable the local and wider communities to take part in exercise and activities at the Old School Community Centre. Joint Corporate Plan says Babergh will “Shape, influence and provide the leadership to support and facilitate active, healthy and safe communities”.
It represents key infrastructure (essential)	No
Value for money	Yes – The Infrastructure team have worked with the applicant to remove costings that the CIL Expenditure Framework does not cover and ensuring that the most cost effective quote has been used.
Clear community benefits	This infrastructure project will deliver clear benefits through the increased capacity of local facilities.

Community support (including results of Consultation exercise.)	Consultation occurring. This community infrastructure has Parish, community, and Councillor support.
Deliverability (“oven ready” schemes)	Yes
Affordability (from CIL Funds)	Yes
Timeliness	Project aims to start as soon as possible once funding is received.
By releasing CIL money can we achieve infrastructure provision through collaborative spend? (i.e. Infrastructure providers, Parish/Town Councils, BMSDC infrastructure provision, or LEP/Government funding)	Total Project Cost - £56,928 excluding VAT Parish Council - £34,928 CIL Bid represents 39% of the total project costs - £22,000
Community Bid – Funding percentage of project	As detailed above.
Supports housing and employment growth	Yes – There is a large development ongoing in Long Melford.
Have a package of measures been proposed and submitted which allow for ongoing maintenance of the infrastructure such that its longevity can be assured	Yes – The Parish Council has agreed to maintain the site.
Must be based on the developing Infrastructure Delivery Plan unless circumstances dictate otherwise	This project meets the CIL Expenditure Framework criteria and thresholds.
How does the proposal affect green infrastructure principles?	This project will provide additional provision via the installation of three new electric vehicle charging points which will enable electric cars to recharge at this site.
How does the project address green/sustainability principles/infrastructure?	The project lies in the centre of a network of footpaths which the Parish Council are looking to promote with leaflets. This car park will assist with attracting visitors to the village and in turn the usage of the footpaths will increase.

How does the project affect state aid implications?	State aid implications do not apply
How does the project affect security and safety in the community?	The projects applicants are providing low level lights to assist users of the community centre when visiting the site in the evening.

CONCLUSIONS

- The project relates to the upgrade and improvement of a car park at the Old School Community Centre in Long Melford by the provision of 10 additional spaces, 4 disabled spaces and the installation of new drainage and lighting. The latter will improve security and overall ease of using the site. The project provides 3 new electric charging points to the car park to enable electric cars to recharge on site, which will also enhance the sustainability and green values of the
- This surface treatment of the car park will use materials in keeping with the listed buildings in the vicinity together with ensuring that the works do not detract from the character and appearance of the area. This project has community and local Councillor support.
- The amount of CIL funding for the completion of this project is regarded as acceptable under the terms of the CIL Expenditure Framework as the CIL Bid of £22,000 represents 39% of the total project costs (and lies within the community infrastructure thresholds of not exceeding £75,000 and 75% of the total costs). This project has been developed under the Community Infrastructure section within the Infrastructure Funding Statement (Infrastructure List) within Babergh.

RECOMMENDATION

- Recommendation to Cabinet to approve CIL Bid for £22,000 as per the CIL Bid application from the Local Infrastructure Fund

Technical Assessment of Bid – Project B20-16 – Cockfield Revised MacKenzie Community Open Space project (provision of recreational land and shelter) from the Local Infrastructure Fund.

ASSESSMENT

Validation

VALIDATION	ASSESSMENT
Need /Justification	Directly serves development ref DC/17/05332 as well providing open space for existing residents. Project will enable access through to other areas of village for residents.
Delivery /timescales	Project has been divided into four stages. Stage one and two have been completed within the timescale set within the first original CIL bid. Stages three and four which this CIL bid has been submitted for aim to be completed within 12 months of approval of this bid.
Necessary other approvals	No planning permission required
Public or private land	Public
State aid details if any	N/A
Details of future funding maintenance	Existing Parish Council working group will be responsible for maintenance. Volunteers and Parish Council will pay for any other improvements/costs.

SCREENED (for possible s106 expenditure with the opportunity being taken to secure other funding if available)

BIDS SCREENED	ASSESSMENT
Must follow the Infrastructure Funding Statement (Infrastructure List)	Yes – Provision of Off-site Open Space – project has been developed under the Community Infrastructure section of the Infrastructure Funding Statement (Infrastructure List).
Can the infrastructure be provided using s106 funds	Yes – The Parish Council received a sum of S106 monies paid direct to them in November 2011. The balance of unused S106 from this sum is being used by the Parish towards this project - £7,175.92. In the previous CIL bid, S106 monies £2,353.08 were allocated but not used so this allocation will be moved to this project.
Is Bid complete	Yes
Has information be verified	Yes – site has been visited with photos taken
Is this infrastructure linked to a major housing project which has priority?	No - but directly serves development under planning permission DC/17/05332

PRIORITISATION (Using criteria from the CIL Expenditure)

PRIORITISATION CRITERIA	ASSESSMENT
Infrastructure necessary for an approved growth project (those with planning permission) in order that development carried out is sustainable.	Project directly serves DC/17/05332. Open Space is specified in Committee report by Babergh Landscape team as being necessary, but this project is not specifically specified. The Master Plan identifies land adjacent to the Project Land as being “community land” provided by the developer. The project land would link this community land to another existing piece of Open Space via the railway path.
Positively scores against provisions /objectives of Joint Corporate Plan and/or Joint Local Plan and/ or Infrastructure Strategies or other Babergh and Mid Suffolk Strategies or external strategies Babergh and Mid Suffolk support and/or input into	Open Space provides area for exercise and outdoor activity. Joint Corporate Plan says Babergh will “Shape, influence and provide the leadership to support and facilitate active, healthy and safe communities”.
It represents key infrastructure (essential)	No
Value for money	Existing quotes from the previous bid still to be used. Parish have confirmed that if there is any increase in these costs that the parish will fund that from their Neighbourhood CIL funds.
Clear community benefits	Yes – linking new development with existing facilities in the village, more open space for play and outdoor activity
Community support (including results of Consultation exercise.)	Yes – letter of support from Ward member, village petition containing 4 pages of comments from a wide range of community members supporting the project, email of support from Suffolk County Council Division Member
Deliverability (“oven ready” schemes)	Yes – CIL
Affordability (from CIL Funds)	Yes

Timeliness	Project has been divided into four stages. Stage one and two have been completed within the timescale set within the first original CIL bid. Stages three and four which this CIL bid has been submitted for aim to be completed within 12 months of approval of this bid.
By releasing CIL money can we achieve infrastructure provision through collaborative spend? (i.e. Infrastructure providers, Parish/Town Councils, Babergh and Mid Suffolk infrastructure provision, or LEP/Government funding)	<p>Yes</p> <p>The total cost of the project is £25,378.36 excluding VAT.</p> <p>£7,175.92 – Balance of unused S106 Funding (paid to Cockfield PC in November 2011)</p> <p>£2,353.08 – S106 funding (previously allocated to CIL bid B03-18 and not used)</p> <p>£15,799.36 – CIL Bid</p>
Community Bid – Funding percentage of project	This CIL Bid represents 62% of the total cost of the project and is under the CIL Expenditure Framework threshold limit of 75% of the total cost of the project and £75,000.
Supports housing and employment growth	Yes – see above
Have a package of measures been proposed and submitted which allow for ongoing maintenance of the infrastructure such that its longevity can be assured	Yes
Must be based on the developing Infrastructure Delivery Plan unless circumstances dictate otherwise	This is not within the Infrastructure Delivery Plan but has been developed under the Community section of the Infrastructure Funding Statement (Infrastructure List) for Babergh
How does the proposal affect green infrastructure principles?	This project delivers green open space for the community in the parish. It is providing access walkways between different areas of the village.
How does the project address green/sustainability principles/infrastructure?	The project in the previous stages have already provided new tree planting to create a small orchard and owl boxes have been erected. The aim is to only cut the meadow once a year (apart from keeping the grass pathways clear) to encourage wildflowers and insects. The aim is to keep this infrastructure within the parish ownership so that the community will benefit from this infrastructure for years to come. It will also provide a haven for wildlife.

How does the project affect state aid implications?	State aid implications do not apply
How does the project affect security and safety in the community?	This project includes the upgrade/replacement of rotten timber sleepers and corroded steel works on the bridge which joins up areas of the village. This will mean that the bridge which had been shut due to safety reasons but will now be able to be used by the residents in a safe and secure way.

CONCLUSIONS

- This project has wide community support and will complete an infrastructure mitigation project in proximity to residential development in the area; both existing and proposed. It is an affordable “oven ready” scheme where some s106 monies has been offered towards the cost of the project with other funds coming direct from the Parish Council in the form of using their Neighbourhood CIL This project has already started having been approved in an earlier Bid round. However, it was unable to be completed within the 2-year deadline for expenditure of all the CIL monies given unforeseen delays in its completion. These reasons linked to accessibility of the land were outside of the Parish’s control.
- The previous project was for the provision of recreational land and shelter which will secure a long term and strategic legacy for the village and provide joined up access to other green spaces. This included the purchase of the meadow and disused railway from Suffolk County Council, works to the decaying timber sleepers to the bridge over the river and provision of a sheltered picnic area. CIL funding of £27,843.51 was approved and £19,809.00 was spent within the two-year window. This CIL Bid is larger to complete the project. The overall project costs have increased due to extra works needed to the bridge. This additional work was uncovered upon inspection of the steel bridge recently. The rise in costs has been assessed and is reasonable given the circumstances.
- The amount of CIL funding for the completion of this project is regarded as acceptable under the terms of the CIL Expenditure Framework as the CIL Bid of £15,799.36 represents 75% of the newly appraised total project costs. It lies within the community infrastructure thresholds of not exceeding £75,000 and 75% of the total costs. This project has been developed under the Community Infrastructure section within the Infrastructure Funding Statement (Infrastructure List) within Babergh.

RECOMMENDATION

- Recommendation to Cabinet to approve CIL Bid for £15,799.36 as per bid application from the Local Infrastructure Fund.

Technical Assessment of Bid – Project B20-15 Church Street Toilet Block and Parish Office, Lavenham -- from the Local Infrastructure Fund.

ASSESSMENT

Validation

VALIDATION	ASSESSMENT
Need /Justification	<p>This project is for the enhancement of public conveniences in the tourist destination that Lavenham is. This project will be for the benefit of residents and tourists and will provide a Parish office for the village.</p> <p>This project will reconfigure the existing public conveniences which are owned by Babergh District Council and operated by Lavenham Parish Council. This will provide a significant improvement of the existing facilities by providing direct access to a number of single cell toilet units and avoid the need for any internal communal space. The applicant has confirmed that the design is Covid-19 and disability compliant.</p> <p>It will also significantly reduce the overall operating costs of the facilities.</p>
Delivery /timescales	Project aims to start once CIL funding has been approved.
Necessary other approvals	Planning permissions have been granted and the decision notice issued. The Parish have also approved their funding for the project.
Public or private land	Public Land
State aid details if any	No state aid concerns.
Details of future funding maintenance	Lavenham Parish Council will fund the operation and maintenance of the building

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SCREENED (for possible s106 expenditure with the opportunity being taken to secure other funding if available)

BIDS SCREENED	ASSESSMENT
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Must follow the Infrastructure Funding Statement (infrastructure List)	Yes – Project has been developed under the Community infrastructure section of the Infrastructure Funding Statement (Infrastructure List) for Babergh .
Can the infrastructure be provided using s106 funds	No
Is Bid complete	Yes – All other funding is in place.
Has information be verified	Yes – Validation checks have been made.
Is this infrastructure linked to a major housing project which has priority?	No

PRIORITISATION (Using criteria from the CIL Expenditure)

PRIORITISATION CRITERIA	ASSESSMENT
Infrastructure necessary for an approved growth project (those with planning permission) in order that development carried out is sustainable.	No
Positively scores against provisions /objectives of Joint Corporate Plan and/or Joint Local Plan and/ or Infrastructure Strategies or other Babergh and Mid Suffolk Strategies or external strategies Babergh and Mid Suffolk support and/or input into	Community Facilities such as the improvement to the Lavenham Church Street toilet block and parish office will provide increased capacity for this local facility. Joint Corporate Plan says Babergh will “Shape, influence and provide the leadership to support and facilitate active, healthy and safe communities
It represents key infrastructure (essential)	No
Value for money	Yes – The Infrastructure team have worked with the applicant and the Community Grants team to ensure that the project is value for money and that the most cost effective quote has been used and the amount of CIL funding is acceptable.

Clear community benefits	This infrastructure project will deliver clear benefits through the increased capacity of local facilities.
Community support (including results of Consultation exercise.)	Consultation occurring. This community infrastructure has Parish, community and Councillor support.
Deliverability ("oven ready" schemes)	Yes
Affordability (from CIL Funds)	Yes
Timeliness	Project aims to start as soon as possible once funding is received.
By releasing CIL money can we achieve infrastructure provision through collaborative spend? (i.e. Infrastructure providers, Parish/Town Councils, Babergh and Mid Suffolk infrastructure provision, or LEP/Government funding)	The total cost of the project is £69,504 VAT £11,584 – The Parish can claim this back. Lavenham Parish Council - £14,480. CIL Bid represents 75% of the total cost of the project - £43,440
Community Bid – Funding percentage of project	Please see above.
Supports housing and employment growth	Yes – Large developments ongoing in Lavenham.
Have a package of measures been proposed and submitted which allow for ongoing maintenance of the infrastructure such that its longevity can be assured	Maintenance will be covered by the Parish Council.
Must be based on the developing Infrastructure Delivery Plan unless circumstances dictate otherwise	This project meets the CIL Expenditure Framework criteria and thresholds.
How does the proposal affect green infrastructure principles?	The applicant has advised that this project will reduce the utility running costs of the current buildings.
How does the project address green/sustainability principles/infrastructure?	This project is based on a site which already has established transport links and infrastructure.; this includes a public car park, a B road and Suffolk Cycle Route.

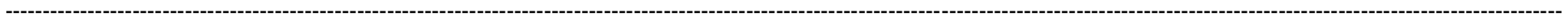
How does the project affect state aid implications?	State aid implications do not apply
How does the project affect security and safety in the community?	This project will provide a safe environment and has addressed the current Covid-19 social safeguards.

CONCLUSIONS

- The project relates to the upgrade of the existing building to provide new toilets and a parish office building in Lavenham which will enhance the appearance of this building both in particular and of Church Street in general. This reconfiguration of the existing public conveniences which are owned by Babergh District Council and operated by Lavenham Parish Council will provide a significant tangible betterment of the existing facility by providing direct access to a number of single cell toilet units and thus avoid the need for any internal communal space. This design is Covid-19 and disability compliant. It will also significantly reduce operating costs of the toilet block facilities. It also affords the opportunity to create some space for a parish office for the village.
- This project has wide community and Councillor support.
- The amount of CIL funding for the completion of this project is regarded as acceptable under the terms of the CIL Expenditure Framework as the CIL Bid of £43,440 represents 75% of the total project costs. It lies within the community infrastructure thresholds of not exceeding £75,000 and 75% of the total costs. This project has been developed under the Community Infrastructure section within the Infrastructure Funding Statement (Infrastructure List) within Babergh.

RECOMMENDATION

- Recommendation to Cabinet to approve CIL Bid for £43,440.00 as per bid application from the Local Infrastructure Fund.



Equality Impact Assessment (EIA) Initial Screening Form



Screening determines whether the policy has any relevance for equality, ie is there any impact on one or more of the 9 protected characteristics as defined by the Equality Act 2010. These are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership*
- Pregnancy and maternity
- Race
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

<p>1. Policy/service/function title</p>	<p>Strategic Planning Policy – Infrastructure – Community Infrastructure Levy (CIL) - CIL Expenditure Programme. – March 2021 Two separate reports and 2 separate CIL Expenditure Programmes for Babergh and Mid Suffolk.</p>
<p>2. Lead officer (responsible for the policy/service/function)</p>	<p>Christine Thurlow – Professional Lead – Key Sites and Infrastructure.</p>
<p>3. Is this a new or existing policy/service/function?</p>	<p>New Existing: Existing (see 5 below)</p>
<p>4. What exactly is proposed? (Describe the policy/service/ function and the changes that are being planned?)</p>	<p>The Community Infrastructure Levy (CIL) - CIL Expenditure Business Plan – September 2018 was presented to both Councils Cabinets in September 2018 (relating to CIL Bids submitted in Bid Round 1 (in May 2018). The report recommended decisions by both Councils Cabinet and delegated decisions for Cabinet to note and endorse on the Bids in their Districts for delivery of infrastructure.</p> <p>The Community Infrastructure Levy (CIL) - CIL Expenditure Business Plan – March 2019 was presented to both Councils Cabinets in March 2018 (relating to CIL Bids submitted in Bid Round 2 (in October 2018). The report recommended decisions by both Councils Cabinet and delegated decisions for Cabinet to note on the Bids in their Districts for delivery of infrastructure.</p> <p>The Cabinet decisions relating to infrastructure projects made in respect of Bids rounds 3 (May 2019), 4 (October 2019) and 5 (June 2020) and</p>

	<p>(September 2020) were made in August/ September 2019 and March June September and December 2020, respectively.</p> <p>This report focuses on Bids made in CIL Bid Round 6 (in October 2020) and decisions where appropriate on all other undetermined Bids using the same process>However it also includes a delivery update for CIL Bids submitted in Bid Rounds 1, 2 3 4 5 and 6 (those already determined) together with a list of emerging infrastructure projects being developed for future Bid submission (in accordance with the revisions to the CIL Expenditure Framework)</p>
<p>5. Why? (Give reasons why these changes are being introduced)</p>	<p>All the Bids submitted for CIL funding are different and relate to different Parishes, different types of infrastructure and as both Councils are sovereign Councils, monies are collected recorded and spent separately.</p> <p>There are two Bid Rounds each year and each Bid is validated screened for other forms of funding and then prioritised according to the agreed criteria, each Bid. Dependant on whether the spend is above or below £10,000 the decision will either be made by Cabinet (above £10,000) or under delegated decision (under £10,000) where the decisions will be presented to Cabinet to be noted.</p> <p>Two CIL Expenditure Programmes are produced twice yearly for both Councils Cabinets to consider so that delivery of infrastructure can be responsive to demand, and focus can be maintained on outcomes related to delivery of infrastructure supporting growth.</p> <p>In this way the development that is carried out is sustainable as any harm from the development is mitigated by the infrastructure provision,</p>
<p>6. How will it be implemented? (Describe the decision-making process, timescales, process for implementation)</p>	<p>The processes and procedure including governance arrangements for CIL expenditure are set out in the CIL Expenditure Framework and the CIL Expenditure Communications Strategy with timescales set out in the associated Key CIL calendar document. The processes are described in 5 above.</p>

<p>7. Is there potential for differential impact (negative or positive) on any of the protected characteristics?</p>	<p>Yes</p> <p>No Infrastructure provision is necessary to mitigate the harm from the impact of growth so that the development that is carried out is sustainable.</p> <p>Communities in general benefit from infrastructure provision and delivery and its provision generally causes positive impacts for that community that all can benefit from. It does not impact on a specific equality strand unless it has been particularly designed to do so</p> <p>Identify how the impact would affect the specific equality strand.</p>
<p>8. Is there the possibility of discriminating unlawfully, directly or indirectly, against people from any protected characteristic?</p>	<p>Yes</p> <p>No No</p>
<p>9. Could there be an effect on relations between certain groups?</p>	<p>Yes</p> <p>No No</p>
<p>10. Does the policy explicitly involve, or focus on a particular equalities group, i.e. because they have particular needs?</p>	<p>Yes</p> <p>No No</p>
<p>If the answers are 'no' to questions 7-10 then there is no need to proceed to a full impact assessment and this form should then be signed off as appropriate.</p> <p>If 'yes' then a full impact assessment must be completed.</p>	
<p>Authors signature Christine Thurlow</p> <p>Date of completion 12th January 2021</p>	

Any queries concerning the completion of this form should be addressed to the Equality and Diversity Lead.

* Public sector duty does not apply to marriage and civil partnership.

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Agenda Item 12

BABERGH DISTRICT COUNCIL

TO: CABINET	REPORT NUMBER: BCa/20/43
FROM: Councillor Elisabeth Malvisi - Cabinet Member for Environment	DATE OF MEETINGS: 11 March 2021
OFFICERS: Fiona Duhamel – Assistant Director for Economic Growth and Regeneration & Cassandra Clements – Assistant Director for Environment and Commercial Partnerships	KEY DECISION REF NO. CAB254

SOLAR MULTI-FUNCTION CARPORT MICROGENERATION

1. PURPOSE OF REPORT

- 1.1 To consider the base business case for investment and determine next steps in relation to installing a solar multi-function carport at the Kingfisher Leisure Centre site at Station Road, Sudbury which is a council-owned surface car park site.
- 1.2 The Council has successfully bid for up to 50% match funding from the MHCLG 'Getting Building Fund' (GBF) programme, capped at £400k per site, which is being administered by New Anglia Local Enterprise Partnership (NALEP). This report seeks a Cabinet decision on whether to make a capital investment so that an installation may be delivered by March 2022. That is the deadline for accessing external GBF funding. Other opportunities for match-funding, or otherwise reducing direct costs, will be exhausted but the delivery timeframe of the project now requires a direct commitment by Cabinet to be able to proceed and to allocate project resources.
- 1.3 This report also seeks allowance for the final decision on scope of the scheme to be subject to officer delegation. This is due to the further consideration required in the light of new funding secured for the decarbonisation of the leisure centres - which is a linked project.
- 1.4 For Cabinet to offer a view on their preferred design from the options scoped, and subject to planning.

2. OPTIONS CONSIDERED

- 2.1 (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.

3. RECOMMENDATIONS

- 3.1 Cabinet fully consider the base business case for delivering an installation of a multi-function solar carport with battery storage.
- 3.2 That Cabinet resolve, having considered the business case under 3.1 above, to proceed with investment in the installation of a multi-function solar carport with battery storage by March 2022.
- 3.3 That Cabinet endorse a preferred design option, subject to planning approval, based on the options attached as Appendix B.
- 3.4 That Cabinet resolve to use up to £300,000 (including a contingency allowance) of the £600,000 included within the 2021/22 capital programme.
- 3.5 That Cabinet delegate to the Assistant Directors for Economy, Business and Regeneration and Environment and Commercial Partnerships the ability 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.

REASONS 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.

4. KEY INFORMATION

GENERAL

- 4.1 Babergh and Mid Suffolk District Councils have declared a climate emergency and are actively exploring how the councils can work towards their ambition to become carbon neutral by 2030.
- 4.2 The Council has a portfolio of surface car park assets across the district, which may (subject to case-by-case assessment) be suitable for microgeneration of electricity. The district is geographically well-suited to solar irradiance technologies. The UK as a whole averages 1493 hours of sun a year. By comparison Ipswich in the Eastern Region achieves 1682 sun hours per annum.
- 4.3 The basis of a Solar Carport is covering parking bays with solar PV canopies to supplement/meet energy demand on site. This can be applied wherever there is a requirement for an existing or new car park (for example a park and ride hub). By adding battery energy storage systems (BESS) and electric vehicle charging (EVC) to the solar carport, additional climate benefits can be realised.
- 4.4 Multi-function systems are more viable if the infrastructure is installed together rather than as separate or retrofit technologies. For example, 'passive' charging points for vehicles may be installed within the canopy frame for later (or phased) demand-led connection rather than as a day-one requirement of the system.
- 4.5 Solar photovoltaic (PV) is a mature technology with the technical specification, longevity and costs now more favourable than at any other time. Solar is likely to be a key and substantial component of environmental policy over the next decade. Battery storage options are a newer technology and still evolving at pace. Increased technical assessment and costs/risk exist with this element in terms of the most suitable option for a particular site or uses. Judging the right point at which to invest in terms of the benefit to whole-life costing analysis has generally limited local Councils from investing in such schemes. Funding or subsidies for energy and decarbonisation schemes have been limited, although Babergh and Mid Suffolk have recent success in some of the central government schemes emerging post-Covid.
- 4.6 A local building or asset can benefit from electricity produced on-site. This can offset operating costs, reduce reliance on grid, reduce carbon and improve energy resilience as power is stored and utilised at optimum periods for maximum efficiency. The biggest gains from solar car ports are from a system optimised to self-consumption, given feed-in to the grid offers less cost and return benefit, especially since the national feed-in-tariff ended. In this situation electricity generated on-site could be integrated into the Council's Leisure Centre electrical system to allow consumption 'behind the meter', with any surplus 'spilled' into the local distribution network. Local export limits impact on the amount of power that can be put into the grid, and there is also no business case benefit to installing an over-specified system generating or storing more power than can be used or sold.
- 4.7 The scheme base case proposes five 22kW 'fast charge' (3-4 hour charge) electric vehicle charging points and one 50kW 'rapid charge' (under 1 hour) point, under the optimal system modelling and capacity for microgeneration at the site. There is scope for this provision to increase should the wider decarbonisation work unlock additional site generation and storage capacity (for example from roof-mounted EV panels).

- 4.8 From both the higher level and the more detailed site assessment of opportunities including whole lifetime costs and potential IRR (return on investment), this is not a significant commercial income-generation or investment opportunity - particularly when battery storage is incorporated. Technological advancement will always bring inherent risk for a 'point-in-time' chosen solution to become obsolete or less-efficient within its own lifetime.
- 4.9 Simple payback on the solar installation is in the range of 13 years, on a life-cycle project of 25 years (and with battery renewal needed after year 10). The longevity of the system could reasonably extend past 25 years however due to the durability anticipated and produce addition return or receipt at the end of that period.
- 4.10 The availability of the external 'Getting Building Fund' capital grant match-funding clearly improves the overall business case by reducing the Council's direct costs risk. Please refer to the confidential Appendix A for the full breakdown of the financial business case.
- 4.11 The Council's objectives are wider than a financial return, given its local place leadership and strategic priorities. There are quantifiable and non-quantifiable social, economic and environmental benefits for the Council in relation to this project, and particularly towards its asset management and carbon neutral ambitions. It is also a potential gain to town vision priorities and range of other local initiatives – from parking strategy to wayfinding and active travel scheme support. Also supporting behavioural change in support of the environment.

RISKS AND OPPORTUNITIES

- 4.12 Reviewing what other schemes, projects or investments are or may be coming forward in the locality or for the site are not straightforward. It is not possible to anticipate some of the developments or changes which may occur, or the optimal point at which to invest in microgeneration structures. As far as is possible the feasibility work and layout accounts for known constraints and pipeline factors.
- 4.13 For example, areas of the carpark which may be most suited to solar canopy have been avoided for the optimal layout given that highways improvements at the 'Waitrose' junction in the future may impact on that area. Also emerging neighbouring uses and developments, for example at the southern end of the Kingfisher carpark, may also come forward and bring benefit/opportunities or else be constrained by works carried out now. Some resurfacing works may also be required to facilitate the installation.
- 4.14 The Council's Strategic Asset Management Plan (2020-2025), including alignment with the Carbon Reduction Management Plan, is a key consideration for this project. Any decision to proceed with solar multifunction carport investment and installation will be pre-dating fuller review of the Leisure Centre decarbonisation / electrification of heat options including those being funded through external grant for Low Carbon Skills Fund (£24.5k) and Public Sector Decarbonisation Scheme (£1.4m 100% capital grant). Progressing with the solar car port scheme without a joined-up assessment would miss an opportunity and bring avoidable risk. This may be resolved satisfactorily via approval of recommendation 3.5 of this report by helping to improve the overall business case and energy strategy for the leisure centre.

- 4.15 In terms of linking localised electricity generation to a leisure centre, the Council will need to manage opportunities in partnership with the contracted leisure operator and within the context of the Strategic Asset Management Plan (2020-2025). The leisure operator has onward contractual arrangements including for energy billing, repair and maintenance of the building and associated technology installations. The work needed may limit the benefits/IRR of the on-site solar generation in the shorter-term and as the right blend of opportunities emerge to move away from gas reliance towards electrification/storage. This position should be resolved by the time any installation becomes operational.
- 4.16 The solar carport proposal is a 'pilot' and learning opportunity which, if successful, could make a significant two district or wider regional impact, including Clean Growth priorities. That is the basis on which it has been supported for Getting Building Fund support. The MHCLG £900 million scheme is to deliver jobs, skills and infrastructure across the country. It is supporting the delivery of shovel-ready infrastructure projects, agreed with Local Enterprise Partnerships to boost economic growth, and fuel local recovery and jobs. Babergh and Mid Suffolk successfully bid into this scheme for the solar multi-function carport project in the summer of 2020.
- 4.17 Since the confirmation of grant, Babergh and Mid Suffolk have jointly commissioned an expert consultant (REN Energy) experienced in detailed feasibility and viability, design and implementation of multi-function solar canopy installations. They have surveyed and attended the sites in both Sudbury and Stowmarket and fully appraised the optimal system set-up to maximise the financial business case for the Councils.
- 4.18 In terms of the business case considerations, these can be summarised as:
- Objectives for the scheme – commercial/carbon/social
 - Choosing technology to ensure it gives the best ratio of performance to Capex
 - Considering deployment timeframe (relevant to grant in this case as well as availability of technology, capacity and yield)
 - Consideration is needed for the type of structural mounting
 - Health & Safety - especially given the open/public nature of the sites
 - Maximising space
 - Cost of the car ports structures and related civils
 - Operation and Maintenance (OPEX) costs
 - Water drainage requirements
 - Linking to Electric Vehicle Charging Points (EVCP)
 - Procurement and any third-party joint venture or divestment (e.g. O&M or EVCP element)

5. LINKS TO CORPORATE PLAN

- 5.1 The Corporate Plan (2019-27) is designed to address the challenges and seize the opportunities facing the districts, and their organisations, for the foreseeable future. In relationship to the matters contained within this report, the Council's strong local leadership role to build great communities for living, working, visiting and investing in is particularly relevant.
- 5.2 This project delivers against the Council's Climate Reduction Management Plan and specifically action number 1.1 "*We will explore opportunities for low carbon energy generation, with a view to minimising our reliance on the grid e.g. solar farms, solar*

car ports, battery storage. This will include options for Council-owned land/buildings and other investment opportunities”.

5.3 The Strategic Asset Management Plan (2020-2025) references that the Council will:

- Support the delivery of low energy projects through proactive asset review of the Council owned estates or other investment opportunities; and
- Review and revise the Councils’ letting agreements to incorporate reasonable ‘green’ clauses to improve management and environmental performance by both landlord and occupier.

5.4 Strategic priorities also linked to this matter include:

- (a) Rejuvenate our vibrant market towns
- (b) Thriving, attractive, sustainable and connected Communities
- (c) A robust financial strategy

6. FINANCIAL IMPLICATIONS

6.1 Please refer to confidential Appendix A for the full financial breakdown and data sheet for the project business case, including whole lifetime costs modelling, identified variables, cumulative income generation and savings and estimated costs of borrowing (if required).

6.2 The project is considered, based on the optimal layout and specification, to be viable in terms of achieving strategic and financial priorities. The project business case and projections have been reviewed by the Council’s capital finance officers, and clearly benefits from access to match-funding of up to 50% of the capital works cost. There is an existing allocation for a combined solar carport and battery project within the 2021/22 capital programme.

6.3 The base business case for the solar multifunction carport and storage project may improve further through integrating with other decarbonisation measures now potentially available to the Council from the external grant fund award for Low Carbon Skills Fund and Public Sector Decarbonisation Scheme.

7. LEGAL IMPLICATIONS

7.1 State Aid and subsidy control implications have been reviewed by shared legal services, and forms part of the reporting requirements to New Anglia LEP and Central Government for accessing the external funding. Should additional funding sources become available then this will be impact assessed accordingly as part of the project diligence and live business case.

7.2 The project will be confined within land wholly owned and controlled by the Council. Full diligence in terms of the impact of the project on the asset has been undertaken, including site surveys and optimisation of the intended installations around identified constraints. A planning process will also be necessary.

7.3 Contractual impacts and adjustments with the leisure operators, and in line with the Strategic Asset Management Plan, will be progressed as required.

7.4 All relevant technical work including certification and warranties will form part of the project plan.

8. RISK MANAGEMENT

8.1 This report is most closely linked with the Council's Corporate / Significant Business Risk No.6 (Lack of business growth and investment in the districts), Risk No.18 (The Councils fail to become carbon neutral by 2030) and Risk No.20 (Loss of support and investment in the Leisure Centres forcing them to close). Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Deciding to install a system at a later point in time, missing external match-funding opportunities	2 – Unlikely	3 - Bad	Approve the installation of a system by March 2022 which is also factored in to wider decarbonisation measures for leisure centre
Installing a sub-optimal specification or design of system	3 – Probable	3 - Bad	Obtain a fully comprehensive site-specific technical analysis from a competent and experienced consultant
Not joining-up this project as part of a holistic asset strategy	2 – Unlikely	3 - Bad	Seek a delegation to progress/enhance this project alongside wider strategy development, timeframe and funding access
A system that is installed in a location that impedes other uses or developments	2 – Unlikely	3 - Bad	Utilise a cross-service technical group and interrogate vision programme/pipeline as far as viable
Failure to deliver required outcomes, or keep project within allocated budget	2 – Unlikely	3 - Bad	Corporate project management system deployed and with competent consultants and contractors used as necessary

9. CONSULTATIONS

- 9.1 The project is within the Sudbury Vision programme, ensuring that all partners on that group, including Steering Group and Town Council, are generally familiar with the project and its intended outcomes. The shared learning from this project will potentially enhance the Council's support of the local business community, not just its own asset interests.
- 9.2 The feasibility stage and development of the project has included a cross-cut technical team of internal and external officers – including from planning, highways, assets, environmental and building services.
- 9.3 A planning application and consultation will be necessary. The size of the system exceeds the threshold of 200m³ required to be considered under Permitted Development. A request for an EIA screening opinion is not required as the site falls under the threshold of 0.5 hectares and the output and size of the proposal also fall below the threshold associated with a 'Major Development'.
- 9.4 The Leisure Operator has been engaged about the respective scheme proposals at a high level, including potential impact on contracts and related agreements. This is also relevant to the Public Sector Asset Decarbonisation award of funding.
- 9.5 Other identified stakeholders will be engaged as progress is made.

10. EQUALITY ANALYSIS

- 10.1 Equality Impact Assessment (EIA) Initial Screening has been undertaken and identified no impact on one or more of the 9 protected characteristics as defined by the Equality Act 2010. No full assessment is required arising from the matters contained within this report. It should be noted that all disabled parking bays are excluded from the design, and the modular/phased nature of the build should minimise any disruption to the public using the carpark under normal circumstances.

11. ENVIRONMENTAL IMPLICATIONS

- 11.1 This project is a direct delivery against the Council's Carbon Reduction Management Plan as referenced in Section 5 of this report. A planning process will also be undertaken but is not at a scale to be considered 'major development'.

12. APPENDICES

Title	Location
A: Business case financial data / summary	Attached - CONFIDENTIAL
B: Design options for canopy structure	Attached - CONFIDENTIAL
C: Graphics and imagery	Attached - CONFIDENTIAL

Agenda Item 14

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Agenda Item 16

BABERGH DISTRICT COUNCIL

TO: CABINET	REPORT NUMBER: BCa/20/44
FROM: Councillor Michael Holt, Cabinet Member for Economic Growth & Councillor David Busby, Cabinet Member for Assets and Investments	DATE OF MEETING: 11 March 2021
OFFICER: Fiona Duhamel, Assistant Director Economic Growth and Regeneration	KEY DECISION REF NO. CAB246

REGENERATION OF BELLE VUE SITE IN SUDBURY

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to enable the Cabinet to consider the future of the Belle Vue site in Sudbury, which forms part of the Sudbury Vision and town centre regeneration programme.
- 1.2 The Cabinet is asked to reconfirm the decision to dispose of the site which is shown on the plan attached as Appendix A, after consideration of objections received in response to the notice given under Section 123(2A) of the Local Government Act 1972. The notice relates to the disposal of land which includes open space.
- 1.3 Subsequently the Cabinet is asked to review the tender bids contained in the confidential Appendix D and to approve the recommendation for a preferred bidder which supports the economic growth and regeneration aspirations in the Sudbury Vision programme. Furthermore, Cabinet approval is sought for the proposal to divert funds from the proceeds of sale of the Belle Vue site towards the creation of a new park entrance, café and toilet facilities.

2. OPTIONS CONSIDERED

- 2.1 (a) 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.

(b) 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.

(c) 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.

3. RECOMMENDATIONS

PART 1

- 3.1 That having fully considered the objections to the disposal notice given pursuant to Section 123(2A) of the Local Government Act 1972, the disposal of the site (shown in Appendix A) for best consideration reasonably achievable be approved.

PART 2 (Subject to the approval of recommendation 3.1)

- 3.2 That the preferred recommended proposal including the financial bid outlined in confidential Appendix D attached to this report be approved.
- 3.3 That 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.
- 3.4 That delegated authority be given to the Assistant Director for Economy, Business & Regeneration in consultation with the Cabinet Member for Economy and Cabinet Member for Assets and Investments to conclude the legal agreements in respect of the recommended proposal.
- 3.5 That should the preferred bidder withdraw or otherwise not proceed on the terms proposed that, prior to any binding agreement, the Assistant Director for Economy and Regeneration be given delegated authority to proceed to negotiate with an alternative bidder or to agree amended terms for the disposal provided that best value is achieved.

REASONS 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.

4. KEY INFORMATION

HISTORY OF THE SITE

- 4.1 The Belle Vue site in Sudbury has a long and complex history, including most recently the collapse in 2020 of a prospective agreement with a hotel operator and restaurant chain for a development on part of the site.
- 4.2 The house has had a variety of uses and functions over its history. Whilst it is locally listed, the June 2016 Historic England full assessment concluded that Belle Vue House is “standard for its date and although there is some historic interest through the architects and garden designers, it does not merit being added to the List”.
- 4.3 The Council has resolved in November 2013 (Report N81) to dispose of the house and old swimming pool site. Both have been disused for a number of years. There is a vandalism and anti-social behaviour issue at various locations of the site which are exacerbated by the vacant house and pool area.
- 4.4 The Council has since taking ownership of the site in 1974 re-provided and improved public swimming facilities via the Kingfisher Centre, Sudbury - first opened in 1987, with a further significant £2.4m extension and upgrade completed in 2020. The Council also in 2019 provided within the park site a new skate and multi-use gaming area facility through a £150,000 investment.
- 4.5 An overview of the site history and uses is attached as Appendix B.

CURRENT USE AND SITUATION OF DISPOSAL AREA

- 4.6 The approximate 0.43 hectare brownfield portion of the site, recently marketed up until 12 February 2021, does not include the park. It comprises of the house site including car park area and part of the old outdoor pool site area (see Appendix A plan). The Council has marketed this particular boundary area so that it may retain part of the old pool site to facilitate a new accessible and connected park entrance together with a new café and toilet facility. This responds to community feedback gained over a number of years including through the January 2020 vision programme and town centre masterplan engagement.
- 4.7 Sudbury Vision's ambitions include:
 - developing Sudbury's brand and profile
 - developing Sudbury as a place to invest
 - enhancing the town as a great place to live, work and visit
 - creating a connected and sustainable town centre; and
 - supporting the town's cultural heritage and visitor attractions
- 4.8 Babergh District Council is actively seeking to enhance key assets to regenerate and improve connectivity and use of key parts of the town centre. This includes, through the Sudbury Vision programme, the Hamilton Road Quarter, Market Hill, Borehamgate, on-street bus and junction improvements, wayfinding and active travel, and enhancing the leisure and visitor economy offer. The Council has invested heavily in Sudbury town centre (approximately £3.5m over the past four years) in direct capital asset projects as well as pipeline feasibility work to support external funding and new investment.

- 4.9 There have been significant and long-standing challenges in creating a viable use/uses for the Belle Vue site given its situation, constraints and setting. The adjacent park is a popular and well-used asset for Sudbury residents and visitors, of all ages, and that is not under threat from this disposal which seeks to unlock additional investment for improvement in the park and benefit the wider town.
- 4.10 As a local leader of place and owner of the site, the Council can ill-afford to allow this prime site at a key gateway into central Sudbury to remain under-utilised and a significant cost burden. Without a capital receipt, investment in enhancing the park through a new park entrance and facilities may not be deliverable.
- 4.11 Asset of Community Value (ACV) listing of the house/pool site ran from March 2015 until removed from listing due to expiry on 31 March 2020. The protected period, where there can be no restrictions on disposal of the asset, ends on 06 May 2021.
- 4.12 The latest 2020/21 marketing period went back to the market, to gauge the level and type of interest and opportunity for the site since the hotel and restaurant operator withdrew. Officers are now reporting back to Cabinet on the resulting disposal objections and bids received on informal tender basis.

LOCAL GOVERNMENT ACT 1972 - SECTION 123(2A)

- 4.13 As the sale area (see Appendix A) includes open space / areas which have been used for public recreation, the statutory notice under Section 123(2A) of the Local Government Act 1972 has been given. For the purposes of S123 of the Local Government Act 1972 'open space' has the meaning assigned to it by S336(1) of the Town and Country Planning Act 1990, namely "*any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground*". This process facilitates objections to the disposal. Authorities carry out these procedures before making any final decisions about disposal as the public response to the notices may influence whether, on balance, the disposal of open space is justified.
- 4.14 Press notices were published including for two consecutive weeks during December 2020. The period for receipt of objections closed on 08 January 2021. Thirty-two separate objections were received, including from groups/organisations.
- 4.15 The objections refer to a number of issues, including those broadly categorised as:
- a) general opposition to the sale and development of the land, and its potential future uses or design;
 - b) specific opposition to the loss of open and green space;
 - c) opposition to the loss of the house, and suggesting potential alternatives for its future use;
 - d) non-compliance with planning and other policies, strategies and guidance;
 - e) adverse impact on traffic and environment locally;
 - f) negative impacts on community/wellbeing/biodiversity; and
 - g) objections or concerns at the process of marketing and disposal.
- 4.16 The objections are attached in full as Appendix C. Where objectors have provided documents or referred to a central or local policy, guidance or evidence reference, links to these have been included in Appendix C and should be considered together with the relevant objection notice and grounds.

- 4.17 A summary to support Cabinet's consideration of objections is also attached at Appendix C.

MARKETING PERIOD – DECEMBER 2020 TO FEBRUARY 2021

- 4.18 A fresh marketing campaign commenced in December 2020 and its aim was to ensure extensive market testing resulting in competitive interest on a 'subject to planning' basis. It was agreed that a sale on this basis was likely to result in the highest value being achieved, due to the varied development potential the site offers including residential, commercial, hotel, restaurant, medical centre and care home facility.
- 4.19 The informal tender period for the receipt of offers closed at 12 noon on 12 February 2021, having been extended from the original proposed date of 22 January 2021.
- 4.20 The open marketing period has not sought to limit opportunities for the site from coming forward from the market or local community. All enquirers have been encouraged to make direct early contact with the Local Planning Authority in formulating their proposals and understanding local policy requirements.
- 4.21 A targeted list of sixty agents and developers were directly alerted in addition to the press, web site and social media brochure advertisement (which attracted over 1250 views). Three viewing days were offered over the course of marketing. A number of parties had previously viewed the property when it was marketed in 2015 and 2018/9 and therefore did not require a further viewing. Detail on the marketing activity and resulting interest is highlighted in the table attached in confidential Appendix D to this report.
- 4.22 An overview of the offers was submitted to the Council to assist with the evaluation process on 12 February 2021 which involved officers from Economy, Business & Regeneration, Assets and Investments, Commissioning and Procurement and the Cabinet Member for Economy (Babergh). The quality element having the following requirements:
- (a) Comprehensive development plan for the whole site that will succeed on its own merits, is self-sustaining on an on-going basis, and is not dependent on subsidies or grants.
 - (b) Development will enable regeneration of the area to enhance the economic offer in Sudbury to maximise tourist and visitor economy and deliver community benefits.
 - (c) Evidence that the bidder has both the financial capacity and track record to deliver the development.
 - (d) Evidence of the timescales required to deliver the development.
- 4.23 The detailed summary plus recommendation on a preferred bid, to support Cabinet's consideration, is attached at confidential Appendix D.

OUTLINE OF BID PROPOSALS RECEIVED

- 4.24 An outline of the proposals received is shown below. Further detail is contained within confidential Appendix D. None of the bids received propose to remove the house.

BIDDER	Type	Summary of Proposal
A	Carehome	New build carehome on pool site with communal/ancillary conversion of house
B	Retirement	New build retirement living development pool site, house conversion to two residential dwellings
C	Residential	Bid for house only to convert to two residential dwellings
D	Residential	New build residential development on pool site and house conversion to residential
E	Community	Conversion of house for range of community and ancillary uses
F	Community	Creation of new park entrance with refurbishment/conversion of house for community use/private short-term lets

5. LINKS TO CORPORATE PLAN

- 5.1 The Corporate Plan (2019-27) is designed to address the challenges and seize the opportunities facing the districts, and their organisations, for the foreseeable future. In relationship to the matters contained within this report, the Council's strong local leadership role to build great communities for living, working, visiting and investing in is particularly relevant.
- 5.2 The future of Sudbury and within it Belle Vue are high priority for the Council. There are a range of policies, strategy and guidance referenced within this report and appendices which the Cabinet will need to consider and balance carefully when carrying out its decision-making function.
- 5.3 Strategic priorities linked for this matter include:
- (a) Rejuvenate our vibrant market towns
 - (b) Thriving, attractive, sustainable and connected Communities
 - (c) A robust financial strategy
 - (d) Recognising the need to provide appropriate housing for an ageing population

6. FINANCIAL IMPLICATIONS

- 6.1 The Council's Medium Term Financial Strategy (MTFS) 2021-2025 requires the Council to take a medium-term view of the budget through a robust financial strategy that is focused on delivering the six corporate strategic priorities. The Council's main strategic financial aim remains to become self-financing and not reliant on Government funding. The Council's parallel aim is to generate more funds than are required purely for core services, in order to enable additional investment into the district. This requires careful balancing of cost management, income generation and service levels.
- 6.2 It is estimated that since 2017/18 the district council has incurred costs of around £134,000 in respect of the Belle Vue site, not including business rates liability currently standing at £16,886 per annum. For reference, remedial works necessitated by two recent instances of vandalism at the toilet block and old pool area have cost the Council approximately £8,500.

- 6.3 Should Cabinet decide not to divert any capital receipt from a sale to Belle Vue Park entrance match funding, to leverage in external funding, these funds would be difficult to identify from existing budgets. The masterplanning work and architect design work on a new accessible park entrance, including addressing the significant site levelling and retaining issues, indicates an order of costs towards £775,000. The Council is actively seeking external funding opportunities to support this including Land Release Funds.

7. LEGAL IMPLICATIONS

- 7.1 Section 123(2A) of the Local Government Act 1972 provides that a principal council may not dispose of any land consisting or form part of an open space unless before disposing of the land they cause notice of their intention to do so and consider any objections to the proposed disposal which may be made to them. This allows for the Council to consider objections holistically as part of its due process.
- 7.2 The statutory notice has been advertised with the period for objections ending on 08 January 2021 and Cabinet are to consider the objections received as part of this report. The Council will ensure that the decision it arrives at is fair and reasoned with the process transparent and evidenced in writing.
- 7.3 Where disposals rely on the General Disposal Consent (England) 2003 they must consider subsidy control within the decision-making process. The Council will also have due regard to Localism Act 2011 provisions in relation to the site.
- 7.4 The Council has marketed the land on an open and 'subject to planning' basis, inviting bids via informal tender, as the Council must be seeking to achieve the best consideration reasonably obtainable for the site. Through informal tender, the property remains open to offers, to be submitted via unopened bids, for the agreed marketing period. After the deadline for offers has closed, all the tenders are opened and the Council can then evaluate on a best consideration basis.
- 7.5 Once a disposal and preferred bid are agreed, wide-ranging legal support will be required commencing with a formal review of Heads of Terms, finalising the terms and conditions of any sale/lease agreement and related matters. Any required funding for this support will be recovered from the proceeds of sale.

8. RISK MANAGEMENT

- 8.1 This report is most closely linked with the Council's Corporate / Significant Business Risk No.8 (Decline of Sudbury impacting on economic prosperity of the districts) and Risk No.11 (Income and Capital projections and economic outcomes may not be delivered – meaning land remains underutilised). Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Failure to consider objections prior to disposal or disposing of the asset for a consideration less	2 – Unlikely	3 – Bad	Comply with S123 obligations. Cabinet determination as per recommendations and taking into account evaluation

than can reasonably be obtained			criteria/appropriate advice
No bids to fulfil the Council's criteria for disposing of the site	2 – Unlikely	3 – Bad	Open marketing period on subject to planning basis and and via informal tender process
Inability to progress with capital receipt recycling to support new park entrance and improved facilities	3 – Probable	3 – Bad	Commitment to divert a sum from site sale proceeds, to also support external match funding opportunities
Failure to provide strong local leadership on controllable elements of the Sudbury Vision / Masterplan will stifle wider investment in the town	3 – Probable	3 – Bad	Balance the issues carefully with the objective of delivering the best achievable outcome for the future of the Belle Vue site

9. CONSULTATIONS

- 9.1 Formal consultation will be facilitated under the planning regime in due course.
- 9.2 Various engagement activities relating to Belle Vue have been undertaken by the Council, both publicly and with identified stakeholders, in the years since the Council resolved to dispose of the site.
- 9.3 This has included Sudbury Town Council, Sudbury Steering Group (later reformed as Sudbury Vision Steering Group), Suffolk County Council, user groups, Portfolio Cabinet Members, attendees to public exhibition/park events and prospective bidders and enquirers including from community/charities as well as private sector.
- 9.4 The statutory disposal notice process is open to any party to issue an objection, and for them to have such objection considered on its individual merits.

10. EQUALITY ANALYSIS

- 10.1 Equality Impact Assessment (EIA) Initial Screening has been undertaken and identified no impact on one or more of the nine protected characteristics as defined by the Equality Act 2010. No full assessment is required arising from the matters contained within this report. This is an asset disposal and commercial principles apply to it.
- 10.2 A more accessible park entrance will benefit the local community and visitors. The park will remain within Council ownership and control and freely accessible to all.

11. ENVIRONMENTAL IMPLICATIONS

11.1 Development of the site would have associated environment impacts. Sale of the site is 'subject to planning' and therefore environmental implications and mitigations would be considered through planning process and consultation. Objections to the disposal have also commented on environmental impacts including biodiversity and air quality. Cabinet will be fully considering objection grounds to the disposal as part of this report.

12. APPENDICES

Title	Location
A: Plan of disposal area	Attached
B: Timeline overview of Belle Vue Site	Attached
C: Objections to S123(2A) Notice including summary and links	Attached and with links
D: Marketing summary and evaluation table including officer preferred recommended proposal	Restricted Access (Confidential)

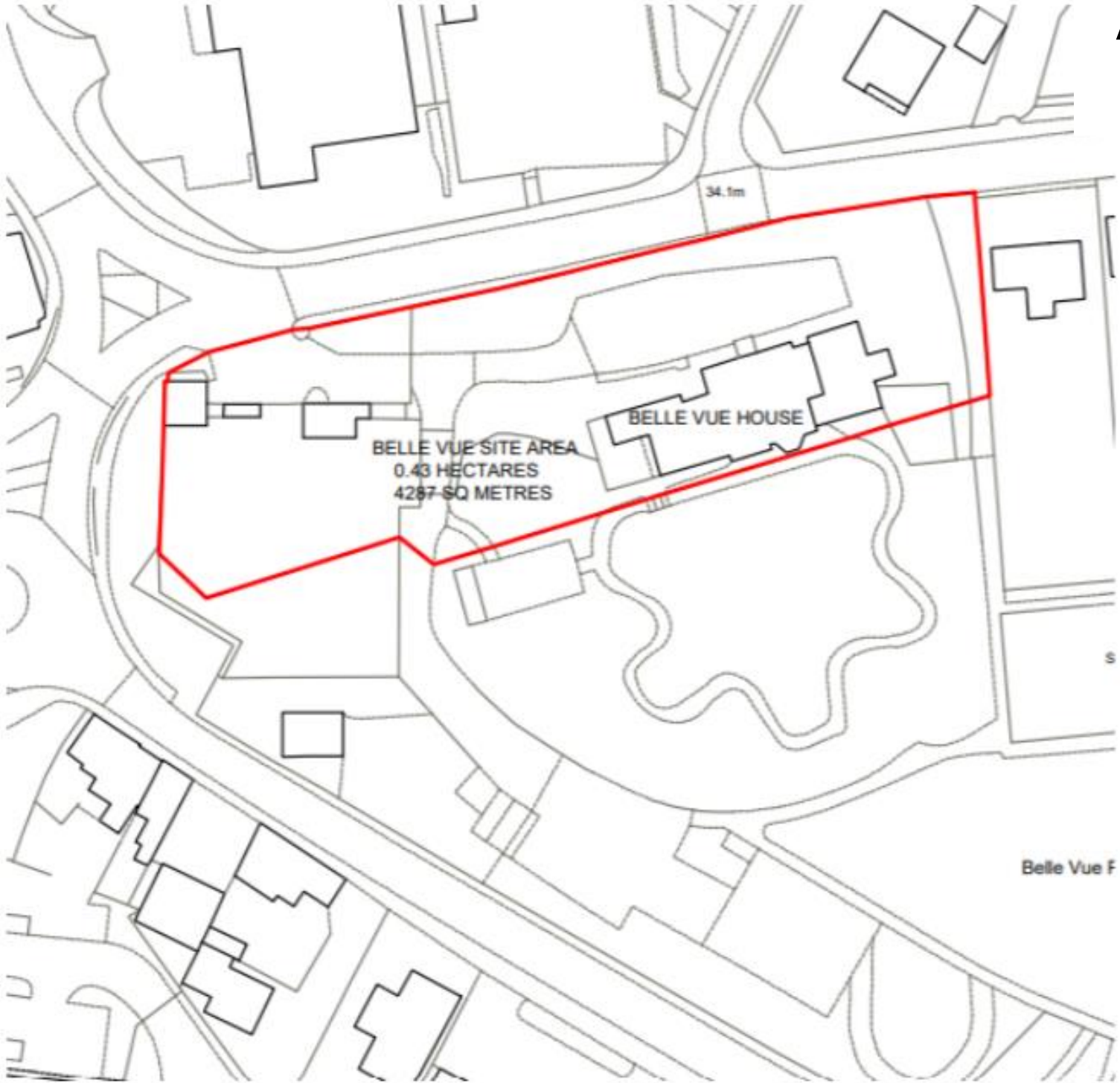
BACKGROUND PAPERS

1. CONFIDENTIAL REPORT N81 REDACTED (STRATEGY COMMITTEE 21.11.13)
<https://www.babergh.gov.uk/assets/economic-development/vfp-sudbury/babergh-strategy-report-n81-21.11.13-redacted.pdf>
2. CONFIDENTIAL MINUTE NO.59 REDACTED (STRATEGY COMMITTEE 21.11.13)
<https://www.babergh.gov.uk/assets/economic-development/vfp-sudbury/babergh-strategy-committee-decision-plan-21-november-2013.pdf>

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APPENDIX A

Plan of Disposal Area



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Belle Vue House and Pool Timeline

1780s - Nathaniel Burrough (Gainsborough's cousin) builds Georgian house on the Belle Vue site

1871/2 – Belle Vue House built by Edmund Stedman after the old Georgian house on the site was pulled down

1912 – Gifted to the Red Cross for use as a hospital.

1914-1918 – Red Cross Hospital during the First World War.

1922 – Sold to a private owner

1936 – Town Council acquire Belle Vue

1939 – Outdoor pool site opens after the closure of the Old Bathing Place on the river following an outbreak of diphtheria in the town

1945 – Music and celebrations held at Belle Vue and Market Hill to celebrate VE day

1966-1972 – East side of Belle Vue House is extended and internally adapted for use as a college

1971 – Police Station building demolished on King Street to make way for the roundabout adjacent to Belle Vue

1974 – Belle Vue ownership is passed to Babergh District Council following local government re-organisation. House was used for some local services including rents payment office for council tenants from after this date

c.1985 – Outdoor pool closes at Belle Vue and infilled with concrete

1987 – Kingfisher Leisure Centre and indoor pool opens in Station Road

2005 – Skate ramps installed on Belle Vue swimming pool site

2013 – Babergh resolves to dispose of the house and old pool site

2015/6 – BMX ramps on swimming pool site are closed due to safety concerns

2015-2020 – House and old pool site listed for Asset of Community Value (ACV). Park remains listed as ACV after house/pool site removed

2016 – Citizen's Advice Bureau relocate away from Belle Vue House

2016 – Historic England fully assess house and determine not to list (remains locally listed)

2018/9 - Plans progress for the future of Belle Vue site incorporating hotel/restaurant

2019 – Upgraded skatepark suitable for all wheeled sports and games area (MUGA) opens at Belle Vue Park

2020 – Belle Vue site added to town masterplan work as hotel/restaurant proposal collapses

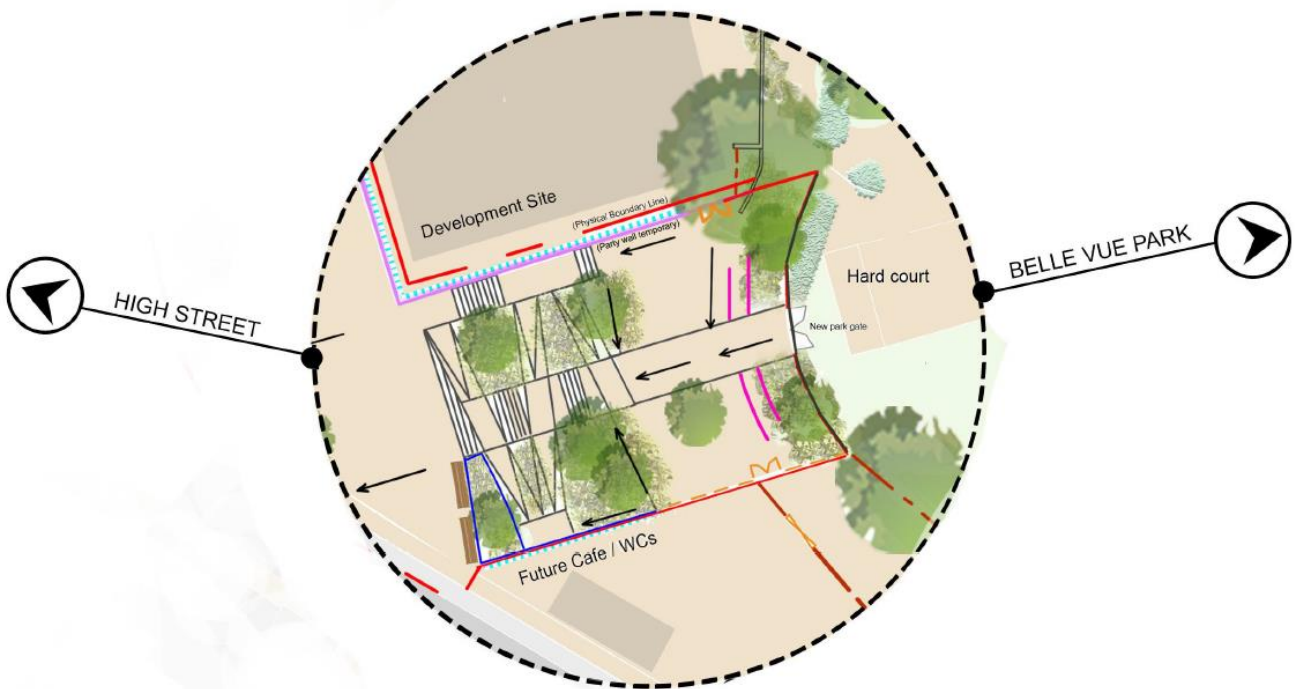
* Note: Indicative only based on available information and not to be inferred as complete and full history

Note: The outdoor pool site sits at an elevation of over three metres above the adjacent busy traffic junction. The pool operated between 1939 and the mid-1980s, when it was then closed and concrete-infilled. The site's outdoor public swim facilities were re-provided via the new build Kingfisher Leisure Centre and indoor pool in Station Road (approximately 200 metres away from Belle Vue).

Between 2005 and 2015/16 the pool site provided skate/BMX uses until closed due to safety concerns. A new purpose-built skate facility was installed within the north east area of the park in 2019.



CONCEPT FOR NEW PARK ENTRANCE (2021 – BABERGH DISTRICT COUNCIL)



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APPENDIX C

Objections to Notice given under
S123(2A) of Local Government Act 1972

C1 - Summary sheet

C2 - Objections (x32)

C3 - Supplementary documents and links

SUMMARY OF OBJECTION TOPICS		Officer comments
DISPOSAL CONFLICTING WITH OTHER POLICY, EVIDENCE & GUIDANCE		
1	Babergh and Mid Suffolk Open Space Assessment for Joint Local Plan (2019) Note: this Study provides an evidence base for planning policy, and is not a strategy document	The Council is entitled to dispose of its assets including open space, subject to requirements. Cabinet's consideration is to balance loss of land including open space with purpose and wider benefit of disposal.
2	National Planning Policy Framework (NPPF) - paras 96-101 specifically refer to Open Space and Recreation	Some public recreation uses already reprovided. No bids received propose to lose the house. Planning process will consult and address some concerns including policy. There is no universal definition of open/green space, in respect of size, quality or description. In the 2019 report significant areas of greenspace were not included in the scope of the report but are still 'open' for public recreation. The Council is growing town amenity through creation of new park entrance, cafe and toilets and also kerbside public realm. Report content also refers to decision-making.
3	Council policies including Infrastructure Delivery Plan, Communities Strategy, Biodiversity, EU State Aid	
4	Planning likelihood/deliverability given the Open Space and locally listed house issues. Also traffic congestion evidence	
5	Pool site should be considered open space, and whole area park/house/gardens/pool	
6	Wider loss of town amenities or not catering for housing growth (Chilton Woods etc)	
MARKETING DEFICIENCIES		
7	Too short and during holidays/pandemic/Brexit meaning not meeting best consideration/price	
8	Too limited advertising not reaching wide enough to secure best consideration	Council has conducted an 8-week open and 'subject to planning' marketing period inviting bids via informal tender. The disposal notice process has been observed. The level of response and interest has proven no barrier to any party accessing the marketing or objection period. All bid proposals have incorporated the house in some capacity so there was no demolition presumption and enquirers have been advised to engage early with planning. Report content also refers
9	Implies demolition of house without considering split or community benefit uses. Greener to retain and refurbish	
10	Marketing is pushing residential and not seeking to control/pre-condition uses - harmful to setting/open space/design/visitor economy	
GOVERNANCE		
11	Council has neglected whole site (including CL) contrary to open space obligations and S123 securing best consideration	The S123(2A) requirement is for Council to consider objections before a disposal is finalised. Open space loss issues will be balanced as part of decision-making. Council is empowered by legislation to sell its own land or assets, subject to considerations already covered in the report. The priorities and options considered are also stated in the report, and Council is looking to recycle capital receipt for benefit of the park. 2013 decision was to sell the site. Council has not pre-determined any of these matters and has run an open marketing process and clearly stated of these clarified the position on process and marketing including to the town council.
12	2013 disposal decision was flawed as not considering S123 objections, open space deficit or correctly inferring surplus asset	
13	Running S123(2A) with marketing (and costs) implies Council will not fully/fairly consider objections	
14	Council inherited property left for town use and no (moral/legal) right to sell it	
15	Lack of community/town council engagement over future use	
16	Council looking at financial return only not public benefit uses or Covid recovery (wellbeing etc.)	
17	S123(2A) processes and timing limited objections	
18	Allegations Council already working with a 'preferred bidder' or use	
19	Current marketing period not transparently authorised by Cabinet	

APPENDIX C2

NOTICE GIVEN UNDER S123(2A) LOCAL GOVERNMENT ACT 1972

OBJECTIONS RECEIVED (Please also refer to links and appended documents sheets)

NUMBER: 01 INDIVIDUAL

Sent on: Thursday, December 17, 2020 8:06:05 PM

Subject: Bellevue

I strongly object to any hotel being built on the beautiful bell vue park grounds. I don't understand what more you as a council can take from the people of Sudbury. Gone are peoples park that was bequeathed to the people of Sudbury. But the council in the quest of greed n money took that away and allowed homes to be built. Walnutree hospital a historically place near n dear to most subrarians now flats.

Weavers cottages/ Gregory street/ slowly you have taken away our hometown that we loved. Now you want the park, the pool, and Bellevue

Why can't we the people decide what we want. We elected you to look out for our interests, but like snakes you have wriggled your way into tall grass and not caring about us the voters.

I'm concerned because it seems that babergh is NOT at all thinking of the town of Sudbury. Maybe you will get a conscience for Xmas and do as we the people have advocated for.

DO NOT BUILD A HOTEL AT BELLEVUE

NUMBER: 02 INDIVIDUAL

Sent on: Thursday, December 17, 2020 3:22:39 PM

Subject: Re:S123 notice Period.

I wish to object to the plan to build a hotel and car park on the Belle Vue site
In Sudbury.

Belle Vue is an Open space designated for Community use and should remain so.

NUMBER: 03 INDIVIDUAL

Sent: 21 December 2020 22:29

Subject: Re: S123 (1) (2A) Notices of Intent of Disposal of Belle Vue Open Space Sites -

Objection to Sale or Disposal.

Importance: High

Re: Section 123 (1) (2A) Notices of Intent of Disposal of Belle Vue Open Space sites - Notice of Objection.

I am writing to lodge notice of my objection for the disposal, sale or 'redevelopment repurposing' of the above mentioned sites within Belle Vue Park on the below grounds I have listed below over 4 key areas of major concerns. I am a local Sudbury community resident and have greatly enjoyed all the community facilities sited within Belle Vue Park over the decades, as have my family, and in more recent years my grandchildren. The timing however of the public announcement of the intended Section 123 Notices of Disposal of these particularly highly contentious sites' disposal within my public community area, especially during an increasingly restrictive national public health pandemic and so close to the Christmas holiday period for council personnel involved, regrettably paints a particularly poor reflection on the part of Babergh District Council. It is widely being regarded by the public, and certainly by myself, to be deliberately prohibitive against any fair or reasonable public community rights of response time or interaction with the council at such short notice against the backdrop of these constraints. It leads me to question why please? This just adds to my unease and mistrust towards the council's motivation, in particular with regard to the areas of critical concern, and which to date, have never been adequately addressed or well evidenced regarding these particular sites as I am listing below.

1. The whole of the park comprising Belle Vue Park, Belle Vue House and the Old Swimming Pool Site within the park, are and have always been dearly loved public community facilities and spaces over many decades, serving not just the local community within Sudbury, but encompassing all the multiple surrounding villages and visitors who have visited them. The Old Swimming Pool Site in particular was a highly subscribed and valued public community recreational facility and falls for the same reason as the remaining squeezed park land within the legal boundaries and recreational public space purposes of Belle Vue Park land as a whole.

For some considerable time over the past 2 - 3 years, Babergh District Council have increasingly elected to try to disassociate the Old Swimming Pool site away from the rest of Belle Vue park land, it would appear for the intent to reclassify it as a "separate" Open Space falling outside of the legal boundaries or the public community recreational open space purposes of Belle Vue Park. To this end they are insisting still, that the parts of the park land up for sale are derelict and therefore that somehow means they are no longer a part of the oboverall park. This is wholly false and has been proven to be false under several FOI requests to the council regarding their status, official classification and the park land boundaries - with subsequent responses and provisions of information.

They are actually public community Open Spaces as defined by the Open Space Act of 1906. Most notably, the two sites within Belle Vue Park which the council are deeming to be their right to sell the ownership and rights to, have also been publically declared as public Open Spaces by Babergh District Council on their very own legal Notices of Intent for their Disposal, so in this regard they are committed and agreed.(as per the attached document provided on their website).

When Babergh were handed the park in 1974 as part of a local government shake-up they were duty bound by the Open Spaces Act to maintain the park and retain it as an area of public recreation to be used by the public community on a free basis. They have not done this for many years now and have consistently neglected their responsibilities in this respect, and so by sheer default of this neglect alone, they have been allowed to become derelict sites. The public local community, including myself, have frequently raised grave concerns

over the matter of their ongoing neglect and sorry demise, only to be largely informed the funding provisions for their reasonable maintenance were not justified or warranted as significant enough in the overall scheme of things.

This leads me to believe Babergh District Council will also be equally likely to neglect to declare the future responsibilities and constraints for any future prospective custodians of these particular park land Open Spaces within Belle Vue Park. This is evident from the attached information of proposed prospective uses for these sites, as stated on the council's own website regarding their intended disposal/sale/redevelopment.

BDC are compelled by the law to maintain a good and decent state of the whole park, including the old swimming pool site, and as an area of recreation open space land for public use which is how the space was classified and intended for purpose. Therefore, so would any future custodian, as they remain, as they always have been, park land public community Open Spaces within Belle Vue Park. The Council act as the trustees, guardians and custodians of these parkland community Open Spaces and not as they elect to believe, purely land asset owners to dispose with at will selective sections of land in respect of these particular sites within Belle Vue Park, and certainly not simply on the basis they allowed them to fall into derelict disrepair.

I would urge both your good self and Babergh District Council to accept their Open Space responsibilities in this respect and the impact it would have on any future prospective custodians. In fact the classification of these sites on their own Notices of Intent to Dispose of them, should have made absolutely clear, the forward constraints and responsibilities which go along with Open Spaces within Belle Vue Park lands as a whole. I refer you to study below just some clarifications in this respect, should there be any doubt going forward.

<https://publications.parliament.uk/pa/cm199899/cmselect/cmenvtra/477/477mem23.htm>

2. Babergh and Mid Suffolk have just agreed an Environmental Biodiversity Action Plan with collective funding of just under £300,000. One of the main aims actively promoted by the council to the local communities is to plant more trees in Babergh/Mid Suffolk.

Any commercial developer who buys the Belle Vue Open Space sites will undoubtedly be seeking to demolish and fell existing large and well established trees and most likely be adding more concrete and hard surfaces or car parking to the shared public community park spaces.

This will deliberately remove rather than add biodiversity to Sudbury, and in practice completely undermines Babergh District Council's commitments about their own biodiversity and green space improvements policy, of which there is already a proven considerable shortfall within Sudbury. Does this mean their proposals regarding the sale of these particular park land open spaces mean that Babergh District Council is merely promoting a box-ticking exercise or PR lip service in name only regarding this important policy commitment, whilst directly acting in the exact opposite interest of them?

3. A recent report commissioned by Babergh/Mid Suffolk revealed that Sudbury has a significant shortfall in green spaces and park land, as above mentioned. The same report actually recommended using Council held CIL funds to further increase more green open and park space in the town. Babergh's CIL purse is estimated to currently stand at £2 million. Yet the council claims it does not have the money to even landscape the former swimming pool site. The council have allowed this area to fall into an abandoned and deliberately neglected space of poor disrepair and have, for many years since 2015, claimed they never had enough money to maintain a decent level of public Open Space on the Old Swimming Pool site within Belle Vue Park, or to improve it for the betterment of the

community and all the thousands of public visitors who come to utilise all the facilities and spaces at Belle Vue Park.

The deliberate neglect and demise of this site should not and does not mean therefore, that this now somehow grants Babergh District Council the right to wilfully dispose of the site on the open market for the direct purposes of external private commercial ownership and commercial development to further negate their previous lack of due diligence and responsibility to maintain or improve it for the betterment of the public community.

4. Belle Vue Junction is by far the busiest in central Sudbury. Any major building works and the subsequent increase in cars and delivery vehicles etc entering and exiting the park will clog up traffic in Sudbury for years and possibly forever. The old tax offices directly opposite Belle Vue Park road entrance have also been recently sold and converted into 19 flats, along with the recent sale and redevelopment of the old St Leonard's Hospital site situated directly behind. With the inevitable attendant rise in residents' cars, traffic flow at BV Junction is set to greatly increase anyway.

Central Sudbury is already frequently gridlocked due to the convergences of traffic right at the point of this central junction area with much of the traffic having to narrow down in order to flow through onto the Sudbury Town One Way central traffic system . Any further commercial redevelopment can only stand to seriously impede the traffic flow at this central junction and bring with it unnecessary increases in air and traffic pollution. Both these factors should be causes for great concern, however I very much doubt any consideration has been given towards the air quality or air pollution levels, or the dangers of long term traffic congestion, or any future site vehicular access in and out of these sites in Belle Vue Park to join onto the through flow of traffic trying to get into, through and out again of the centre of Sudbury town. It also raises a concern that should there be any future development plans on the old swimming pool public community Open Space in particular for residential living purposes, if the above issues would even render them safe or fit for residential living purposes.

The above listed, together with attachments and inclusions, are the main issues and concerns to my objections to the sale, disposal or onward development of these public community open spaces at the Belle Vue sites listed on the open market.

I can only hope that Babergh District Council consider the matter as seriously as I do, and as indeed a large number of others in the Sudbury and surrounding communities. They will only continue to be raised as areas of major concern and objection more formally should Babergh District & Mid Suffolk Council continue to ignore raised objections and proceed with their proposals irrespective of them, rather than seeking acceptable solutions already previously proposed.

NUMBER: 04 INDIVIDUAL

Sent: 15 December 2020 16:18

Subject: Belle Vue

It has been publicised that you're intending to "dispose" of belle vue park by sale.

Please do not do this!!! This park is an asset to this town where it has lost everything else. It has been a beautiful recreational area for many generations of families from Sudbury. It needs to remain this way.

As a child my mother spent many days in the swimming pool here along with her 6 siblings, then as a child I spend a lot of time as a park and even though, not as a swimming pool but the roundabout and putting green were brilliant. Today I have a small child, I have spent many afternoons in this park with him with the ability to socially distance while still enjoying the space. As a child I can remember going into the house with my grandparents “to our their poll tax” (don’t think it was even called that then!!).

The only reason why I think anyone would want to “dispose” of this land is because they have never visited Sudbury and seen how little it has to offer and have not appreciated how beautiful this area is. Even in the derelict state that it has become it is still beautiful.

If all at Babergh are being selfish to the people of Sudbury and losing this please sell it to someone who wants to keep it as it is, and a community area not some consortium who will build more and more apartments which are astronomically priced.

NUMBER: 05 INDIVIDUAL

Date: 22 December 2020 at 19:39:37 GMT

Subject: Bell Vue House etc

I write to inform Babergh know that I do not want them to sell (part of) Sudbury's only park. It is a place for children to play and others to take some time out in a safe green environment. The swimming pool space is derelict now but it could be a wonderful new landscaped area of the park with more space for play and relaxation not less. The house is an important icon in Sudbury's history and there is no reason to demolish it.

To say that I'm angry are that Babergh want to sell part of Belle Vue Park (which they did not buy and have not cared for) . I have lived in Sudbury dine 1963, and never have I felt the BDC do not represent my feelings and belief for what IS BEST for Sudbury and it's growth or biodiversity.

NUMBER: 06 GROUP: SUDBURY SOCIETY

Received: 24 December 2020

OBJECTION TO THE PROPOSED DISPOSAL OF LAND AND BUILDINGS AT BELLE VUE SUDBURY

This objection is lodged under Section123(1),(2A) of the local government act 1972.

The area of land included in this proposal raises several concerns to the Sudbury Society. We are not opposed to the sale of the property in principle but strongly opposed to the method and timing the Council has chosen to adopt

1. EXTENT OF THE SITE. The extent of the site in relation to the existing Belle Vue House means that the possibility of retaining the house for an alternative use is almost impossible because of the disposal boundaries that have been drawn.The proposed area to be sold will sterilise the southern area of the park alongside Cornard Road including the proposed site of the new café and facilities.They will require vehicular access for deliveries etc from Cornard Road, which we believe will be impractical and unsafe.

2. RETENTION OF THE HOUSE. We would prefer to see the original section of Belle Vue House retained. Itis a locally listed heritage asset and every effort should be made to restore it. Just to the north of this site at St Leonards Hospital is a perfect exemplar of this type of refurbishment which has recently

won a Sudbury Society Architectural award. The scheme for the Hospital development was negotiated by the Health Authority with Babergh Council as the belief was that a demolition of the whole site would be rejected. The buildings that were retained on that site had just the same level of protection as exist at Belle Vue House. Likewise the Walnut Tree Hospital site is another glowing example of what enhancement/refurbishment rather than demolition can bring to Sudbury's town centre, suffering as it is from serious decline in the retail and hospitality sectors. We accept that it may sometimes be more expensive but it is always a greener solution to retain and convert an existing building rather than demolish and construct a new one. However the present disposal plans make no mention of the need to encourage retention and will in effect rule this out from any developer's bid.

3. TIMING. The site has been a burden on the Council for many years. We do not understand the need for such a curtailed consultation period as stated in the sale notice. As the Council has to take preliminary steps to ensure it has full rights to sell the site, the advertised closing date for bids of 22 January 2021 is unrealistic. It will only encourage bidders to submit the most financially advantageous proposal, namely wholesale demolition, without giving time for alternative schemes involving retention to be devised.

NUMBER: 07 SUDBURY TOWN COUNCIL (MOTION)

Via Motion carried 21 December 2020 at Extraordinary Town Council Meeting:

“That Sudbury Town Council objects to the proposal to sell the land at Belle Vue as shown in the Section 123 order published on 11th December 2020 and asks that no decision be made before the end of February 2021. The grounds for objection are:

- There has been no consultation with Sudbury Town Council on this plan, either through the Steering Group or directly, and the timing of the notice could be seen as an attempt to clear this through over the Christmas period when people are occupied elsewhere. “

Further:

“That Sudbury Town Council formulate their response to this proposal so that it can be agreed by the full Council meeting on the 12th February 2021. To achieve this a small working party will be set up to consult with all Councillors to draw together opinions into a report that will be considered at the Leisure and Environment Committee on the 26th January 2021 before being presented to full Council in February.”

RESOLVED

That this motion be carried. That a working party of Councillors R Spivey (Chair), Mrs S Ayres, Mr O Forder and Ms E Murphy be formed to prepare the report. The working party would also consult Community Interest Groups and the Sudbury Society.

NUMBER: 08 GROUP: BELLE VUE COMMUNITY BID

From: BELLE VUE COMMUNITY GROUP

Sent: 03 January 2021 17:15

As the Belle Vue Community Group there are a number of issues surrounding the sale of

Belle Vue House and part of the ex-swimming pool site with which we have major concerns about.

These are listed below:

Open Space

We are concerned that some of the Babergh cabinet and councillors are unaware that the old swimming pool site is 'open space' and the implications thereof. Please can you confirm that you have advised all members of the legal position after advice was sought?

██████████ has requested as part of the JLP consultation, that this land is correctly added to the local plan as open space. We are aware that recently you advised STC that the reference point for open space was the 2006 local plan which only included a small proportion of the site for sale as open space. We would like to know why the reference was made to the 14 year old local plan rather than the updated categorisation of the whole site as open space.

We also struggle to understand how Babergh could have determined the use of the old swimming pool as being surplus space given that prior to the 2019 open space assessment (detailed below) Babergh had an existing open space, sport and recreation strategy which was introduced in September 2010 to run to 2031 which provided evidence base strategy which formed part of Babergh's development strategy 2008-2018.

PPG 17, now superceded but adhered to within section 8 of the NPPF, advises that local needs should be assessed by undertaking an audit of all open space sport and recreation facilities. The key requirements of PPG17 were reiterated in Babergh's open space, sport and recreation policy. It's also noted that since 2010 there has been much growth in the Sudbury area, particularly with small developments. The assessment was to provide information on existing provision at the time and advise on deficiencies in quality, quantity and accessibility. The results were to be used to underpin Babergh's development strategy 2008-2018.

Babergh's strategy objectives were to:

- Provide an up-to-date evidence base for open space, sport and recreation facilities;
- **Identify open space, sport and recreation facilities which are important to the communities which they serve and seek to protect them from alternative uses or from development;**
- Establish minimum local standards of provision for key types of open space, sport and recreation as benchmark targets. These standards are to reflect quantity, quality and accessibility requirements;
- Identify deficiencies in provision and quality to provide a clear evidence base for securing financial contributions from planning permissions for residential development in areas where a need is evident;

- To improve the quality of existing facilities where qualitative issues are identified to maximise the opportunity for use of the facilities;
- **To enable priorities to be set for improvements to open space, sport and recreation provision throughout the district, within catchment areas and Parishes;**
- Define catchment areas for key facilities based on the function of the type of facility to ensure a hierarchy of open space, sport and recreation facilities are reasonably accessible to everyone;
- To inform policy formulation for the planning and operation of open space, sport and recreation facilities in the future, in particular, the policy context for enhanced provision through the Babergh Development Framework;
- To provide and support a network of open spaces which contribute to local biodiversity and nature conservation value;
- **To ensure an adequate provision of green infrastructure is provided throughout the district and beyond to provide recreation and nature conservation opportunities;**
- To ensure the opportunities for participation in a range of recreation and sport activities are accessible to all to promote healthy lifestyles;
- **To ensure that provision for open space, sport and recreation is commensurate with future housing growth throughout the district.**

Babergh actively committed to ***'Identify open space, sport and recreation facilities which are important to the communities which they serve and seek to protect them from alternative uses or from development'***

Babergh have clearly not followed this policy when considering their development strategy over a number of years. The space at the old swimming pool site is 'open space' as determined under s.10 of the Open Space Act 1906. And yet you have now stated that this land was declared surplus in 2013, a mere three years after Babergh's open space strategy was launched. At this point why was the land not evidenced as open space per Babergh's strategy? Up to 2013, it had been used as recreational space by the community since Babergh acquired the assets in 1974.

There has been continual opposition from the Sudbury community every time Babergh puts this land up for development sale. This is because this space is and always has been important to the local community who purchased this land to keep it in Sudbury's hands prior to the compulsory acquisition on 1 April 1974 due to the local government reorganisation. This site has for many years been for recreational use and is 'open space' even though Babergh hasn't until recently recognised it as such. Babergh should have identified this land prior to now and provided upkeep and protected the land against sale as per Babergh's own core policies.

In addition, the entrance and area to the left included small animals and attracted lots of people to the park until fairly recently but was vandalised and the decision was taken not to maintain this or the bird aviaries, a much loved area of the park.

The open space assessment that was carried by Babergh in 2019 (referred to above) forms part of the infrastructure delivery plan agreed and adopted by current Babergh councillors in September 2020.

These reports take the vision further and the NPPF guidance provides that overarching roles that the planning system ought to play, include a set of core land-use planning principles which should underpin both plan-making and decision-taking. In addition and importantly the NPPF states the following :

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

The infrastructure delivery plan that was agreed to be implemented by Babergh councillors for officers to follow when considering strategy and development include up to date assessments of needs in the Babergh area.

We have attached the policy documents but please see attached for reference the assessments showing the **significant deficit** of amenity green space and parks and recreation's space in Sudbury. The fact that there is a deficit of certain types of space is obvious if you live here. We are surrounded by water meadows but they are exactly that. They are regularly flooded and inaccessible frequently throughout the year. There are also cows on the main water meadows with no public facilities close to these spaces.

With the housing supply further increasing in Sudbury (in particular Chilton woods which is being built over space currently used by people as amenity green space) there should be more open space provision in Sudbury rather than less. If the old swimming pool site is sold then this creates a further deficit.

We also don't think that the planning implications should be put aside at the outset. Over a number of years Babergh has wasted time on these sites when offers have come forward for the house and these have been rejected because they didn't meet Babergh's objectives for the whole site and as such these offers have been lost. The highway issues alone on any development proposal would be difficult to overcome bearing in mind Babergh regularly highlights the issue with the Belle Vue/Newton Road junction. Its own infrastructure policy suggests bringing in methods of calming traffic in that specific area with the latest reference to this in the car parking review issued this week.

Annual business rates continue to be paid by taxpayers for Belle Vue house. Only around 30% of this sum is retained by Babergh which means that £11,200 (70% of £16K annual business rates) is currently being spent each year. As per above there's surely a requirement to consider the overarching planning policies and issues as part of development plans. Failure to do so increases further wasted taxpayer costs at Belle Vue.

When it comes to open space Sudbury has a limited supply and ultimately Babergh have had a legal duty and a duty within their own policies to identify and review this provision and to keep this land in a good and decent state. With all these points considered please can you advise how Babergh has applied these policies to decisions made as we cannot see how the old swimming pool site is able to be considered for alternative development without Babergh going against all of their own key policies. If officers are taking decisions against these key policies then should this also not be flagged to Babergh councillors for them to make a decision?

Regeneration

Another consideration includes the regeneration for Sudbury. Babergh's leader, John Ward, spent a significant amount of time last year arguing that the hotel was about regeneration.

Opening up the whole park so that over time it can be improved further is genuinely and clearly about regeneration and providing opportunity. Why then is this option not being considered at all? Conversely if the land is sold off for housing/retirement flats then this is clearly not regeneration.

Why can the house not be sold as a separate asset? As before there is no reason not to offer it as open use. In terms of planning purposes many opportunities could arise given the size of the house plot, the parking area and the land to the side, whether for private developers, residential care home or a community bid with the options coming before cabinet for consideration in the usual manner. There are further benefits and increased value for that house site if it is surrounded by landscaped park. It had plenty of interest when it was marketed as just the house before so there can't be an argument that it would not generate interest.

Legal requirement to obtain best price

The council is legally bound to sell the land for not less than best price under s.123 Local Government Act 1972. If a best practice process (there is much Govt guidance and case law on this) is not followed then a legal challenge can be brought against the council and many councils have been challenged.

The sale for the site has already been listed without listening to objections made (end date 8 January 2021) which is a requirement under s.123 of Local Government Act 1972. Additionally offers are to be made to Babergh within just over a month of advertising, over a Christmas period, in the height of a pandemic with Tier 4 restrictions for any unnecessary travel with an anticipated worst recession looming. Anyone reading the financial outlooks regularly can see that this is far from the best time to market the site or for the right amount of time to get best price offers.

Please advise how Babergh are meeting the requirement to obtain best price on disposal of assets.

Concluding remarks

In conclusion everyone wants to see delivery of a plan, but surely this has to be the right plan at the right time.

The Sudbury Vision that has been an aim since at least 2012 of opening up the full front of the park has had community support as well as from local groups demonstrated through engagement events held. It has STC support and was supported by the steering group. This was further backed up by the Carter Jonas 2015 town centre study that suggested a solution as opening the front as a gateway to town to encourage footfall through the King street and Borehamgate /Hamilton Road area (owned by Babergh).

Offering the house for sale as a separate site will obviously generate a capital receipt and avoid further costs on an asset where the renovation costs would be too burdensome on the taxpayers funds.

As you had advised there is an application that has been made to the land release fund for £550K and the CIL pot of approximately £10 Million for Babergh is available for infrastructure purposes. There are funding sources to provide and deliver a project to open up the front of the park with the suggested cafe and toilet block. This plan would meet Babergh's environmental objectives and would be supported by Babergh's Development, Strategy and Biodiversity policies. Sudbury would get behind and support Babergh to deliver benefitting the whole of the Sudbury community and the nearby villages, whilst creating further opportunities for future regeneration in the leisure and tourism sector for Babergh.

We have again attached the roadmap document that we had sent under separate cover.

We look forward to your response.

Belle Vue Community Group

NUMBER: 09 INDIVIDUAL

Sent: 01 January 2021 21:16

Subject: S123(1) (2a) Notices of intent of disposal of Belle Vue Open Space Sites-objection to sale or disposal.

I am emailing to object to the proposed sale of the land and house at Belle Vue , Sudbury.

I do not believe the towns best interests are at heart in the planned sale and demolition of the house at Belle Vue. Nor do I believe that it will benefit the town as much as other uses for it could.

There are fewer and fewer places for the community to come together and use as spaces for activities which could enrich and aid many different lives across Sudbury. Young people have no youth clubs to visit, older people are more isolated than ever and also don't benefit from any social spaces. Belle Vue house could be regenerated and used for these things.

The remainder of outdoor space could be used as in Bury st.Edmunds to create a pump track area, where young people can use bikes, scooters and skateboards. Yes there is and area in the park for this but it is already overcrowded and over used and bikes are not accounted for. A flat piece of concrete space does not really encourage skill development or allow proper use for cycles.

I believe there are many better uses for the house and space that the community should have say on.

NUMBER: 10 INDIVIDUAL

Sent: 02 January 2021 12:37

Subject: FW: S123 (1) (2A) notices of intent of disposal of Belle Vue open spaces sites - objection to sale or disposal

As a Sudbury resident and user of Belle Vue Park, I am writing to express my dismay at the proposed sale of Belle Vue House and the old swimming pool site.

My objections are as follows:

The park, in its entirety, should be kept for public recreational and community use and not be regarded as a problem to be disposed of for private residential development

The timing of the sale notice is unfair (over Christmas) and insufficient time (6 weeks) has been allowed for potential local, community-facing bids to be mounted.

The traffic bottleneck at Belle Vue Junction is already dreadful and this will be further adversely affected.

Trees in the park will be felled to allow for building on this site and Babergh are committed to planting more trees.

Belle Vue House is important to the people of Sudbury and should be retained.

The park and house were given to Babergh and the council has allowed the house to fall into disrepair. The council has an ethical responsibility to find creative and entrepreneurial ways of restoring the property as a community amenity.

NUMBER: 11 INDIVIDUAL

Sent: 02 January 2021 16:46

Subject: FW 123 (1) (2A) Notices of Intent of Disposal of Belle Vue Open Spaces Sites - Objection to Sale or Disposal

I have seen many changes in Sudbury over the last 50 years many have not been welcome but considered necessary by the people we voted for in the hope that they were acting in the townspeople's best interests. Not so with the sale or disposal of Belle Vue. The park, the gardens and the house are part of many residents childhood. We played in this park as children and we are now taking our grandchildren there. The gardens were enjoyed by our parents and grandparents.

Belle Vue was handed over to Babergh in 1974 and they had a moral and ethical duty to maintain this open space for the benefit of not only Sudbury residents but the general public. Belle Vue Park is an Open Space as defined by the Open Space Act of 1906. They have failed abysmally. The reverse has happened, they have allowed the park and house to deteriorate. A recent report commissioned by Babergh revealed Sudbury has significant shortfall in park lands, and yet Babergh is ignoring its recommendation by disposing of a significant portion of the park. More tax payers money wasted.

Belle Vue is an inappropriate site for a residential building. The Belle Vue junction is probably one of the worst in town and will not be improved by the housing currently being built on the tax office site opposite. Babergh should be looking to ease traffic congestion in town not increase it.

In addition to the my other objections to the sale or disposal of Belle Vue Park, I am strongly opposed to the destruction of the beautiful and ancient trees that are grown on the site earmarked for disposal.

NUMBER: 12 INDIVIDUAL

Sent: 03 January 2021 12:11

Subject: S123 (1) (2A) notices of intent of disposal of Belle Vue open spaces sites - objection to sale or disposal

RE: S123 (1) (2A) notices of intent of disposal of Belle Vue open spaces sites - objection to sale or disposal

I would like to protest the proposed sale of Belle Vue House and the old swimming pool site for private development, for the following reasons;

1. The house & park should be kept for public recreational use, not private residential development
2. The traffic at Belle Vue Junction is the worst in town and will be adversely affected
3. Trees in the park will be felled to allow for building on this site, and Babergh are committed to planting more trees
4. Belle Vue House is important to the people of Sudbury and should be retained

The park was given to Babergh, and the council has allowed the house to fall into disrepair. The council has an ethical responsibility to restore the property as a community amenity, particularly as we come out of this time of social isolation, where a central, safe & welcoming meeting place for community support will be so desperately needed.

Finally, I would like to say that the timing of the sale notice is unfair (over Christmas) and there is scarcely 6 weeks for any proposals to be made.

I would appreciate acknowledgement of my email (& not just via automated response.)

NUMBER: 13 INDIVIDUAL

Sent: 04 January 2021 16:44

Subject: Belle Vue

The proposed sale of BVH on the open market is something which I want to record my strong objection to.

Several years ago a small group of us submitted a community right to bid and stalled a rushed sale so that we could investigate the options for the house and site. We made a presentation to the estates team but they dismissed our proposals without any justification. The main agitator at the time, Simon Barratt, was pushing for a hotel at that time despite being told by numerous people in the business that hotels in Sudbury were a really difficult use to justify on economic grounds, and clearly the withdrawal of Premier Inn shows that to have been the case.

You have now packaged up the site for sale on the open market in a way which brings with it a number of fundamental problems:

1. The boundary to the south of the house is drawn so close that the retention of the house and its conversion to another use would require a special agreement with Babergh on what is called unprotected areas under Building Regs. I hope you are aware of this issue. Essentially, any application for a change of use would shine a spotlight on the large areas of glazing on the south side and the potential for fire spread from the house to the park.

2. I hope that you are aware of the Suffolk wide and recently declared climate emergency. Buildings are going to have to do a significant proportion of the heavy lifting when it comes to emissions reductions. These reductions relate both to emissions in use and embodied carbon. Work currently being undertaken by the Green Building Council, the London Energy Transformation Initiative, UCL, RIBA, RICS and others is showing very clearly that retention and retrofit of existing buildings is by far the least energy intensive option and on this basis BVH MUST be retained and converted. This then flags up the problem highlighted in 1 above which MUST be resolved prior to any agreement, or option, to pass the site on to a developer, or even a community group, which would be our preferred option.

3. The WSP concept plan for a retained and improved park is commendable BUT their proposal places the entrance out of sight of the main vista from the town down King Street. These vistas are really critical to the success of parks and without them many people will continue to ask 'where is Belle Vue Park'. The entrance must be clearly visible from King Street with a well designed landscape solution for getting from the roundabout level up to the park level. Any public conveniences should be near the entrance but should not dominate it. Certainly the proposal by WSP for public loos is pedestrian to say the least, and a throw back to the 1960s. You should not be suggesting this as a model of the sort of high quality architecture Babergh aspires to.

4. The roundabout in front of the park must be redesigned so that traffic can exit up Newton Road and not be forced around the south and east of the site. Many studies have been done to show that this can work but traffic engineers are not necessarily the ones with the vision to make this happen. A shared space solution for the roundabout would also facilitate a strong pedestrian link from King Street into the park and especially at a time when the whole future of the private car must be in question after your climate emergency declaration.

The issues I list above present challenges which I believe are not remotely addressed in the sale particulars. It cannot be acceptable to offer the site for sale with no preconditions. In fact, unless you have been working in secret with a preferred bidder, there can be no way that a developer will be able to assess the potential for the site within the time frame you have allocated. This leaves us feeling that something is going on behind the scenes which officers are hiding. We must therefore put you on notice that we will be submitting an FOI to flush this out. Babergh has not got a good track record when it comes to Judicial Reviews and this may have to be the next step for us if you ignore the public requests for a rethink.

NUMBER: 14 INDIVIDUAL

Received by post: 05 January 2021

Re: objection to the sale of Bell Vue Park site.

I am writing to object to the sale of the above site. This park was given to the town for it's residents, NOT just as an 'asset' to be sold off, to 'balance' Councils books.

The park is well used, and although the water meadows are available for leisure, the regular flooding of the meadows limits usage, as does the uneven paths which make it hard for people with disabilities or balance issues. Bel Vue Park is centrally located and ideal for leisure purposes, and the only 'open space' the town has, to accommodate events that are organised throughout the year. What has happened to the idea of opening up the entrance to the town? and having a cafe/restaurant and performance' space? That could encourage people into the town centre, and maybe make them stay longer, helping in turn, town centre shops, but also giving a 'meeting place destination" for people. Why are the council intent on selling the park off? Why has so much land been included in the site of Bel Vue House? It is a huge part of the park, that needs to be retained not sold off to the highest bidder. Sudbury is a growing town, there should be more parks, not less, especially given the numbers of flats that have been built, or are being built, in close proximity to the town and that have very little, if any, outdoor space. It seems the Council is willing to OK large housing developments with no regard to developing a 'community', where the people can come together and take a pride in the town.

I have enclosed a couple of news clippings which show what can be done with a bit of political will, and there is no reason to think some of these ideas would not work in Sudbury. The alternative that Babergh seem to be keen to promote, is allowing the selling off as much as possible, without considering the effect they have of encouraging people to just use Supermarkets, with their free parking and being able to buy everything they need, which makes them even less likely to come into a Town Centre with no heart.

Finally, I am concerned about the timing of this consultation one of so many, when I think people of Sudbury have made it very clear to the council they wish to retain the park as a park, for the benefit of the town and it's residents. Why cannot Sudbury choose to innovate a model of a town centre, to show what could be done, instead of driving people to ignore the town centre and all it could offer.

NUMBER: 15 INDIVIDUAL

Sent: 05 January 2021 15:33

Subject: RE: S123 Notice period for sale of Belle Vue House and (part of) former swimming pool site

I am writing to you to formally object to the putting up for sale of Belle Vue House and the former swimming pool site. My grounds for objecting are listed below:

Timing

I have grave concerns about the length of the notice period. Firstly those wanting to object have a brief period of 4 weeks, over Christmas and the New Year holidays, to

send in their objections. Additionally the official newspaper notice only supplies a postal address, thus adding to the time pressure. Secondly any interested buyer is given 6 weeks to submit a tender which is completely unreasonable and unfair if said buyer had no advance warning of this site being put up for sale.

Legal implications

I am concerned that the swimming pool site is classified as open space under the Open Spaces Act of 1906 and that the correct protocols regarding open space are not being followed. Additionally S123 of the local government act (under which the sale notice was published) states that all objections must be listened to before the site is listed for sale. In this case the sale was announced at the same time as objections were invited - if the law is broken on this then a legal challenge may be brought forward.

Process

I am unhappy about the way this process has been handled for the following reasons: 1) The size of the site was wrongly listed initially and had to be corrected; 2) An email address for objections was not published with the newspaper notice and had to be formally requested; 3) The decision to put the site up for sale was apparently made in a Cabinet briefing and not a minuted public meeting so that we do not know who was present or when. This goes against government guidelines on fairness and transparency and is grounds for a formal complaint to the local government ombudsman.

Ethics

Babergh acquired Belle Vue in 1974 as part of a local government shake-up. It did not pay for the site which means that it is morally wrong for the council to attempt to sell it as a prime town centre site for the best price possible. The park was designed to offer public recreational space for free to the people of Sudbury and should remain as such, particularly at a time when all authorities and individuals have acknowledged the benefits of open green space.

Biodiversity

Babergh and Mid Suffolk are committed to a new biodiversity initiative which promotes the planting of trees among other green strategies. A buyer who wants to build on Belle Vue park will undoubtedly be felling large old trees. Additionally Babergh's own 2019 assessment of open space notes the lack of amenity green space in Sudbury with a 12% shortfall. BDC should be increasing open space in Sudbury and is ignoring its own stated strategy by putting Belle Vue House and the former swimming pool site up for sale.

No demonstrated shortfall

There are 19 new flats across the road from Belle Vue Park and a smaller number at the nearby site of the Great Eastern pub. Babergh has not demonstrated that Sudbury needs new housing in this central area and indeed with this brand-new

provision this is highly unlikely. Yet the site is being marketed in flexible terms so that the buyer might well be a developer interested in building residential units.

Traffic issues

Belle Vue Junction is the busiest in Sudbury as has been noted by numerous Suffolk CC highways reports. Any development at this site will hugely increase traffic flow in Sudbury and could gridlock the town while building works take place and beyond. This ought to be a serious material consideration when selling the site but (see above) no limitations have been put on future uses for the site.

I hope that you consider the above carefully and also take into account the antipathy towards this sale by the majority of Sudbury residents whose park it is after all.

NUMBER: 16 INDIVIDUAL

Sent: 05 January 2021 19:33

Subject: S123[1] [2A] Notification of intent of disposal of Belle Vue House and Open space sites - Objection to sale and disposal of:

I am writing to you today because of the news of an intended sale and/or disposal of Belle Vue House and its surrounding open spaces. Let me begin by saying that I understand that Babergh Council are in the business of trying, especially in these testing times, to raise capital for other ideas, services and endeavours that they see as beneficial to the area.

However, I think it is shortsighted and short - termism to be putting the building and parts of the park up for sale/auction for any 'Tom, Dick or Harry' developer to tear down an historic building [it **is** historic, even if some councillors declare it isn't], and build a 'square yellow block' similar to the eyesore currently going up opposite. This is not to say I do not see the need for progress and homes for people to live in, but there are smart, innovative ways to go about this; and to demolish a beautiful building, that as it stands already has a local buyer willing to purchase and 'gift back' to the locale, would be a dereliction of duty on Babergh Councils part. We should count ourselves lucky to have this offer. A chunk of money from a local businessman who wants nothing in return. Its a no-brainer!

We are now in a third lockdown, with no immediate lifting of restrictions on the horizon, and it is extremely important for people to feel that they have somewhere, like a park, that they can use with their family for some fresh air and exercise. And with that, the park - when we finally do get back to some kind of normality - will be a hive of activity and opportunity for business, art and other great things Sudbury has to offer, and yes, to generate income and jobs!

We have a generous offer, with a steering group [which I am not a part of] full of generative ideas for the park and house that could help Sudbury thrive and attract - another yellow block of flats will not do that.

We are facing a mental health crises, and Belle Vue House and gardens could be a fantastic hub for local people needing some solace from the pandemic. It would be a terrible shame to brush aside an amazing opportunity for the council to make a real, tangible difference to peoples lives after the dust has somewhat settled, instead of trying to make a profit and balance books.

Please. listen to the people of the town, and not to the outdated ideas of perpetual growth, from those who do not live here and certainly seem not to care.

NUMBER: 17 INDIVIDUAL

Sent: 06 January 2021 11:12

Subject: Objection Belle Vue House and land sale concerns

Objection

Belle Vue House (BVH) is now for sale on the open market. I do not object to this as such. What does concern me very much is that there are no constraints on what the purchaser can do with the site including demolishing Belle Vue House. There are three options shown in the above document, two of which show the house demolished which obviously gives the green light for this to any prospective purchasers.

BVH is, however, on Babergh District Council's Local List of important and significant buildings in Sudbury. i.e. those that contribute to the town's character and sense of place. Allowing demolition of BVH sets a precedent which puts at risk every other building on the Local List. Babergh DC appears to be saying "Do as we say, not as we do". This undermines public confidence and trust.

History

Set in its own grounds and park BVH is the largest Victorian house in Sudbury. It was built 150 years ago as a family residence for Henry Crabb Canham, a solicitor and holder of various public offices, by London architects, Henry Spalding and Samuel Knight, many of whose buildings are Grade II Listed in London and elsewhere.

BVH has made a significant contribution to the town's history, particularly as a hospital during the First World War and later serving the town as its Council Offices. The Sudbury Ephemera Archive (housed in the Town Hall) has documents relating to BVH's time as a hospital. BVH deserves to be retained because of its many roles, especially this one, and warrants a 'Blue Plaque' noting this fact. BVH is mentioned in every book and guide to the town. Good examples of old building to new use

Demolishing BVH in favour of a car park or modern flats does nothing for Sudbury's architectural heritage. Examples of excellent adaptation are St Leonard's on Newton Road, the Mattingley Building on Friars Street after the fire and the former

workhouse/Walnuttree Hospital, and even the Great Eastern on Station Road façade has been retained.

All contribute to the streetscape – all these have been sympathetically converted and adapted – and BVH could be too in the right hands. The townscape would be much the poorer had these been demolished and replaced with some nondescript modern building that could be absolutely anywhere. That it is rundown and a mess now is no indication that it could not be restored to its former self.

Carbon emissions

There is much research now to show that retaining old buildings creates less carbon emission than demolishing and building anew, even if that new building is built to low carbon standards. It is no doubt cheaper to hire a bulldozer than an architect skilled in converting old buildings. And no VAT on new building is a big incentive to demolish, yet Babergh's aim is to reduce carbon emissions and for buildings to be zero carbon by 2030. If Babergh really is committed to its zero carbon aims this opportunity to retain and renovate BVH will confirm that commitment.

Flexibility for new use

The fact that BVH is not nationally Listed means it is more adaptable to changes both inside and out which makes it more flexible to change of use. The options for the site show a café to be built on the edge of Belle Vue Park – why not scrap that (saving even more carbon emissions and money) and put the café in BVH overlooking the gardens and park and have the remainder converted to two or three flats? Or adapted for community use, e.g. housing the collections of the Sudbury Ephemera Archive?

I hope that you will take into account my plea that any purchaser/developer must retain BVH and ensure that it is sympathetically restored and adapted to a new use and that it is NOT demolished even if it means Babergh makes less money from the sale that it would do if demolition was allowed. I do realise that Babergh has to account to its council tax payers as to why it (perhaps) did not accept the highest bid – the above provides a few reasons that override solely financial concerns.

For a place that promotes itself as a historic market town to allow demolition of such a landmark building from Sudbury's Victorian legacy shows total disregard for heritage assets and is not acceptable.

This may not be the right time for my plea but I did not want to miss the opportunity of stating my concerns.

I was greatly dismayed to learn that there was no 'No Demolition' clause in the Conditions of Sale leaving Belle Vue House totally at the mercy of the purchaser/developer. Belle Vue House looks dreadful at the moment – and people can be swayed by that - but it is not an excuse for demolishing it. A good example of what can be done with old buildings is just across the road from Belle Vue House – St Leonard's former hospital.

Very many people who live in Sudbury have happy memories of time spent in Belle Vue Park with the house as a backdrop. Others value it for his history and its status as the largest Victorian house in Sudbury. There is much emotional attachment to Belle Vue House – please do not underestimate this. Of course, Belle Vue House means very little to people in other parts of Suffolk and further afield which could either be construed as objectivity – or a lack of empathy for people and place.

I hope very much that you will look kindly upon the old house and allow it to thrive again in its gardens and park by preventing its demolition by a purchaser/developer.

NUMBER: 18 INDIVIDUAL

Sent: 15 December 2020 11:46

Subject: Land and Buildings (old Pool Site and House) on the Belle Vue site in Sudbury

I am very distressed to learn you are putting the above up for sale. I find this so disappointing given the public support for this land to be redeveloped for community use, including the offer by ██████████ to fund such renovations (at his own expense) to make the building fit for purpose.

The current climate has shown how important our recreational spaces are for Mental Health and Physical wellbeing. It is such a shame that whilst we have the space available it has been left to rot, by underfunding and neglect, at the hands of our local council. Please don't sell off this land. It belongs to the community. I have every faith that we can raise the funds to have this land brought back to life and to be of benefit to local people again.

Given that the meadows are used by cattle and dog walkers and are subject to flooding, the park really is the only 'clean' grass environment we have locally, and it already feels too small. We need to open it up and let the children have more space to play and exercise. Surely this is common sense?

This leads me to ask why does the council need to sell this land – why do you need the money? Is it because so much money has been wasted on private consultants for redevelopment plans for Sudbury that never come to be, as they are either not viable, unfit for purpose or the ideas just plain unpopular?

The sneaky timing and tiniest of notifications in the press to make your announcement also comes across as underhand, as the majority of people will be preoccupied with pandemic worries and Christmas. I hope that someone at Babergh will get to read this and see that we, the community, really do want to save Belle Vue, all of it! Please give the people what they want, green safe space for all of us to enjoy.

There is no going back if you sell it off to be 'developed'. I have already heard so many complaints about traffic pollution in that particular part of town, would it not be a good idea to plant more trees on that site? Surely that would be a better idea and more in keeping with the Governments plans for a greener future? If you are going to sell it, sell it to ██████████ so we can safeguard our community spaces....

NUMBER: 19 INDIVIDUAL

Sent: 07 January 2021 13:41

Subject: Proposed Sale of Belle Vue House in Sudbury

I am writing to object to the proposed sale of Belle Vue House. My objections are:

- The fact that the sale of the house has come to light over the Christmas period, with a deadline for objections so close to New Year, seems somewhat furtive. Sadly, this appears to be the way the council now works, when they are trying to get something unpalatable passed the residents of the town.
- As the property that was given to the town for community use, and has been used for such since WW2, I would like Babergh District Council to explain how they have acquired the right to sell it.
- If the house is sold, it may have a potentially detrimental effect on the remaining park and surroundings, depending on how it is developed.
- The old swimming pool area, has been allowed to deteriorate badly since the closure of the old open-air pool nearly 40 years ago.
- The same applies to the house, only I believe the lack of maintenance to the fabric of the building was what led to its closure, and since then it has been allowed to deteriorate to an unsightly state.
- In both cases the lack of care to the site has been the excuse Babergh DC has used for trying to dispose of the site.
- Any sale of the house will obviously generate money - there are no guarantees in your plan to use this to provide a replacement central community hub for events, classes, etc, or to hand it to the town for them to decide what to do with the money.
- The house could be renovated to provide useful community spaces for the enormous number of groups trying to hire spaces for their activities. There is a real shortage of space and the council seems totally oblivious of it.

NUMBER: 20 INDIVIDUAL

Sent: 07 January 2021 15:42

Subject: Belle Vue

As a resident of sudbury for 16 years, I urge you to reconsider the sale of the Belle Vue land. I know that many in the community would like to see it converted into an asset to the town (eg community centre), rather than simply sold off.

NUMBER: 21 INDIVIDUAL

Sent: 07 January 2021 20:08

I am writing to object to Babergh's intention to sell part of Belle Vue Park and Belle Vue House.

Belle Vue Park is Sudbury's only park and is a place for people to visit, relax and enjoy. The Pandemic has shown how valuable safe, green space is for health and wellbeing and how lucky we are to have a park.

I am angry that Babergh want to sell part of Belle Vue Park, which they did not buy and have not cared for. The swimming pool which I used as a child was closed and turned into a skate park, also closed, and now left in a derelict state. The derelict state of the pool site is due to lack of care and attention from Babergh.

My understanding is that the "derelict" area is actually open space as defined by the Open Space Act of 1906 and that Babergh were duty bound to maintain the park and retain it as an area of public recreation to be used by the public on a free basis. Public recreational space is for the enjoyment of all and shouldn't be sold or leased on the open market for the council to profit financially. The park was gifted to Babergh so surely it is unethical to sell it, especially for private residential building.

Babergh District Council are compelled by the law to maintain a good and decent state of the whole park including the old swimming pool site as an area of recreation land for public use. Why have they not done this?

My understanding is that Babergh and Mid Suffolk have just agreed a Biodiversity Action Plan with collective funding of just under £300,000. One of the aims is to plant more trees in Babergh/Mid Suffolk but development at Belle Vue will surely involve tree felling and more concrete.

The traffic at Belle Vue junction is the worst in the town and will be increased.

The timing of the sale notice is unfair, being over the Christmas period and in the middle of a pandemic. Such an important sale should not be going ahead at this time.

NUMBER: 22 INDIVIDUAL

Sent: 07 January 2021 22:26

I would like to express my objections to the sale of Belle Vue House for the purposes of re development into housing or office/hotel space.

Belle Vue Park along with Belle Vue House and old swimming pool site has been a key part of Sudbury for many decades and over the years has been left to deteriorate. As a sixth generation Sudbury family, when I was young I spent a huge amount of my childhood playing in the park and seeing the animals that were kept in the grounds of Belle Vue House.

It is very sad that now I have children of my own, they do not get to appreciate the park and the house for what it really could and should be. I would therefore like to formally object to the sale of Belle Vue House and the old swimming pool site for the purposes of re development into houses, offices or a hotel.

I would like to recommend that the house and old swimming pool site be sold to a trust for the benefit of the people of Sudbury to enjoy for many years to come, and allow it to become the community hub that it was many years ago once again.

There is a local interest in purchasing the site from Babergh Council and carrying out the necessary renovation to the house and old swimming pool site and placing it all in trust for the local community. I firmly believe that this is the best way to make use of this site particularly with the current pandemic and the lack of community space that is now available.

I would be grateful if you would confirm safe receipt of this email, and confirm that it will go forward to the relevant department handling this matter for consideration.

NUMBER: 23 INDIVIDUAL

Ref S123 Notice of intent of disposal of Belle Vue Open Space Sites

Objection to Sale or Disposal

I am writing to voice my objection to the sale or disposal of Belle Vue House and the old swimming pool site.

I have visited the park over the years and compared to somewhere like Abbey Gardens, Castle Park in Colchester, or Eaton Park in Norwich, Belle Vue Park has sadly been left to deteriorate by the Council.

I have been a resident of Sudbury since 1971. Belle Vue House was in its prime then, and it had beautiful cultivated flower beds. It is so sad to have seen the whole site decline and be left to become derelict.

When I was a child my siblings and I used the open- air swimming pool regularly and also enjoyed visiting the park. We used to enjoy seeing the flowers and animals and following the winding path to the entrance of the park where the playground was.

There is a lot that could be done to make the park and Belle Vue House lovely again and used and enjoyed once again by local residents, and also to attract visitors to Sudbury.

A large number of Sudbury residents would like to see the House and park restored and be put to full use. Suggestions have been for Belle Vue House to be used as a public venue such as a wedding venue, or conference centre; even a registry office. There are not many public buildings in Sudbury that can be used in this way. The gardens, if cultivated once again would make a lovely backdrop for wedding or party photographs.

The park and gardens could be cultivated and well-maintained, with a coffee shop, splash park, mini golf or pitch & putt; clean, new toilets, including disabled toilet, with a warden to maintain them, wildlife nature areas.

Volunteers could be utilised to help maintain the gardens, Mental health or well-being organisations could use the park to run gardening courses and programmes, Children could be encouraged to learn about nature in the wildlife area in school holidays. There could be nature trails, adult outside gym. The park could have gates/railings around so that the green beauty of the park (once restored) could be seen from the town and adjoining roads.

It would also be good to allow dogs in the park (on a lead) as more people would walk through with their dogs and children. (The children's play area could be fenced off and be out of bounds for dogs)

We do have the water meadows on which to walk dogs, however when the meadows are water-logged it is not possible to take dogs there.

This year it has been more important than ever to have green spaces for people to exercise in and help them maintain good mental health.

I am a support worker for adults with learning disabilities based in the Bury St Edmunds area. This year during the lockdowns, the only places to take clients have been parks and gardens. Those around Bury St Edmunds have been very well maintained such as Nowton

Park, West Stow country Park, Abbey Gardens. Abbey Gardens has been a lovely place to visit with its small café, tables and chairs, cultivated gardens, wildlife, spaces to walk and sit, children's play area, and well-maintained toilets with a warden to make sure they are kept clean.

Having a lovely park in Sudbury to take clients to would be a real asset as support workers will travel to find suitable places which will benefit their clients. I'm sure this would also be the case for residents in Care homes where they could be taken to enjoy the beauty of a park or gardens. Also, parents with their children, people working in the town could go and sit there during their lunchtime, the list is endless.

There is so much potential beyond just disposal as a quick a money- making exercise, and I sincerely hope that Babergh District Council will consider carefully about plans for Belle Vue House and the surrounding site and listen to what the people of Sudbury are saying about what would be good for the town. After all we are the people who live here and care deeply about the town and its people.

NUMBER: 24 INDIVIDUAL

Sent: 08 January 2021 04:56

Subject: Re- S123 notice period

It's a beautiful house that in my opinion has been deliberately left to decay ! It has always had a use & then in the councils wisdom they removed TheCitizens Advice Bureau, council hub for payment etc & The Day centre for senior citizens . It has remained empty since then & now boarded up , even the park lacks maintenance & some equipment has removed . It looks an absolute mess . Such a shame our council leaders can't see what a gem it is . I thought it would make a wonderful craft centre , even renting out rooms for small business use . You have to wonder !!!

The legal & planning department s could serve an article 4 direction preventing its demolition. Like they did with The Highbury Barn in great Cornard , there was also importance placed onThe Tarantella which had provided apartments . It has strong local history & could be an asset to Sudbury .

NUMBER: 25 INDIVIDUAL

Sent: 08 January 2021 07:38

Subject: Belle Vue House & Land Re: S123 Notice period

I am writing to object to the sale of Belle Vue House and the land at the site of the old Swimming Pool in Sudbury.

I feel that compared to the amount of publicity the area had when BDC had its hotel plans in the pipeline, this sale has been quietly rushed through within the six weeks over the Christmas and New Year period when people are preoccupied (not least with Christmas - there is also the Covid pandemic and Brexit). It has been so low-key that I have struggled to find the correct email address/subject lines to use - please excuse me if I have not got these quite right.

Before the hotel plan, the House was subject to a great deal of public consultation and gained much interest including two community bids. Surely BDC gives priority to the community? I understand that Belle Vue House was gifted to the people of Sudbury, so they should have first say in its use (or disposal). I also understand that Sudbury Town Council was not consulted over this sale, which is rather shocking.

Added to that there is the offer by [REDACTED] to buy the house from BDC and return it for public use - for example as a wedding venue. In my opinion this would be very much preferable to seeing the building demolished and replaced by yet more flats; however, whatever becomes of the building it should be decided by a more democratic process.

As for the Swimming Pool land, I believe it is an Open Space (as defined by the Open Spaces Act of 1906), and therefore BDC should have maintained it in 'a good and decent state' for the enjoyment of the public. Instead it has been closed off for many years and allowed to fall into a state of dilapidation.

It would not cost very much public money to bring this land back to life with an orchard of fruiting trees, vegetable gardens and a water feature or two, say. This would go some way towards fulfilling Sudbury's shortfall of Amenity Green Space (-6.61) or Allotments (-3.43, according to Babergh & Mid Suffolk DC's own Open Space Study of May 2019).

I hope there is some chance postponing any sale until the people of Sudbury have had another chance to salvage the house and/or the land for purposes that will benefit the community.

NUMBER: 26 INDIVIDUAL

Sent: 08 January 2021 09:23

Subject: Re: Belle Vue and old Swimming Pool site

I'm not formally objecting to it being sold for community use.

I am concerned that it has been run down to such a state of disrepair that the only option left is to demolish it. This would be a travesty.

Surely Belle Vue and gardens would provide a wonderful venue for an Arts & Crafts Centre, Cafe and Gallery - with a lively listing of workshops, lectures and learning opportunities for all age-groups? We have nothing like this in Sudbury - the Quay Theatre and Gainsborough House being the only 'cultural' centres for miles and somewhat limited in what they offer. I'm thinking of examples such as the Minories in Colchester, Kettles Yard in Cambridge, and Arts Centre in Norwich. Sudbury so needs something of cultural and creative importance - and there is so much potential for our diverse community to benefit.

NUMBER: 27 INDIVIDUAL

Sent: 08 January 2021 21:41

Subject: Re s.123 Local Government Act 1972 notice period

I refer to the s.123 LGA 1972 notice referencing the 1.06 acres (0.43 hectares) proposed disposal filed by Babergh District Council (BDC) and have carefully reviewed the marketing documentation provided by Studley Capital Limited and I strongly object and oppose the proposed sale and marketing of the Belle Vue site and provide the grounds for objection below:

Surplus land requirement

I would like to highlight again that this land that Fiona Duhamel advised was determined to be surplus in 2013 is not surplus. There is a significant deficit of open space in Sudbury and the deficit is going to grow larger as more developments are built. I have attached the reference to the assessments that were undertaken by BDC for open space and recreation. BDC's assessments show a significant deficit of amenity green space and park and recreation land in Sudbury.

The NPPF states the following:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.*

or

- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of **quantity and quality** in a suitable location.*

or

- *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

Fiona Duhamel advised in separate correspondence that the land was declared surplus in 2013 and it appears to be on that basis that BDC are proceeding. The assessments carried out in 2019 quite clearly show the opposite and being marked as not just a general deficit but not even reaching the minimum requirement for Sudbury marked against national averages for area size and residents.

BDC are actively ignoring the NPPF and in addition appear to be not referring to BDC's own policies:

BDC are encouraging small developments within the town to reduce car use and parking provision as advised in their recently adopted Infrastructure delivery policy (IDP) but are reducing in percentage terms the available open space, again this goes against the IDP and the open space assessment and policies CS14 and CS15 in the core strategy that BDC is supposed to take lead from where it undoubtedly states the following:

- i) to respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views;*
- ii) make a positive contribution to the local character, shape and scale of the area'*

The site ad is strongly encouraging residential development on this site and sites CS18 from the core strategy policy stating:

'The Council's Policy CS18 focuses on the need for residential development to provide for the needs of the District's population, particularly older people'.

There is no mention of the site being 'open space' or the CS14 and CS15 strategy requirements. Yet, in the core strategy document at 3.4.4.12 it highlights the importance of CS15 over other policies stating that:

'All proposals for development should comply with other policies in the Core Strategy and Policies document, particularly Policy CS15, and other subsequent documents as appropriate.'

The open space and recreation policy 2008-2018 was written to support the JLP and to provide strategy around open space and recreation.

The strategy sets out a number of key areas all which have not been taken into account, but key strategies include:

- *Identify open space, sport and recreation facilities which are important to the communities which they serve and seek to protect them from alternative uses or from development.*
- *To enable priorities to be set for improvements to open space, sport and recreation provision throughout the district, within catchment areas and Parishes;*
- *To inform policy formulation for the planning and operation of open space, sport and recreation facilities in the future, in particular, the policy context for enhanced provision through the Babergh Development Framework;*
- *To provide and support a network of open spaces which contribute to local biodiversity and nature conservation value;*
- *To ensure an adequate provision of green infrastructure is provided throughout the district and beyond to provide recreation and nature conservation opportunities;*
- *To ensure the opportunities for participation in a range of recreation and sport activities are accessible to all to promote healthy lifestyles;*
- *To ensure that provision for open space, sport and recreation is commensurate with future housing growth throughout the district.*

There has been continual opposition from the Sudbury community every time BDC puts this land up for development sale. This is because this space is and always has been important to the local community who purchased this land to keep it in Sudbury's hands prior to the compulsory acquisition on 1 April 1974 due to the local government reorganisation. This site has for many years has had recreational use and is 'open space' to be maintained for the enjoyment of the public even though BDC have not until recently recognised it as such. BDC should have identified this land prior to now and provided upkeep and protected the land against sale as per their legal requirements under s.10 Open Space Act, the NPPF and BDC's many core policies that advise it to do so.

S.10 Open Space Act 1906:

Maintenance of open spaces and burial grounds by local authority.

A local authority who have acquired any estate or interest in or control over any open space or burial ground under this Act shall, subject to any conditions under which the estate, interest, or control was so acquired—

(a) hold and administer the open space or burial ground in trust to allow, and with a view to, the enjoyment thereof by the public as an open space within the meaning of this Act and under proper control and regulation and for no other purpose: and

(b) maintain and keep the open space or burial ground in a good and decent state.

and may inclose it or keep it inclosed with proper railings and gates, and may drain, level, lay out, turf, plant, ornament, light, provide with seats, and otherwise improve it, and do all such works and things and employ such officers and servants as may be requisite for the purposes aforesaid or any of them.

In my personal view, BDC have failed to consider or implement their legal requirements or policy in relation to the Belle Vue Site sale.

The Local Development Documents must, taken as a whole, set out the authority's policies relating to the development and use of land in their area. (Planning and Compulsory Purchase Act 2004 S 17(3)). BDC appear to be in contravention of the NPPF and their own key strategies and policies by offering up this particular site area for sale.

BDC Officers have taken the decision to sell Belle Vue and they have confirmed the site area and made the decision to market the site all without council approval and actively breaching their own policies but more importantly principled government guidance, NPPF. The decision to sell does not appear to have been validly taken.

Additionally, BDC have a statutory duty to prepare a Sustainable Community Strategy and have an associated duty to consult (Local Government Act 2000 Section 4(1) and 4 (3)). BDC have prepared a Community Strategy with their vision and strategy and this document highlights some of the issues around interaction with the community and includes some of the following:

*'We need to ensure that we are accessible and move our communication from what are often one-off consultations to a more meaningful real-time dialogue. This will take effort and commitment on all sides and it must be founded on a relationship developed through mutual trust and respect. We recognise that it is much easier to write a strategy than to implement one, **but we are committed to ensuring this strategy has impact by embedding it across all our services.** Our vision is simple, we want "all our communities to thrive"*

'It is important that we always seek to represent local views, encouraging local people to make their opinions known. It is vital therefore that we direct our effort, avoid duplication and that we target our resources to achieve the right outcomes.'

'Our strategy will develop how our needs-based approach can be delivered using the following key principles:

- An agreement of common interest: where there is a commitment within a community to explore greater opportunities for joint working and to engage the whole community in doing so.*

- *The Prevention Test: where there is evidence that activity will reduce the demand on services or be used to address an issue that creates demand, for instance poor health or isolation.*
- *The Asset Test: where the assessment of the community “deficits” is developed alongside the community assets.*
- *The Legacy Test: the lasting contribution of the activity or project and its positive impact within the community. This could be an increase in volunteering, better use of a community space, an increase in physical activity.’*

BDC have not demonstrated that they have taken a needs based approach and seem to have ignored these set of tests. BDC have a statutory duty not to just write the ‘right’ words but to implement and follow these strategies and a duty to consult. Based on the facts that are publicly available I am concerned that BDC have not followed all their obligations.

I have separately written to request information about how BDC determined the surplus land position and await a response.

Site ad issues

There is no mention of open space and recreation space in either the site ad or information pack. BDC has issued the s.123 LGA 1972 notice so are openly aware of the fact that they choosing to sell open space and have made the decision to market the site for offers before objections have been capable of being made and heard.

I have provided objection to the marketing process further on in this document, but potential buyers are not being made aware from any marketing documentation that this site includes open space which has been used for recreation purposes up to 2015. It would surely be unlawful to mislead prospective purchasers and BDC are aware of the open space legal issues and yet this information is excluded from the marketing documents for prospective purchasers.

Secondly, the site ad is geared towards encouraging a care home sale, by regularly referencing the ageing population including all stats for over 65’s and providing the Sudbury Steering Group’s (A non executive function) drawings and plans as part of the information pack that reference residential care and suggests the property should be demolished using the following wording:

‘Should the development proposal involve the retention of Belle Vue House then the refurbishment of Belle Vue House must be concurrent with the development of the remainder of the site.’

The wording implies that the expectation is that the house is to be demolished which in turn provides an inference that planning would be in general agreement with this and yet it is a locally listed asset and even though BDC have allowed it to become rundown it is treasured by many in Sudbury and considered an important asset to the community, with the Belle Vue interest having been acquired by the Mayor of the Borough of Sudbury for Sudbury people prior to the local reorganisation. This has been echoed throughout engagement and consultation events and BDC are ignoring this and encouraging the demolition and making it harder to bid on the site and retain the house as BDC have attached conditions in terms of the timing of the work to be done ‘if’ the house is to be kept. This is another example of BDC not showing regard for their own policies (CS15).

Additional planning considerations

As referenced above the NPPF provides clear guidance on the procedures to be considered in respect of open space and recreation land. BDC will likely try to argue that planning issues are a matter for the planning committee when an application is formally made but I disagree and strongly believe that BDC have a duty to consider these issues at the outset as the land being marketed is open space which should have been maintained in decent state for the public benefit and they have strategies for land management in the area for development purposes.

Over a number of years BDC has wasted time and taxpayer money on marketing these sites including significant cost out of a regeneration fund funded by local business rates for BDC to build a 54 bedroom Premier Inn and leaseback to Whitbread PLC. This BDC led project had material factors to consider for planning that were weighted against it and the disposal of the swimming pool site for that purpose would not have been for best price for the land as there was no consideration and there is a requirement to receive consideration under s.123 LGA 1972 so would likely have required secretary of state approval to even take it forward.

Hundreds of thousands of taxpayer's money has been spent trying to meet BDC's objective to have a hotel somewhere on that site despite significant community objection all whilst offers have come forward for the house and these have been rejected because BDC wanted to sell the whole plot and these offers have been lost. In my opinion, BDC appear to have breached many statutory duty's to taxpayers including a best value duty under the Local Government Act 1999 which requires authorities to secure continuous improvement in exercising functions, having regard to a combination of economy, efficiency & effectiveness.

If BDC disregard the NPPF and their own planning policies at the outset as part of taking a decision of what part of the site should be disposed and marketed and what uses could come forward, then in my view this could be a breach of their statutory duty to provide best value having spent years repeating the same actions on this site and ignoring the open space and other key planning issues.

The highway issues alone on any development proposal would be difficult to overcome bearing in mind BDC agreed an application for a multi storey block of 19 flats on the opposite side of the road to the encouraged residential development at Belle Vue of which the building is well underway. BDC engaged WSP at taxpayer cost to do traffic surveys and they have highlighted that the Belle Vue/Newton Road junction is one of the busiest in Sudbury. This is a dangerous junction and difficult to get across on to the park side and will become an even bigger issue with the Chilton Woods developments. BDC regularly highlights the issue with the Belle Vue/Newton Road junction. Its own infrastructure policy suggests bringing in methods of calming traffic in that specific area with the latest reference to this in the car parking review issued this week.

As a resident who lives on Newton Road and often struggle to cross the road due to the volume of traffic, I directly witness the issues that are faced on this road and that junction. Marketing a site to encourage residential development including the SSG's preferred residential care options over two plots and included in the information pack to prospective purchasers (carer's cars/visitors/lorries for food etc) does not consider the serious highways impact that planning would have to take into account and in my opinion is foolhardy and possibly misleading to potential buyers.

There will have been more taxpayer money spent on marketing this site once again and it could have a condition of sale to be to achieve a planning application. This would again defer any progress being made if it cannot be delivered and could fail the best value duty requirement.

I object to the marketing and disposal of this site on the grounds that no planning considerations appear to have been taken as BDC have failed to provide a deliverable plan on this site despite several attempts and in my opinion could be a breach of their statutory duty by failing to improve these functions and inefficiencies which have led to significant lost taxpayer money.

Environment

Babergh and Mid Suffolk District Councils' cabinets unanimously agreed their Biodiversity Action Plan, setting out how they aim to protect and strengthen biodiversity in the districts which was supported by experts. It is the product of biodiversity emergency motions passed by both councils in 2019.

Its approval forms a key step towards achieving the councils' ambitions to protect and enhance the environment, and links to their Joint Carbon Reduction Management Plan.

Headline commitments include:

- *developing a Supplementary Planning Document linked to the Joint Local Plan - to strengthen biodiversity protections and set out the districts' expectations for design, landscaping and open space elements of new developments*

There are obvious environmental concerns including and not limited to the impact on existing trees, the positive impact on people's mental and physical health to have access to well maintained green open space, to encourage new tree planting, the car emissions on a busy junction being further added to and by opening the swimming pool site up for landscaping would allow further space to enhance the cycling and walking opportunities meeting BDC's supposed objectives.

Any new development on the house site would be a new development. Therefore, you would expect the purchaser to add to the open space offering to set off the impact of building more residential places. In this case the land is already open space. BDC offering to re-landscape the right hand side of the park and maintaining it is a duty of the council to maintain the open space and not part of providing additional open space as part of a private development. At the least you would expect offers to come into re-landscape the swimming pool site at the purchasers cost to be made open to the public. If not, BDC are openly profiting from taking away open space that is for public benefit and not ensuring that the developer contributes to further open space or to provide for any recreation land as part of what could be a considerable development.

The NPPF and BDC's latest bio-diversity plan cited above that this must be a consideration. Sudbury Steering Groups chair, Councillor Michael Holt's favoured plans (although this group is not in my view properly representative of Sudbury's view and the group are prohibited to have any decision making powers as per their terms of reference) have been added to the information pack for prospective purchasers which all show building on the swimming pool site inferring preference for that land to be used for residential care and with no comments as to the loss of trees, open space availability and for the site to provide any further improvement to the green infrastructure on this Sudbury site. Again, this is another example of where there's a perceived failure to follow the NPPF and BDC's working strategy and policies, with BDC appearing to focus on only the capital receipt of selling what they have marketed the site as 'Prime Town Centre Site For Sale' (EADT Thus 17 December) and failing to follow any policy.

S.123 notice issues

The impression created is that there have been a number of blatant failures by BDC to follow due care and process including potential breaches of statutory duty required by the council under the following legislation:

- Section 123(2) LGA 1972 - provides that: *'the Council may not dispose of land (other than for a short tenancy) for a consideration less than the best that can reasonably be obtained'*

The council is legally bound to sell the land for not less than best price under s.123 Local Government Act 1972. BDC have in my view based on the facts that I have been presented with not met this condition based on the following points:

- The site has been marketed over Christmas initially for only 6 weeks, during the height of an ongoing pandemic, although an additional 3 weeks have been given due to a national lockdown. The absolute minimum period for marketing using best practice and case law precedent would be 2 months. This is without being in an unprecedented financial climate through the height of a pandemic and lockdown, over Christmas shut down and a forecasted recession. BDC have owned this site since 1974 and previous marketing for that site was for a much longer period of time. I do not believe that the marketing timescale and the timing of the sale is adequate to obtain best price to reach all potential interested parties.
- The site looks like it has been wilfully neglected by BDC even though they have had a legal duty to keep the site in a 'good and decent state of repair' under the terms of s.10 Open Space Act 1906 achieving an undervalue of what the site should be worth.
- The sale ad as attached on their website which advises that the method of sale will be assessed on a quality / price evaluation criteria basis and that the vendor reserves the right not to accept the highest or any offer received.
- After much searching, I cannot see anywhere on any of the local or national websites where this is for sale. Previous marketing with Savills had this on their website under searches and on well known websites selling land for redevelopment. This could also be purchased for private sale yet again it is not marketed anywhere online. How can this method of marketing in the digital age and even more so in a pandemic situation not be available for online marketing sites.
- Disposals by public authorities also need to comply with the European Commission's state aid rules

- a) open and unconditional bidding procedure,
- b) comparable to an auction, accepting the best or only bid; or
- c) an independent evaluation should be carried out by one or more independent asset valuers prior to the sale negotiations in order to establish the market value based on generally accepted market indicators and valuation standards.

I challenge the position that BDC may not be aware and may not be following the EEC requirements when this was marketed.

I also believe there to be a possible breach of a statutory duty based on the information made available. The site sale has been listed for offers to be received now by 12 February at 12pm without listening to objections made (end date 8 January 2021) which is a requirement under s.123 of Local Government Act 1972.

- Section 123(2A) LGA 1972 states: '*A principal council may not dispose under subsection (1) above of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them.*'

The newspaper disposal notices included the incorrect space in the first notice and updated it in the second week so the notices were not the same in the consecutive weeks.

BDC made it initially harder to object by requesting the objections in writing. Given we are in a pandemic and I would want to guarantee that an objection was received it will have forced people to have to go the Post Office. I had to request that they provided an email address as well as they had not provided one and wanted all objections in writing. BDC did acquiesce to this request but this should have been offered as a communication option for objections at the outset as is offered by many councils who have gone through this procedure.

I have requested details of the process for hearing the objections but BDC have made the decision to sell the site before objections have been made and heard relating to the disposal of open space.

Even if objections are now heard, I would have little faith that BDC would take seriously the objections or that the public would trust that proper consideration is being taken as the decision to choose to sell the land has already been made. The council will likely retort that the bids are to come to cabinet in March so that a decision is not final yet, but costs have been incurred in marketing this site, drawing up visions for the Sudbury Steering Group (the non-executive function) so the costs must have been incurred by BDC directly to dispose of this site. This failure to adhere to follow best practice guidance in respect of s.123 (2A) LGA 1972 is unacceptable.

Regeneration

BDC's leader, John Ward, spent a significant amount of time last year arguing that the hotel was about regeneration.

By following SSG's plan for retirement properties on both the house site and the swimming pool site the opportunity for regeneration is lost.

Opening up the front of the park meets all the legal, non statutory guidance and local policy as well as providing for future opportunities to improve the site further to encourage people outside of Sudbury to come to our town. BDC's overarching plan is to improve the area for the recreation and tourism sector to encourage investment into town. Re-landscaping of the whole front of the park with the café and new toilet block, accessibility for those with mobility issues and to encourage footfall to the area of the town that is owned by BDC (i.e. The taxpayer) which BDC are aware that they can fund from the Land Release Fund and CIL would generate other significant other revenues.

The house site could still be sold without the swimming pool site and with an increased value due to the additional park land surrounding it and has been bid on and had offers many times as a separate site but BDC are actively promoting short term capital receipt over medium and long term regeneration and income streams.

BDC have argued that they have invested in Abbeycroft Leisure (the company that manages their leisure centres) and St Peters for cultural events and to Gainsborough House. Many cannot afford gym and pool costs or cannot afford to access the arts or indeed have an interest in it. However, improving an asset owned as custodian by BDC that is supposed to be held for enjoyment of the public (s.10 OSA 1906) where there is no initial cost to them to access would drive more people to come into Sudbury to enjoy the space, would generate option to boost fund raising locally to further improve the park and with increased footfall comes increased spending in Sudbury.

I object to how BDC are openly dismissing any regeneration options on land that is specifically held for the enjoyment of the public that can directly benefit **all** as well as increasing footfall from within the community and tourists to Sudbury.

Concluding remarks

The proposed disposal does not meet the requirements of the public, in my view the disposal of the site and the decision to dispose appears to breach several statutory duties and does not adhere to non statutory guidance such as the NPPF and fails to adequately respect local policy.

BDC appear have neglected this site for many years despite their legal duty to keep it in a decent state and for the enjoyment of the public.

BDC appear to be looking for a short term capital receipt but are not balancing the other needs of the council and the needs of the public. A regeneration opportunity that balances the needs of all and provides a medium and long term revenue generation from increased footfall and tourism is available and BDC were prepared to take on the huge project of borrowing and building a £6.5 million hotel for Whitbread PLC on a 25 year leaseback scheme in the interest of regeneration. BDC can obtain full non repayable grant funding for this project from LRP and CIL and I would urge the council to reconsider their plans for this site and look to make this the regeneration project which also supports the short, medium and long term opportunities that can be created by opening up the whole front of the park as supported by Carter Jonas in their regeneration study commissioned by Babergh in 2015 with the additionally proposed café/toilets.

I reserve all my rights in the event BDC proceed with this ill advised sale in breach of your statutory duties, NPPF guidance and your own policies.

NUMBER: 28 INDIVIDUAL

Sent: 09 January 2021 00:06

Re: s.123 LGA 1972 notice referencing the proposed disposal filed by Babergh District Council (BDC) of land at Belle Vue House and Park.

I'm writing to object to the proposal for section 123 disposal of land referred to as the Old Pool site and House. A brief summary of my reasons and grounds for objection are detailed below:

Site advertising and timing:

The site advertising has been launched in the same month as the section 123 notice, and already strongly suggests the outcome or criteria expected in a successful bid. As well as appearing to pre-emptively preclude the potential other uses that interested parties might put forward, the site also implies that the expectation is that Belle Vue House should not be retained as a preferred option. In fact, the wording of the materials implies the opposite by using the Sudbury Steering Group's diagrams of possible options where the house is demolished.

The site includes open space, and this is not made clear in the marketing materials. There has been statement by some councillors that there is a small amount of open space in the land advertised. However, in addition to this, the open space referred to as the 'Old Pool' site has been used as recreational space up to 2015. The fact that the council now pursuing this sale are the ones that closed this area off to the public surely cannot be grounds for it now to be considered otherwise.

Section 123 notice concerns:

The section 123 process asks the council to only dispose of land for the best price available.

The site is being marketed over Christmas, in the middle of a pandemic, with no mention of the changes for an interested party that they may face when objections from the section 123 notice are made. All this adds up to a process that is almost sure to not fetch the best market price.

The site has been run down by the council and they have also stated they will not necessarily accept the highest offer. This also runs contrary to achieving the best price.

Finally, apart from the adverts in the newspapers, I cannot find any other material relating to advertising site for sale online or outside the local papers. This seems to be something that the former operators of Winch & Blatch and many other property owners in town have done, as I can find their properties. So, it is hard to understand how the best price will be achieved.

Outside of the pricing issue, on a personal note, I can't understand that former interested parties were not formally invited back to develop or submit plans for Belle Vue House. Even if they were not, if the council were interested in the quality of the proposal, that they would have taken steps to attract the best bids by allowing more time and applying wider advertising. All this adds up to my view that BDC are not meeting the conditions of a proper section 123 disposal.

Open space:

There has been reference to a 2013 determination of the site to be surplus. However, there is a shortage of open space in Sudbury. BDC's assessments show a significant deficit of amenity green space and park and recreation land in Sudbury.

The council do not seem to have satisfied the NPPF conditions to prove that this open space can be built upon. Coupled with the lack of space identified in their own assessment, I cannot see how the 'Old Pool' area that was used recreationally up to 2015 can be built upon.

Engagement with community:

There was rightly much fanfare made of the options for Belle Vue House in the expo in January 2020. Amongst these were viable schemes for community use, and residential development for open sale and specifically for over 65's. Since then, there has been little or no interaction with the community about which of these schemes could or should be taken forward.

With the interest of a hotel owner, and the changing rules on use of PWLB as a vehicle investment, the time was right for the council to engage with the community and the previous interest in the neighbouring Belle Vue House site. While there was an invitation to submit plans, there was no proactive engagement from BDC evident in the months that followed. The opportunity to form a community partnered solution, led by the Steering Group was not taken despite the knowledge within BDC that Belle Vue is a cherished site and that a community led and community centred solution were the preference of many, while still delivering an economically sound and sustainable use for the site.

The timing of the disposal, the fast-paced launch of marketing materials for a sale, and the wording of these – together with indicative drawings of a site – all point to a fait accompli. The feeling in STC and from myself as a resident of Sudbury is that the cloak of Christmas and Covid is being used to fast track a short-term fix for primarily financial gain over and above the provision of open space.

The open questions in the process used to make the decisions also does not match the feeling for people that this process is being rushed through. Time needs to be taken to understand the true nature of the open land and arrive at a decision that is transparent and understood by the community.

Conclusion:

So, the proposed disposal does not meet the requirements needed. There appear to be breaches of duties and it does not adhere to the NPPF and other guidance. As such, it would be wise to consider withdrawal and engagement with the groups and community in Sudbury to create a solution that benefits all and not just a short term financial gain.

NUMBER: 29 INDIVIDUAL

Sent: 08 January 2021 23:59
Subject: The Future of Belle Vue House

I would like to add my name to the many other local residents wishing to preserve Belle Vue House and it's immediate garden/park from being ignominiously sold off with no regard to its future use or demolition.

After moving to Sudbury's outskirts 19 years ago it took a while to discover the hidden park and grand 150 year old Victorian residence and I was delighted to find that 'my town' had these assets. It was incomprehensible and sad therefore to find that the house was increasingly neglected and the gardener's work discontinued.

Along with others I have been given a tour of the house, been a volunteer gardener, attended a meeting for ideas for future use, joined the protest meeting along with many children in the park, and when Citizens Advice was in place even tried to rent rooms in the house for a Sudbury U3A group to meet in (turned down).

Sudbury has a severe shortage of meeting/activity rooms/spaces for its ever-growing population, especially now the Delphi Social Club has been closed. There is St Peter's (which is hard to book as it is fully used), the Town Council's meeting room, the Stevenson Centre and a few church etc rooms there is no Community Centre - not even up to the standard that several local villages have.

Therefore I make a plea for Belle Vue House to be fully used for diverse activities and public or club meetings. I'm sure there would be lots of public support and full usage of both house and park if given the opportunity.

NUMBER: 30 INDIVIDUAL

Sent: 08 January 2021 23:36

Subject: Disposal of Belle Vue House (BVH) and part of the adjacent land and pool (the Site) at Sudbury

Dear Madam, it is your name for reply which is given in the Public Notice published in local papers of the above proposed disposal of BVH and adjacent land in my home town of Sudbury pursuant to s.123 of the Local Government Act of 1972.

I am pretty sure that I posted a reply to BDC some week or so ago, but I am nearly 82 and a bit shambolic so will try again, for I am deeply opposed to any sale of BVH and Site on grounds which can be summarised as follows:

- a) The property was acquired by the old Borough of Sudbury after the war (when it was used for war purposes), I think by way of gift, but only passed to BDC when it was formed. It is thus a Town property of special historic status.
- b) The uses to which the BVH and Site were used before the Babergh takeover were all for the benefit of the Town and district and included Borough Offices, local Courts (Magistrates, County Court and for Tribunals), Museum space, Citizens Advice Bureau, Weddings, plus Meetings for a multitude of local organisations, and Weddings, plus catering for many of the above at different times. I may say that I have been going to BVH all my life and have experienced its use for all these purposes
- c) BVH is singularly appropriate for the above and other purposes given its impressive design, adaptability and variety of usable space.
- d) the location of BVH is perfect for all these public uses, being centrally sited, with parking at hand, set in the Park which is another invaluable asset, It also has one of the most delightful situations in the Town (and was formerly where a Gainsborough lived.) The adjacent beautifully placed gardens and terrace are ideal for related uses (parties for instance.)

e) As Sudbury inexorably grows, the need for such space for public uses grows in step. The BDC could, with a modicum of imagination, adapt BVH to fulfill those growing needs (just think of the need for meeting facilities.)

BVH could, I accept, make a splendid Hotel, which would have singular public benefit. What, however, is an abject waste of its many potential public benefits is to sell this gem to the highest bidder, allowing him (or more likely it) to do what it liked - invariably to maximise the profit to be made regardless of impact - one could imagine demolition and erection of a block of flats!

Accordingly I plead with the Council not to proceed as planned and to use this jewel for the public benefit for community needs.

NUMBER: 31 INDIVIDUAL

Sent: 09 January 2021 02:12

Subject: Belle Vue Park

I hear today is the last day residents of Sudbury can object to the selling off, and worse, the demolition of our beautiful Victorian Belle Vue House.

I remember Belle View Park and it's big Victorian house well. When I was just 11 years old, me and my homeless brothers and mother, finally were driving down the very long Ballingdon Hill in the back of our slow moving removal van. I was carefully holding onto our goldfish in his bowl trying not to spill any water. Our mother was up front, but the Church in London where my mother had married, had let us all choose an armchair and a bed each from its vestry stacked with old furniture, and we were each sitting on our chosen chairs, peeking out from the tarpaulin at the town we were coming to because a group of official people had said we could come to and make a new home.

My mother had already, bravely visited Sudbury on her own, from London on the train. She had already signed the contract on her new council house Haven for her children, but that was after she fulfilled her obligation to the Council and found a new job in the Stephen Walter's Silk Mills.

There was no one standing along the pavements of Ballingdon Street waving to us, but somehow I felt the spirit of the old buildings welcoming us in. After the trauma of our parent's marriage breakup, and then travelling back to UK without our father and eldest brother, and finding ourselves housed in the foulest of slums on an edge of London between our two sets of grandparents which had felt like the very end of the world, I looked out at Sudbury and felt... still very alone and lost.

First Avenue, Springlands had been made for a bunch of "other's" called the 'London Overspill'. Some families came but did moon light flits because they missed London. To them Sudbury would never be home. But I'm 60 now, with children and grandchildren of my own, who continue to grow and learn to know themselves against both the constancy and changes of Sudbury Town which we all now, to greater and lesser degrees, all call and think of as our home.

Why? Well a local historian, Joanne Plumridge, explained it to me this way. She says that familiarity and a sense of the present is created by connection to the collective memories of the past. She calls it the experience of heritage, and says that this familiarity, and sense of

present that it creates, through the experience of our heritage, plays both a beneficial role and a vital social function. And I agree.

For me, Belle View Park was part of the 'familiarity' and safety me and my brothers needed so we could start to slowly heal our broken hearts and begin to foster the sense of belonging I know we were not alone in needing, in order to start to feel home anywhere. Me and my brothers used to go with my mother to Belle View Park House to queue up and pay the rent. Afterwards we could walk and play in the park, and my mother could sit for a while, not really with the other mothers, or she could leave us there while she went shopping, and on weekends in the summer, when we never had a holiday, we could join all the other families round the open air swimming pool. The big old house sat majestically inviting us to meander respectfully round the hidden pathways as we forgot our troubles and just let ourselves be children, in an environment that welcomed everyone. It was the centre of diversity for our town. Rich and poor played, not really together all the time, because often the park was about families being families, but we were there alongside each other. People spoke to each other, even if it was only politely. It was a place fathers and mother's were off duty. Also single mothers like me, after I eventually grew up and had children of my own. Except, as statistics might like to say they were right, 10 and 11 years old wasn't the only years I was homeless and searched for a place of belonging. After my dad left, it took me a much longer time to grow up emotionally, so Sudbury town didn't just house me once. I've ticked several of Sudbury's boxes of statistics in my growing up process. I know what it's like to walk the streets pushing a pram, not knowing what to do with young children, eventually always thankful to find a welcoming seat in Belle View park with other people whose families didn't look the standard 2.4. My eldest daughter eventually grew up and Chaired the Suffolk branch of British Horse Society. She spent years trying single-handedly to make horse riding a non elite sport, only for the rich. Her vision was every child should have access to horse riding, as for her horses and riding were the essential vehicle to growing up well. And today my youngest daughter is helping to raise 5 children with values she lives by, as she also digs deep into her internal resources every day, to continue to champion her vision of a kinder, safer, and fairer World for all children and families, as she juggles the impossible to continue her Candidacy as a new Green Councillor for Babergh District Council, because she knows that's where politics starts for every family, in local government. She can't turn away from the wider sufferings of our community, and pretend it's okay to stop caring about the real essentials that real diverse families, who don't fit into the standard models, need to raise happy, healthy kids even when you're poor and you're not as well educated because current social, economical, political decisions means that, still, 'the park' is one of the only places a poor family can go to at any age, and feel we belong.

Today, who amongst us call the wreck of our outdoor swimming pool, "the wreck of our outdoor swimming pool" which we all know it is. No one that I know.

Even closed down, buried in concrete, barred up in an ongoing political, economical drama of what it 'was promised to be one day', our old outdoor swimming pool is still affectionately addressed by everyone as, "our old outdoor swimming pool", and as dead as it looks, we all know its just waiting to be breathed back to life by a Council that remembers and cares what it was, and has the vision to see what it can be again.

Why? Because Belle View Park and Belle View House is part of our identity. Even for the kids today who don't remember what it was to the people of this town, especially those who had little money for access to resources we couldn't afford, the barred up, disused outdoor swimming pool somehow reflects an anomaly of a sore and sorry gross mistake made by

someone whose remained invisibly in the ethers, somehow, hopefully waiting to put that mistake right. You see, our old swimming pool remains energetically attached to the park and the old House that we are just allowing to fall into the same rack and ruin. Although a visible scar on our landscape, the old swimming pool and park and our historical Belle View House, are really the heart of our town.

They remain a living edifice the Town Hall can never be, as equally important as Peter's Church, and the necessary counter balance to the Water Meadows and Friars Meadow that combine together to give the diverse peoples of Sudbury both our personal and national identity.

The old man who gave up his grand mansion home to the Red Cross, so our town could have a hospital for our casualties of the war, feels very close to my heart today as our entire nation is forced to find new solutions for our bursting to capacity hospitals, in the face of this COVID disease that has turned not just other parts of our country into a second round of lockdowns, but our town and all of Suffolk.

This disease, to my mind, forces this town and its Counsellors to look ahead now and see a very uncertain future, in which we can only wonder what will happen to the people of this town if, for instance, we do start to find now, our town is not just home to one or two fortunate homeless families like mine was, but home now to many more families than we can begin to imagine through the new social, political, and economical effects that covid is heaping on families forced out of work without the necessary requirements to ensure their family can continue to live the way they were before covid.

These are unprecedented times.

When the very heart of a Community is taken away (and be sure I am speaking about not just our park in its entirety, but the grand old House it rightly belongs to, and the old swimming pool still waiting to be seen and recognised by those with the power to right such wrongs as the one that closed it down), historically a resource for health and well being, given to us from the heart of a man connected historically to our Thomas Gainsborough, yet the people of that community remaining without its heart, continue to be endlessly threatened with not just fear and uncertainty in the face of COVID and Climate Change, but food shortages, floods and droughts, no work, and homelessness, we should look again and think ourselves very lucky that, actually, we haven't quite cut the heart of our town out yet, because, actually, once again, we are still only thinking and talking about selling off and demolishing the very heart of our town that we can never replace, not even with the 4.7 million pound historical attraction Sudbury Town is focused on developing for the purpose of..... What?

My youngest daughter, [REDACTED], volunteers for 2 hours a week at the food bank and she tells me stories of the serious increase in numbers of people attending it these covid days. And she continues to advertise emergency helpline telephone numbers on her Green monthly newsletters because she knows in her heart, our town is going into crisis. Its already in crisis.

Marianne Williamson, a recent Democrat Candidate, standing for 'Democracy' in the face of Mr Trump's despotic rule threatening democracy everywhere on the planet, says often, : "Desperate people do desperate things." Its true. We do. People panic when we feel ourselves losing everything that is familiar to us.

In his book, 'The Past is a Foreign Country', social historian D Lowenthal says about familiarity:

" The surviving past's most essential and pervasive benefit is to render the present familiar. It's traces on the ground and in our minds let us make sense of the present. Without habit and the memory of past experience, no sight or sound would mean anything; we can perceive only what we are accustomed to."

When we think about possibilities for Belle View Park and Belle View House today, not least finally rebuilding the old outdoor swimming pool, and consciously reestablishing the park as the heart of a town that has never needed a shared, collective heart as it does now. To my mind the only thing that makes sense to me, is restoring the grand old house and opening it's doors once more, and offering succour and support to the COVID CASUALTIES, not just a centralised food bank and other essential resources, but a much needed place of community, arguably like Moyses Hall, but arguably, because of its connection to the park and swimming pool, a truly living, accessible museum contained within the history of the building itself. Joanne Plumridge inspired me to see that the significance of is demonstrated by the presentation of its different roles throughout its colourful past, highlighting, Lowenthal's argument that local history, not just one painter, but the people's history, plays an invaluable role in informing a much needed sense of identity to individuals.

Hevsays:

"The ability to recall and identify with our own past gives existence, meaning, purpose, and value. Even traumatically painful memories remain essential emotional history."

Joanne Plumridge uses Moyses Hall to emphasise the point that the historic environment of a building like Belle Vue Park, even when Heritage refuse yet to acknowledge its heritage, evokes a sense of place through its character and its visual aesthetic which also serves to engage visitors with a sense of local identity. Its the building itself that spoke to me when I visited the Citizens Advice Bureau or attended the Adult Education, or watched the elderly gathering together for community lunch, or just walked through the gardens feeling its presence through my different ages, in wonder of the space inside.

Joanne told me the price of such a place like Moyses Hall is reasonably costed to make it accessible, but also to recognise and acknowledge that artistic appreciation should not be a privilege open to those who can afford it.

But she also explained that for Raphael Samuel, a writer on the research of local and oral history, "local history does not write itself." He says like any other historical project, it depends upon the nature of the evidence and the way it is read.

And on natural heritage interpretation, F. Tilden says:

"The chief aim of interpretation is not instruction, but provocation. He says it effectively places a heavy responsibility on the management to interpret a site in a way that relates to 'something within the personality or experience of the visitor'!

The thus far refused official recognition of Belle Vue House's heritage does not mean we, the people of Sudbury don't look at that grand old House and its still kept gardens, and see and feel our heritage. We do. For us it's not just about when and where, but about why we feel so home in this rare, so homely looking and feeling 18th Century, Victorian mansion. We the people of Sudbury are not interested in joining 'the cult of' heritage, but rather just having our heritage treated much more respectfully and kindly right by a clearly disinterested,

removed Council who clearly never felt this building or the lands and resources was home to them.

Joanne Plumridge made another important point to me. She says that at a time when the 16 - 24 year old age group is already the least likely adult age group to visit a heritage venue, it makes it even more important to enable inclusive and participative access for the younger members of the community.

When i say with all respect that in 50 years I've visited Gainsborough House twice, and never before the age of 40, yet visited the grounds of Belle Vue Mansion hundreds of times, always feeling myself welcomed and curious as to the world within, I can't think of a better bridge between a natural heritage site (in the making of), and our young people, than a beautiful, well loved and well frequented park, a fully functioning reinstated outdoor swimming pool, and the open doors of a lovingly restored Belle Vue Mansion.

And Richard Hewison, writing about the heritage industry inside Britain inside a Climate of Decline, says,

"In the arts, value is moral, not monetary, expressive not instrumental, aesthetic, not utilitarian." He is adamant there needs to be a new accountability, not of value for money, but money for value. And i agree.

There is all kinds of artistry that I have witnessed our young people expressing in our park, not least on the skate board ramp where young adults and children spend literally hours and hours perfecting their art, and also with kids singing and practicing their dance steps, aerobatics with kites, and all manner of games that our children increasingly have less space to invent.

Coupled with the argument of restoring Belle View for our heritage, a young business man recently described to me as I was paying for his services, the crippling effects of COVID on his once fit father, my age, a man still unable to work. Also my daughter told me only two days ago that one of her close friends and her entire family are now suffering from covid, but the mother and her 14 year old son have it worse.

Before COVID the 14 year old was swimming and training several times a week at Sudbury Swimming Club with his dear friend, my 14 year old grandson. The Kingfisher leisure pool has effectively been shut down since first lockdown, and the club disbanded because covid safety rules make it impossible to continue. Both boys remained super fit, my grandson one of the lucky ones to have a family who've erected a basketball hoop for him to both channel his energy into and keep a vision alive for himself of a life beyond lockdowns.

But who knows if and when the Kingfisher will ever run again as it did. Maybe in the same way the government encourages people to only meet outside today where possible, maybe outdoor swimming, in clean, purpose created pools, will be the way forward for the whole nation. We don't know yet.

But we do know that to give up the site of the old outdoor swimming pool at this juncture is not just folly, but in my eyes an absolute disaster for the fabric and unity of our town.

I say this because about 3 years ago my business man, son, left Sudbury to start a new life in Norwich after he declared Sudbury is a dying town. As sad as I felt, because a large part of me didn't want to believe he was right, but inside I couldn't deny that, for me, the heart of Sudbury does seem already to have slipped far away.

I realise I'm now 2 hours over the deadline of admission, but I am a key worker, and I ask you please to accept the sincerity of my attempt to write a wholehearted, reasoned argument for keeping and restoring historical Belle View Mansion, and the swimming pool site, and the park together for a community that may soon need all three more than ever in their history, as covid racks our world and we seek out much needed links to our deeper identity and humanity.

NUMBER: 32 INDIVIDUAL

Sent: 06 January 2021 16:19

Subject: ATTN Fiona Duhamel /Re: S123 Notice Period.

I am writing to you to lodge my objection to the sale of Belle View House that was Gifted to the people of Sudbury.

I propose that if belle view house cannot be saved, then the house be demolished and the remaining land be laid to grass and made into public open space.

We need an eco friendly option. The current rate of deforestation is staggering. And ignoring climate change is a fools folly. We need to save our green open spaces now. Before it is too late.

I make it my intention to object to any party seeking planning permission for the development of belle view.

APPENDIX C3

S123 SUMMARY - NOTE: ALL FULL RESPONSES TO BE CONSIDERED IN DECISION MAKING

TOPIC (PR)	OBJECTOR	ISSUE / GROUNDS
HOTEL	1	No hotel in the park
TOWN	1	Loss of other wider town amenities to housing
HOTEL	2	No hotel in the park
CARPARK	2	No carpark in the park
OPEN SPACE	2	Should all remain as designated community space
TIMING	3	Timing of notices not giving people enough time to consider/object/bid
OPEN SPACE	3	Should all remain as designated community space
OPEN SPACE	3	Babergh neglected/not maintained the whole space as open space
BIODIVERSITY	3	Loss of trees and biodiversity - contrary to recent policy
OPEN SPACE	3	Loss of green and open space - contrary to recent JLP evidence report (2019)
OPEN SPACE	3	Lack of use of CIL for upkeep
TRAFFIC	3	Impact on busy Belle Vue Junction on congestion / air quality
OPEN SPACE	4	Do not dispose of park / recreation area
OPEN SPACE	4	Developers will build apartments in community area
OPEN SPACE	5	Do not sell part of Sudbury's only park
OPEN SPACE	5	Swimming pool area could be landscaped / more park area
HOUSE	5	No need to demolish iconic house
MARKETING	SUDBURY SOCIETY	NOT opposed to sale in principle
HOUSE	SUDBURY SOCIETY	Extent of sale area negates retention of house, prefer retention of original section of house
TRAFFIC	SUDBURY SOCIETY	Dangerous vehicular access from Cornard Road for new café at entrance
HOUSE	SUDBURY SOCIETY	House locally listed and should be restored - is 'greener' to retain and convert
TIMING	SUDBURY SOCIETY	Marketing period is curtailed and not giving time for proposals to consider retention of house
TIMING	SUDBURY TOWN COUNCIL	Delay any decision until end of February 2021
TIMING	SUDBURY TOWN COUNCIL	Babergh not consulted STC on the disposal directly or via Steering Group
TIMING	SUDBURY TOWN COUNCIL	Timing of notice over Christmas period attempts to reduce objections
OPEN SPACE	COMMUNITY GROUP	Babergh Councillors unaware the old pool is public open space
OPEN SPACE	COMMUNITY GROUP	Babergh should use the JLP evidence not 2006 Local Plan re open space & deficit
OPEN SPACE	COMMUNITY GROUP	Lack of alignment with strategy - open/recreation space and development/IDP/NPPF PPG17
OPEN SPACE	COMMUNITY GROUP	Declared surplus in 2013 without proper regard to open space requirements - S123 plan admits all is POS
TRAFFIC	COMMUNITY GROUP	Highways issues with congestion at Belle Vue/Newton Road junction
OPEN SPACE	COMMUNITY GROUP	Selling off for housing is not regeneration. Add to the park to support regeneration
HOUSE	COMMUNITY GROUP	Market/sell house as separate asset
TIMING	COMMUNITY GROUP	Best price S123 jeopardised/challengeable by short marketing period
OPEN SPACE	COMMUNITY GROUP	Lack of CIL use for upkeep
HOUSE	9	House could be used for community support - youth/elderly
OPEN SPACE	9	Create better track area for skate/scooter/bikes
TIMING	9	Community should have say on future uses
OPEN SPACE	10	Keep park in entirety for open space and community uses
TIMING	10	Timing for disposal notice and marketing too short for community bids and over holiday period
TRAFFIC	10	Traffic impact at Belle Vue junction
BIODIVERSITY	10	Loss of trees
HOUSE	10	House should be retained and important to Sudbury residents
OPEN SPACE	10	Site given to Babergh who have neglected it. Should be more creative
OPEN SPACE	11	Site handed to Babergh 1974 and failed to maintain open space for public/community use
OPEN SPACE	11	Ignoring recent report showing shortfall of park land
OPEN SPACE	11	Inappropriate site for residential development
TRAFFIC	11	Negative impact on congestion at Belle Vue junction
BIODIVERSITY	11	Loss of trees
OPEN SPACE	12	Keep for public recreation use not private residential
TRAFFIC	12	Negative impact on congestion at Belle Vue junction
BIODIVERSITY	12	Loss of trees
HOUSE	12	House should be retained and important to Sudbury residents
OPEN SPACE	12	Park given to Council and allowed disrepair including house
TIMING	12	Timing of notice unfair over Christmas
HOUSE	13	Boundary issue - house conversion/change of use requires special building control consideration
HOUSE	13	Retain and retrofit house best energy efficiency and carbon option - resolve prior to disposal
OPEN SPACE	13	New entrance out of sight lines and critical of WSP plan including toilet facility
TRAFFIC	13	Roundabout need re-design and given climate impact of private cars
OPEN SPACE	13	Sale particulars not adequately addressing issues or pre-conditions required
GOVERNANCE	13	Alleges Council working with a secret preferred bidder and will FOI / JR
OPEN SPACE	14	Park given to residents not an asset to be sold off. Retain park as a park.
OPEN SPACE	14	Only open/fever space in town centre and that is accessible
OPEN SPACE	14	Too much land proposed for disposal as significant area of site
OPEN SPACE	14	Need more public open space for growing communities
TOWN	14	Comments about wider town centre development to encourage performance, events, café
TIMING	14	Timing of notice when community has fed back on retaining park

TIMING	15	Timing of disposal notice and marketing not enough
OPEN SPACE	15	Open Space legal and process not followed and site declared surplus in 2013 without objections considered
GOVERNANCE	15	Marketing same time as disposal objections invited could break law
GOVERNANCE	15	Notice incorrect first time and no email address
GOVERNANCE	15	Decision to put site up for sale not minuted and cabinet briefing only / not transparent
OPEN SPACE	15	Morally wrong for Council to sell for best price possible a site it inherited without cost in 1974
OPEN SPACE	15	Should be retained as green space freely for use of people of Sudbury
OPEN SPACE	15	Contrary to 2019 open space strategy
BIODIVERSITY	15	Loss of trees and biodiversity - contrary to recent policy
TOWN	15	No demonstrated residential shortfall for central Sudbury
TRAFFIC	15	Negative impact on congestion at Belle Vue junction
OPEN SPACE	15	No limitation been put on future uses of the site
HOUSE	16	House is a historic locally listed building and should be retained
HOUSE	16	Babergh should support bids to purchase and gift back to locale
OPEN SPACE	16	Avoid a square yellow block eyesore
OPEN SPACE	16	Park will aid fresh air and exercise and mental health, important post-Covid
HOUSE	17	Restore house not demolish, and prevent developer from demolishing
HOUSE	18	Babergh should support bids to purchase and gift back to locale ("sell it to Barry")
OPEN SPACE	18	Neglected by Babergh and should support physical and mental wellbeing
GOVERNANCE	18	Council selling purely out of financial situation / funding non viable schemes and consultants
TIMING	18	Curtailed whilst people pre-occupied with Christmas and Covid
TRAFFIC	18	Traffic and pollution impact in that part of town
OPEN SPACE	18	Only usable town centre open space
TIMING	19	Notices over Christmas seen as bypassing resident scrutiny
GOVERNANCE	19	Quering Babergh's right to sell as given to town for community uses
OPEN SPACE	19	New development of sale site may have detrimental impact on park
OPEN SPACE	19	Council has neglected upkeep of house and pool site - an excuse to dispose of site
GOVERNANCE	19	No transparency on what Babergh will do with the capital receipt
HOUSE	19	Renovate house to enable community uses, classes etc, as lack of space
HOUSE	20	Don't sell convert to community asset e.g. community centre
OPEN SPACE	21	Don't sell valuable green space and is Sudbury's only park/important to health & wellbeing
OPEN SPACE	21	Council did not buy or care for it so unethical to sell community recreation space
OPEN SPACE	21	Derelict area is open space and been neglected
BIODIVERSITY	21	Contrary to council approved biodiversity plan if space lost/trees felled
TRAFFIC	21	Negative impacts on congestion at Belle Vue junction
TIMING	21	Sale period is unfair during Christmas and pandemic
OPEN SPACE	22	Objects to office/housing/hotel development
OPEN SPACE	22	Council has allowed deterioration
HOUSE	22	Should be sold to community trust for renovation and use as a hub
OPEN SPACE	23	Council has allowed deterioration in comparison to parks in other towns
OPEN SPACE	23	Park, gardens, house & activities could be wholly restored and volunteer run to benefit community and visitors
HOUSE	23	Could be public use - registry office, weddings, conference centre
OPEN SPACE	23	Need green space for mental health and physical exercise/children's activities/education/adult care
HOUSE	24	House deliberately left to decay when had been community use as day centre, hub and CAB
HOUSE	24	Extent of sale area negates retention of house, prefer retention of original section of house
HOUSE	24	Strong local asset and legal and planning could serve an Article 4 prohibition on demolition
TIMING	25	Rushed through by Council over Christmas period/pandemic/brexit
GOVERNANCE	25	Lack of consultation with community and town council and given gifted to Sudbury
OPEN SPACE	25	Pool should have been maintained as open space but left to dilapidate
OPEN SPACE	25	Contrary to Open Space Study 2019 - deficit of green space and allotments
HOUSE	26	Been allowed to deteriorate and demolition would be travesty - could be art/cultural hub for community
OPEN SPACE	27	Land declared 2013 as surplus is not surplus due to deficit evidence (2019 evidence POS report informing JLP)
OPEN SPACE	27	Contrary to NPPF and BDC's own policies including IDP, Core Strategy, Community Strategy
OPEN SPACE	27	Babergh has not complied with Open Spaces Act 1906 duties and maintenance - wilfully undervaluing for S123
OPEN SPACE	27	Space should be maintained for public as Council acquired as compulsory purchase 1974
GOVERNANCE	27	Council has marketed the site without Council approval/transparent governance
OPEN SPACE	27	Marketing literature has misled prospective purchasers on open space constraints and inferred residential use
HOUSE	27	Marketing infers demolition of locally listed/community significant house
GOVERNANCE	27	Babergh have breached best value obligations to taxpayers in continual marketing/drive for sale of whole plot
TRAFFIC	27	Negative impact on highways and traffic issues/evidence at BV junction
OPEN SPACE	27	Marketing has neglected planning considerations and deliverability, and developer contributions to open space
BIODIVERSITY	27	Contrary to Council Biodiversity and Wellbeing Strategies
GOVERNANCE	27	Council has not complied with a timescale to evidence best consideration for S123 (case law 2 months?)
GOVERNANCE	27	Has not been marketed wide enough or on national or local agent websites
GOVERNANCE	27	Council has not complied with EU State Aid rules on valuation and bid process
GOVERNANCE	27	Breach of statutory duty not listening to objections before marketing/considering bids
GOVERNANCE	27	Notice incorrect first time and no email address
GOVERNANCE	27	No faith in Council considering objections fairly given already marketing and incurring cost
TOWN	27	Regeneration/visitor attraction opportunities lost by allowing retirement living

HOUSE	27	House could be sold without swimming pool and more open space/landscaping generated
GOVERNANCE	28	Council has issued S123 and marketing in same month pre-empting decision - a 'fait accompli'
HOUSE	28	Marketing infers demolition of locally listed/community significant house
OPEN SPACE	28	Marketing makes little/no mention of open space
OPEN SPACE	28	Old Pool should be considered as open space
GOVERNANCE	28	Council has not marketed for S123 best consideration due to timeframe/pandemic etc
GOVERNANCE	28	Council has let the site run-down which conflicts with best price
GOVERNANCE	28	Marketing has been limited advertising conflicting with best consideration
GOVERNANCE	28	Council should have formally invited previous bidders back in to support S123
GOVERNANCE	28	Disposal 'surplus' decision in 2013 was flawed as did not consider open space deficit
OPEN SPACE	28	Disposal does not satisfy NPPF Open Space criteria
GOVERNANCE	28	No community engagement over options since public exhibition 2020
GOVERNANCE	28	Community led/centred house uses have not been explored with the SSG
GOVERNANCE	28	Council putting financial gain over open space priorities
HOUSE	29	Council has neglected the house and garden
HOUSE	29	Sudbury has severe shortage of community/meeting room space - use house for diverse public activities
GOVERNANCE	30	Babergh acquired as consequence of LG re-organisation when for benefit of town / special historic significance
HOUSE	30	Pre-Babergh ownership the house always used for community and civic activities - remains viable for these
HOUSE	30	Use for growing population e.g. meeting space
HOUSE	30	Accepts hotel public benefit use but not selling to highest bidder without control of use
TOWN	31	Attachment of Sudbury residents to the House/park must be considered
OPEN SPACE	31	Resource at heart of for community including children - Covid strengthens need to retain
HOUSE	31	House and pool has been neglected and Council should revitalise including rebuild of outdoor pool/house to museum
HOUSE	32	House was gifted to Sudbury and if demolished land should be laid to grass/open space
HOUSE	32	Will object under planning

APPENDIX C3

ADDITIONAL DOCUMENTATION / LINKS REFERENCED BY OBJECTORS

TO BE READ AND REFERENCED ALONGSIDE OBJECTIONS SUBMITTED

National Planning Policy Framework – including open space and sustainable development references

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

Planning Policy Guidance PPG17 **Note:** On 27 March 2012, PPG 17 was *replaced* by the National Planning Policy Framework

<https://webarchive.nationalarchives.gov.uk/20120920042539/http://www.communities.gov.uk/documents/planningandbuilding/pdf/ppg17.pdf>

Babergh Local Plan 2006 references to open space

<https://www.midsuffolk.gov.uk/planning/planning-policy/adopted-documents/babergh-district-council/babergh-local-plan/>

Babergh Development Plan and Policies

<https://www.midsuffolk.gov.uk/planning/development-management/planning-guidance-and-research/development-plan-and-policies/>

Babergh Open Space, Sport and Recreation Strategy (September 2010)

<https://www.babergh.gov.uk/assets/Strategic-Planning/Historic-Evidence/OpenSpaceSportRecStrategy-Sept-2010.pdf>

Babergh and Mid Suffolk Open Space Assessment (May 2019) The Study responds to national policy requirements and will inform the preparation of the Councils' emerging joint Local Plan, for the period to 2036 <https://www.babergh.gov.uk/planning/planning-policy/evidence-base/current-evidence/open-space-assessment/>

Babergh and Mid Suffolk Infrastructure Delivery Plan (2019 – 2036) July 2019. Specifically referenced pages 137 to 141 of the above regarding open space evidence / deficit

<https://www.babergh.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/BMSDC-IDP-July-2019-.pdf>

Memorandum by The Open Spaces Society (April 1999)

<https://publications.parliament.uk/pa/cm199899/cmselect/cmenvtra/477/477mem23.htm>

Babergh & Mid Suffolk District Councils Communities Strategy (2019-2036)

<https://www.babergh.gov.uk/assets/Communities/Communities-Strategy/Communities-Strategy-2019.pdf>

Section 123(2A) Local Government Act 1972 Notice | Marketing advert and brochure

Both available here <https://www.babergh.gov.uk/business/economic-development/sudbury-vision/>

Open Spaces Act 1906 – specifically Section 10

<https://www.legislation.gov.uk/ukpga/Edw7/6/25/section/10>

Babergh & Mid Suffolk Biodiversity Action Plan (2019)

<https://baberghmidsuffolk.moderngov.co.uk/documents/s20684/Appendix%20A%20-%20Biodiversity%20Action%20Plan.pdf>

Carter Jonas Babergh & Mid Suffolk District Councils: Joint Town Centres & Retail Study (September 2015)

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/29-10-15-BaberghMid-Suffolk-TCRSFinal-Report.Final-Version-29.10.15.pdf>

OBJECTION NO 8 also referenced a 'roadmap' document attached below



Sudbury Town
Council Briefing Docu

OBJECTION NO 27 attached documentary references also accessible via the links above



Belle-Vue-Site-Sale-A
d.pdf



BMSDC-IDP deficit
reference and policy p



BMSDC-IDP-July-201
9-.pdf



Communities-Strateg
y-2019.pdf



BV Public-Notice.pdf

Agenda Item 18

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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