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COMMITTEE:	JOINT OVERVIEW AND SCRUTINY COMMITTEE
DATE:	MONDAY, 22 MARCH 2021 9.30 AM
VENUE:	TEAMS MEETING

Members	
<u>Conservative Group</u> Sian Dawson Mary McLaren Adrian Osborne	<u>Green Group</u> Terence Carter Keith Welham (Co-Chair) Jane Gould
<u>Conservative and Independent Group</u> James Caston Paul Ekpenyong Dave Muller	<u>Independent Group</u> Kathryn Grandon Alastair McCraw (Co-Chair)
	<u>Liberal Democrat Group</u> Keith Scarff

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The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

REVISE AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

	<u>Page(s)</u>
1	APOLOGIES AND SUBSTITUTES
2	DECLARATION OF INTERESTS
3	JOS/20/16 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 14 DECEMBER 2020 7 - 14
4	JOS/20/16 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 15 FEBRUARY 2021 15 - 22
5	TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

6 **QUESTIONS BY THE PUBLIC**

To consider questions from and provide answers to members of the public on any matter in relation to which the Committee has powers or duties and of which due notice has been given in accordance with the Committee and Sub-Committee Procedures Rules.

7 **QUESTIONS BY COUNCILLORS**

To consider questions from and provide answers to Councillors on any matter in relation to which the Committee has powers or duties and of which due notice has been given in accordance with the Committee and Sub-Committee Procedure Rules.

8 **JOS/20/17 TO REVIEW THE ACTIVITY OF THE WESTERN SUFFOLK COMMUNITY SAFETY PARTNERSHIP (WSCSP)** 23 - 38

Members are asked to review the activity of the Western Suffolk Community Safety Partnership.

9 **FORTHCOMING DECISIONS LIST**

To review the Council's Forthcoming Decisions List and identify any items to be brought before the Overview and Scrutiny Committee.

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

[FORTHCOMING DECISIONS LIST](#)

10 **JOS/20/18 BABERGH OVERVIEW AND SCRUTINY WORK PLAN** 39 - 42

To agree the Work Plan

11 **JOS/20/19 MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN** 43 - 46

To agree the Work Plan

12 **BOS/20/6 TO CONFIRM THE BABERGH MINUTES FROM THE MEETING HELD ON 15 FEBRUARY 2021** 47 - 58

Only Babergh Members can vote on this item.

13 **CALL-IN OF BABERGH CABINET DECISION 11 MARCH 2021**

This item is for Babergh Committee Members only

14 **PROTOCOL FOR CALL-IN PROCEDURE**

To follow

Members are asked to approve the Call-in Protocol.

15 **CALL IN OF THE DECISION FROM THE MEETING OF THE BABERGH CABINET 11 MARCH 2021 - REPORT BCa/20/44** 59 - 128

Decisions made by Cabinet on 11 March 2021 in respect of the following report was called in for consideration by the Overview and Scrutiny Committee in accordance with the Council's Scrutiny Procedure Rules as detailed in the Constitution, Part 3: Scrutiny Procedures Rules, Sections 12 to 15.

REGENERATION OF BELLE VUE SITE IN SUDBURY, REPORT BCA/20/44

The Call-in Notice, Cabinet Decision Notice, Cabinet report and related minute is attached. The Lead Member and Lead Officer are invited to attend to respond to any questions.

16 **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.

17 **APPENDIX D (CONFIDENTIAL) - MARKETING SUMMARY AND EVALUATION TABLE** 129 - 136

Date and Time of next meeting

Please note that the next meeting is scheduled for 24 May 2021 at 9:30am.

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 H. Holloway on: 01449 724681 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 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 at: committees@baberghmidsuffolk.gov.uk 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.

Roll Call:

1. A roll call or electronic confirmation of attendance of all Members present will be taken during the Apologies for Absence/Substitution to confirm all Members are present at 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, the Chair will ask if there are any questions. The Chair will either ask each Member in turn if they have any questions or Members of the Committee will be asked to use the "Hands Up" function within teams. The Chair will then ask Members to speak.

2. Any Councillors present who are not part of the Committee will then be invited to ask questions by using the “Hands up function” within teams. The Chair will then ask Members to speak.
3. At the end of the questions the Chair will ask Members whether they have any further questions before entering into debate.
4. In the instance where a Member of the Committee would like to formally make a proposal, they should raise their hand using the Hands Up function. At this point the Chair would go directly to them and take the proposal. Once the proposal has been made the Chair would immediately ask if there was a seconder to the Motion. If there is it would become the substantive Motion and the Chair would again continue down the list of Councillors until there is no further debate.
5. 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. The Governance Officer will conduct the vote by roll call or the vote will be conducted via an electronic voting method.
3. 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.
4. The governance Officer will then read out the result for the Chair to confirm.
5. 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. If a connection to a Councillor is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, but the Councillor who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

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.

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Agenda Item 3

BABERGH AND MID SUFFOLK DISTRICT COUNCILS

Minutes of the meeting of the **JOINT OVERVIEW AND SCRUTINY COMMITTEE** held in the Virtual Meeting on Monday, 14 December 2020

PRESENT:

Councillor: Keith Welham (Chair)

Councillors:	Terence Carter	James Caston
	Paul Ekpenyong	Jane Gould
	Margaret Maybury	Alastair McCraw (Co-Chair)
	Mary McLaren	David Muller
	Adrian Osborne	Keith Scarff

In attendance:

Officers:

- Chief Planning Officer - Sustainable Communities (PI)
- Officer for Heritage and Planning Compliance (SB)
- Performance and Quality Officer for Growth & Sustainable Planning (JM)
- The Business Practice Manager - Development Management (JH)
- The Assistant Director – Planning for Growth (TB)
- The Assistant Director – Law and Governance and Monitoring Officer (EY)
- Senior Governance Officer (HH)

Apologies:

Siân Dawson
Kathryn Grandon

14 DECLARATION OF INTERESTS

14.1 There were no declarations of interests from Members.

15 JOS/20/6 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2020

15.1 That the minutes of the meeting held on the 23 November 2020 be deferred to the Joint Overview and Scrutiny Committee on the 15 February 2021.

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

None received.

17 QUESTIONS BY THE PUBLIC

17.1 None received.

18 QUESTIONS BY COUNCILLORS

None received.

19 JOS/20/7 PLANNING ENFORCEMENT - TRANSFORMATION UPDATE

- 17.1 The Chair invited the Chief Planning Officer, Philip Isbell to introduce the report.
- 17.2 The Chief Planning Officer introduced the report and detailed the background for the project.
- 17.3 The Officer for Heritage and Planning Compliance, Simon Bailey, informed Members that there had been 380 applications at the start of 2020 and that two thirds of these cases had been over 26 weeks old. The team had focused on these and had now processed 152 of these cases, which formed part of the mapping process for enforcement cases. The Team continued to work on reducing the outstanding cases, however the Covid-19 Lockdown had slowed this work down as site visits had only just commenced again. Some business had had to reduce the way they operated in order to keep working under the Covid-19 restrictions.
- 17.4 In response to Member's questions the Officer responded that the Government had taken a tolerant approach to the way businesses were working, and that not all residents had been understanding for the new ways of working on building sites and in relation to the increase of home deliveries.
- 17.5 The Performance and Quality Officer for Growth & Sustainable Planning, John Mawdsley referred to the Enforcement Flowchart in Appendix E and presented the process map for enforcement cases to Members.
- 17.6 The Business Practice Manager - Development Management, Julie Havard, detailed the administrative side of the enforcement process and the work with the Development Management team. A report was set up within three working days for each case which was reduction from ten days previously. Each enforcement case was plotted with the Enforcement and the Development Teams within 24 hours of receipt, once the validation team had evaluated the application forms. However, not all cases referred were enforcement cases.
- 17.7 The Chief Planning Officer added that improved process mapping and workflow management have assisted officers to deal with the high personal workloads and that this had been a learning point for officers.
- 17.8 Councillor Ekpenyong queried the increase in the year-on-year cases and why this was happening.
- 17.9 The Officer for Heritage and Planning Compliance explained that there was a number of reasons, such as residents currently spending more time at home and walking around the neighbourhood more. Building work on sites did not have to adhere to social distancing and had extended working hours, which

had caused some increase in cases being reported. He expected that the number of cases reported would reduce once the pandemic and the lockdown restrictions had been lifted.

- 17.10 Councillor McLaren queried whether allocations of cases were based on geographical areas and the officers responded that the Districts were divided into east and west and that each area had three teams allocated on a geographical basis. In response to further questions from Councillor McLaren, the officers confirmed that some areas such as Stowmarket and Sudbury received more complaints than other areas.
- 17.11 In a response to several Members' questions regarding resources, the Chief Planning Officer explained that resources remained under review, pending on the implementation of the new software system. Planning officers actioned the workflow mapping for each case and desktop assessment was an important step to reduce the workload. Not all cases required a site visit but could be resolved by appropriate advice to the complainant. Currently this was a period of learning for officers.
- 17.12 Councillor McCraw referred to page 53 in the report and asked if the upward trend was due to the perception that there was a greater awareness of planning conditions resulting in people reporting more cases.
- 17.13 The Heritage and Planning Compliance Officer confirmed that this was the case but also that larger developments drew more attention from residents.
- 17.14 The Assistant Director – Planning for Growth, added that there was a greater visibility of the planning process, as Neighbourhood Plans were being developed, currently there were 50 plans in development, and this could lead to a greater expectation and reporting of breaches of conditions.
- 17.15 Councillor Maybury commented that member briefings were useful for Members' understanding the complex issues of enforcement cases. She asked if officers could provide clarification of the legal issues referred to in the report.
- 17.16 The Heritage and Planning Compliance officer explained that court dates for legal cases were difficult due to the Covid-19 restrictions and the Lockdown period.
- 17.17 The Business Practice Manager - Development Management respond to further question from Councillor Maybury and explained the process for validations and enforcement cases and that officers could provide support for the applications.
- 17.18 Councillor Adrian Osborne queried how many older enforcement cases before 2017 -18 had not yet been enforced.
- 17.19 The Heritage and Planning Compliance officer responded that steps had been taken to reduce older cases and that in those cases where legal action

noticed had been served, further action would be pursued and as a judgement had been made.

- 17.20 Councillor Carter queried whether it would be the Enforcement team or the Tree Protection Officers who would be following up on reporting on tree felling and coppicing.
- 17.21 The Heritage and Planning Compliance Officer responded that it depended on whether the tree had a Tree Protection Order (TPO), if so, the officers would be attending within three days. With regards to coppicing the legislation stated that hedgerows had to be uprooted before action could be enforced.
- 17.22 Councillor Caston asked if the Chief Planning Officer could provide an overview of the resources required for the transition project.
- 17.23 The Chief Planning Officer explained that work around high priority cases and policy was being undertaken. An internal consideration of resources was being conducted in relation to skills and ability to deal and close cases. Once the timetable had been implemented, he would have a better understanding of the resources required.

Note the meeting was adjourned between 10:55 am and 11:01am.

17.24 Members debated the issues including:

- That the increase in the reporting enforcement cases should be considered as a positive, as it indicated that the public had more faith in the Enforcement Team.
- That the processing time for cases had been reduced over the period from January to November.
- That it was positive that there was not an immediate requirement for further resources.
- That officers had embraced the new system and that the implementation was reassuring.
- That the public did not always understand the process for planning enforcement.

17.25 Councillor Carter though that reports should be available to the public if possible, to explain the circumstance of enforcement, to which officers responded that this was an important point for consideration and that if possible, there should be more transparency around enforcement policy. However, by the nature of the enforcement investigations not all information could be shared with the public.

17.26 Members and officers discussed the implications of recovery of cost for enforcement cases and that reimbursement was uncertain even if cases were successful.

17.27 Members discussed the recommendations and the implications of using the

Members from the Joint Local Plan (JLP) working group as a basis for the propose Task and Finish group for the Joint Local Plan Planning Enforcement Policy. Some Members felt that it excluded a wider member participation.

17.28 Councillor Ekpenyong asked that more detail be included in the next report for cost recovery.

17.29 Councillor Scarff considered the composition of the JLP working group. He felt that Members had had opportunities to contribute to the group effectively. He understood that whilst the Government had allowed for relaxation for some procedures due to the Covid-19 pandemic, this had left some residents worried and could create problems in the neighbourhood. He thought that measures had to be taken for enforcing the policies again once the Covid-19 pandemic had passed and that directions was necessary from Central Government.

17.30 Councillor McCraw thought that the amount of work undertaken by the planning team and had created awareness and understanding amongst members and the public. It was important that the process and structure was made available to the public and that transparency was considered for planning enforcement. In terms of using the JLP working group for the Task and Finish Group for the JLP Planning Enforcement Policy with the addition of further members participation, and he proposed that changes be made to the recommendations:

3.2 That a further update on progress with service transformation work within planning enforcement be provided to the Committee at the conclusion of the work of the Joint Member/Officer Task & Finish Group recommended under 3.3 at the conclusion.

3.3 That the Chief Planning Officer establish a Joint Member/Officer Task & Finish Group, comprising after review of the existing membership Members of the Joint Local Plan Member working group together with further Member input resolved with the chief planning officer in consultation with Political Group Leaders to review and make recommendations on the Joint Local Planning Enforcement Policy (JLPEP) and that this group have regard to best practice and other examples of published local enforcement policies in that process of review.

17.31 Councillor Carter seconded the recommendation.

17.32 Members debated the recommendations further and agreed the following wording for the recommendations.

3.2 That a further update on progress with service transformation work within planning enforcement be provided to the Committee at the conclusion of the work of the Joint Member/Officer Task & Finish Group recommended under 3.3 at the conclusion.

3.3 That the Chief Planning Officer establish a Joint Member/Officer Task &

Finish Group (comprising as a basis of-the Members of the Joint Local Plan Member working group together with further Member input resolved with the chief planning officer in consultation with Political Group Leaders) to review and make recommendations on the Joint Local Planning Enforcement Policy (JLPEP) and that this group have regard to best practice and other examples of published local enforcement policies in that process of review.

Note: Councillor Maybury left the meeting at 11:47am.

17.33 The Chair asked if the proposer and seconder would agree the proposed recommendations, and Councillor McCraw and Councillor Carter both agreed.

By a unanimous vote

It was RESOLVED: -

1.1 That the contents of this report be noted.

1.2 That a further update on progress with service transformation work within planning enforcement be provided to the Committee at the conclusion of the work of the Joint Member/Officer Task & Finish Group recommended under 3.3 at the conclusion.

1.3 That the Chief Planning Officer establish a Joint Member/Officer Task & Finish Group (comprising as a basis of-the Members of the Joint Local Plan Member working group together with further Member input resolved with the chief planning officer in consultation with Political Group Leaders) to review and make recommendations on the Joint Local Planning Enforcement Policy (JLPEP) and that this group have regard to best practice and other examples of published local enforcement policies in that process of review.

20 JOS/20/8 - REVIEW OF OUTSIDE BODIES- ADDITIONAL RECOMMENDATION

20.1 The Chair informed Members that with the agreement of the Chair of Babergh Overview and Scrutiny Committee this Item was to be deferred to the Mid Suffolk Overview and Scrutiny Committee meeting on the 14 January 2021.

20.2 The Chair asked that the Item be added to the Mid Suffolk Overview and Scrutiny Work Plan.

21 FORTHCOMING DECISIONS LIST

It was RESOLVED: -

That the Forthcoming Decisions List be noted.

22 JOS/20/9 BABERGH OVERVIEW AND SCRUTINY WORK PLAN

It was RESOLVED: -

That the Babergh Overview and Scrutiny Work Plan be noted.

23 JOS/20/10 MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN

It was RESOLVED: -

That the Mid Suffolk Overview and Scrutiny Work Plan be noted.

The business of the meeting was concluded at 11:58 am.

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Chair

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Agenda Item 4

BABERGH AND MID SUFFOLK DISTRICT COUNCILS

Minutes of the meeting of the **JOINT OVERVIEW AND SCRUTINY COMMITTEE** held in the Virtual Meeting on Monday, 15 February 2021

PRESENT:

Councillor: Alastair McCraw

Councillors: Terence Carter
Siân Dawson
Jane Gould
Mary McLaren
James Caston
Paul Ekpenyong
Kathryn Grandon
David Muller
Keith Scarff

In attendance:

Councillor(s): Derek Davis – Babergh Cabinet Member for Communities
Julie Flatman – Mid Suffolk Cabinet Member for Communities
Sue Ayres
Margaret Maybury
Suzie Morley
Jan Osborne

Witness(es): Collen Sweeney – Chief Officer at Sudbury and District Citizens Advice
Nicky Willshere – Chief Officer at Citizens Advice Ipswich
Simo Clifton – Chief Officer at Citizens Advice Mid Suffolk

Officers: Assistant Director – Planning for Growth (TB)
Corporate Manager – Communities (VM)
Corporate Manager – Governance and Civic office and Deputy
Monitoring Officer (JR)

Apologies:

None

24 DECLARATION OF INTERESTS

24.1 Councillor Muller declared a local non-pecuniary interest in his capacity as a Member of the Board of Trustee for Mid Suffolk Local Citizens Advice.

25 JOS/20/11 TO CONFIRM THE MINUTES OF THE MEETING HELD ON THE 23 NOVEMBER 2020

It was **RESOLVED**: -

The Minutes of the meeting held on the 23 November 2020 be confirmed as a true record and signed at the next practicable opportunity.

26 TO CONFIRM THE MINUTES OF THE MEETING HELD ON THE 14 DECEMBER 2020

26.1 The minutes from the meeting held on the 14 December 2020 was deferred to the next Joint Overview and Scrutiny Committee meeting in March 2021.

27 BOS/20/5 TO CONFIRM THE BABERGH MINUTES OF THE MEETING HELD ON THE 18 JANUARY 2021

It was RESOLVED: -

The Babergh Minutes of the meeting held on the 18 January 2021 be confirmed as a true record and signed at the next practicable opportunity.

28 MOS/20/5 TO CONFIRM THE MID SUFFOLK MINUTES OF THE MEETING HELD ON THE 14 JANUARY 2021

It was RESOLVED: -

The Mid Suffolk Minutes of the meeting held on the 14 January 2021 be confirmed as a true record and signed at the next practicable opportunity.

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

There were no petitions received.

30 QUESTIONS BY THE PUBLIC

There were no questions received from the public.

31 QUESTIONS BY COUNCILLORS

There were no questions received from Councillors.

32 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 if the LCAs had been able to produce a balanced budget for the anticipated increased workload, as a result of 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.**

33 PRESENTATION LOCAL CITIZENS ADVICE

The minutes for this item are detailed in Item 10.

34 JOS/20/13 INFORMATION BULLETIN

- 34.1 The Chair explained that the Information Bulletin and the tabled Information

Bulletin were responses to questions raised at the Babergh Overview and Scrutiny Committee meeting in January, but that the responses included information for both Councils.

35 COMMUNITY GRANTS REVIEW UPDATE

35.1 The Corporate Manager – Communities provided a presentation and updates on Community Grants and the work of the Grants Review Task and Finish Group.

36 FORTHCOMING DECISIONS LIST

It was RESOLVED: -

That the Forthcoming Decisions List be noted.

37 JOS/20/14 BABERGH OVERVIEW AND SCRUTINY WORK PLAN

It was RESOLVED: -

That the Babergh Overview and Scrutiny Work Plan be noted.

38 JOS/20/15 MID SUFFOLK OVERVIEW AND SCRUTINY WORK PLAN

It was RESOLVED: -

That the Mid Suffolk Overview and Scrutiny Work Plan be noted.

The business of the meeting was concluded at Time Not Specified.

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Chair

Agenda Item 8

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

COMMITTEE: Joint Overview and Scrutiny Committee	REPORT NUMBER: JOS/20/17
FROM: Cllr Derek Davis- Babergh Cabinet Member for Communities Cllr Sarah Mansel – Lead WSCSP Member for Mid Suffolk	DATE OF MEETING: 22 March 2021
OFFICER: Vicky Moseley – Corporate Manager Communities	

REVIEW OF WESTERN SUFFOLK COMMUNITY SAFETY PARTNERSHIP (WSCSP)

1. PURPOSE OF REPORT

- 1.1 It is a statutory requirement of this committee to scrutinise the work of the Western Suffolk Community Safety Partnership.

2. OPTIONS CONSIDERED

- 2.1 None.

3. RECOMMENDATIONS

- 3.1 To review and scrutinise the community safety activity of the Western Suffolk Community Safety Partnership (WSCSP) from 01 September 2019 to October 2020
- 3.2 That the Committee note the contents of this report.

REASON FOR DECISION

For the committee to fulfil its statutory duties under the Crime and Disorder Act 1998, the Police and Justice Act 2006 and the Crime and Disorder Overview and Scrutiny Regulations 2009

4. KEY INFORMATION

- 4.1 Community Safety Partnerships (CSPs) were introduced in 1998 under the Section 17 of the Crime and Disorder Act 1998 and amended by the Police Reform Act 2020.
- 4.2 The Western Suffolk Community Safety Partnership (WSCSP) is made up of statutory representatives from Babergh and Mid Suffolk District Councils, West Suffolk Council, Suffolk Police, Suffolk County Council, Suffolk Fire and Rescue Service, West Suffolk Clinical Commissioning Group and Ipswich and East CCG, National Probation Service, Norfolk and Suffolk Community Rehabilitation Company and the Elected Members from all four Districts and Suffolk County Council.
- 4.3 The aims of the Partnership are:

- To work collaboratively to prevent and reduce crime, disorder and the fear of crime, following an evidence-based approach, to promote the sharing of good practice and divert people away from crime and anti-social behaviour.
- To promote a wider understanding of the contributions and responsibilities of individual agencies and develop a shared commitment to partnership working.
- To encourage and support collaborative partnerships between local communities, statutory and non-statutory organisations.
- To support non-statutory, voluntary and community groups in accessing funding to deliver community safety projects that address the strategic priorities across the Western Suffolk CSP area.

4.4 Over the past year the WSCSP discharges its statutory duties by:

- Carrying out an assessment of crime and disorder in the area
- Continuing to deliver the three-year plan and action plan to reflect the priorities of the Partnership; and
- Carrying out Domestic Homicide Reviews.

Strategic Assessment 2020-23

4.5 In the Autumn of 2019, the Western Suffolk Community Safety Partnership (WSCSP) commissioned a Strategic Assessment to help members prioritise SMART, (Specific, Measurable, Achievable, Realistic and Timely) outcomes that will support the reduction of crime and disorder across the Western Suffolk CSP area.

4.6 This Strategic Assessment set out an evidence base for decision making and recommendations for prioritising activity by the CSP.

4.7 The completion of an annual Strategic Assessment is a statutory requirement for CSPs, which assesses and prioritises all crime and disorder issues within an area. To support the discussions the Western Suffolk CSP was provided with the most up to date evidence in order to set strategic priorities for the forthcoming year and the development and revision of a rolling 3-year Partnership Plan to address those priorities.

4.8 It is not intended that the priorities identified in the Strategic Assessment are the only priorities which are addressed, emerging issues should be prioritised when there is an evidence base and resource available.

4.9 Based on the outcomes of partnership discussions the following priorities remained as the focus for the WSCSP with the addition of Modern Slavery.

WSCSP Priorities

4.10 **County Lines:** including supporting victims, engaging with communities, agreeing an awareness and training programme, tackling drug dealing and supply, safeguarding vulnerable adults at risk and young people being criminally exploited.

4.11 **Violence against Women and Girls** (including men and boys): This priority includes actions to address domestic abuse, sexual violence, modern day slavery and sexual exploitation.

- 4.12 **Domestic Homicide reviews:** including ensuring the WSCSP continues to carry out effective reviews, appropriate action plans and shares learning across organisations in Suffolk.
- 4.13 **Hate Crime:** including the identification and support for victims of hate crime, working with partners to raise awareness and continue to build confidence in our communities to report hate crime incidences.
- 4.14 **Prevent:** as part of the Government's CONTEST strategy to counter terrorism, "prevent" aims to raise awareness within our communities to stop people being drawn into terrorism and ensure they are given appropriate advice and support at an early stage.

Progress against the priorities

County Lines

- 4.15 County Lines activity underpins serious and organised crime, which results in links to other criminal activity such as child and adult sexual exploitation, trafficking and modern-day slavery.
- 4.16 County Lines activity is distinctively different to local drug activity due to the high levels of violence demonstrated and the involvement of young children groomed to be 'runners' and carry weapons.
- 4.17 County Lines are operating in Suffolk and the number of lines varies at any given moment.
- 4.18 The Suffolk Children's Safeguarding Board uses the following definition when identifying gangs and gang culture:
- 4.19 Urban Street Gangs are defined as a relatively durable, predominantly street-based group of young people who:
- see themselves (and are seen by others) as a discernible group;
 - engage in a range of criminal activity and violence;
 - identify with or lay claim over territory;
 - have some form of identifying structural feature; and
 - are in conflict with other, similar, gangs.
- 4.20 In Western Suffolk there is not currently an identified issue with urban street gangs (USG), but there does continue to be a focus on County Lines.
- 4.21 The Police in West Suffolk have created a network of officers whose aim is to develop intelligence, raise awareness amongst colleagues and take positive action in the form of misuse of drugs warrants and disruption visits. This approach has proven successful in focussing front line staff to this critical area of business.
- 4.22 As a result of this focussed work we have now been able to reduce the risk of new County Lines forming whilst still disrupting those that have traditionally existed.

- 4.23 A significant amount of Criminal Exploitation and County Lines training has taken place during the past year with WSCSP partners. Due to Covid this has, through necessity, developed as online training / awareness raising and ranges from St Giles STOP training, Keeping Children and Young People Safe from Criminal Exploitation; workshops delivered by the Children's Society on the National Referral Mechanism, the sharing of NSPCC resources 'It's your call' online safeguarding resource and multiple 'Disrupting Exploitation' training.

Violence against Women and Girls (including men and boys)

- 4.24 Following the adoption of the Suffolk Violence Against Women and Girls, Men and Boys (VAWGMB) Strategy, a multi-agency VAWGMB Steering Group was established. This group brings together the skills, expertise and resources across Suffolk to look at the whole agenda rather than specific issues in isolation.
- 4.25 The VAWGMB Steering Group has been established for over a year and has successfully developed a countywide Strategy and Action Plan and includes Domestic Abuse, Sexual Violence and Sexual Exploitation. The Action Plan is a restricted document reviewed and amended at the meetings as new work streams develop.

Sexual Abuse and Sexual Violence Awareness Week 2021

- 4.26 Partners across Suffolk came together to raise awareness of sexual violence and abuse, signposting to local specialist support services. There was collective social media activity as well as:
- Encouraging staff and colleagues to wear purple in meetings and share photos of this on social media
 - Individuals wearing purple and sharing on social media
 - Lighting up buildings or spaces purple and
 - Making our backgrounds on video calls purple.

Domestic Abuse Bill

- 4.27 The Domestic Abuse Bill is in its last stages of passage through Parliament before being enacted into Law. There will be a statutory duty on local areas to produce a needs assessment and subsequent strategy for safe accommodation for victims of domestic abuse and their children. In preparation for the new duty there will be a housing representative taken from Suffolk Housing Officers Group (SHOG) who will provide specialist support on the VAWGMB Strategic Group. Safe Accommodation will be a standing item on the agenda for both the VAWGMB Strategic Group and Suffolk Violence and Abuse Partnership (SVAP) to help shape the strategy. Funding to support the new statutory duty has been provisionally agreed by MHCLG but clarity is being sought in a few areas. SCC will work closely with Housing Option Teams across the County.

- 4.28 In line with the Domestic Abuse Bill, SCC are coordinating an update of the Multi Agency, Violence Against Women and Girls, Men and Boys Strategy and Action Plan later this year

Satellite Accommodation

- 4.29 With funding from Suffolk Public Health, satellite accommodation for victims of domestic abuse with complex mental health and substance dependency needs has been extended. The 19 bed spaces distributed across the County will now be available through to the end of March 2021.

Domestic Abuse Outreach Service (DAOS)

- 4.30 There was a 22% increase in referrals to the DAOS during 2020 across Suffolk. *A total of 711 referrals were made with 162 from the Babergh and Mid Suffolk Area.* Weekly new referrals may be indicating difficulties for people to access a safe space to disclose. Figures are low in comparison to what we would expect after Christmas and New Year when the children have returned to school; this is historically one of the busiest periods together with September. Home schooling, lock down, without the opportunity to make that call or get help from professionals to make that referral could be the reason.

Suffolk 24/7 Domestic Abuse Helpline

- 4.31 Partners have been heavily promoting the Suffolk 24/7 DA Helpline with materials sent to GPs, Pharmacies, Testing and Vaccine sites. *Since May 2020 through to the end of December 2020 289 calls had been received with 48 from Babergh and Mid Suffolk.*

Domestic Homicide Reviews

- 4.32 Carrying out Domestic Homicide Reviews is a responsibility of the Community Safety Partnership (CSP) and is triggered when the death of a person aged 16 or over has, or appears to have, resulted from violence, abuse or neglect by a relative, household member or someone with whom he or she has been in an intimate relationship.
- 4.33 The DHR which occurred in Mid Suffolk (2017) was submitted to the Home Office in November 2019 and reviewed by their Pre-Quality Assurance Panel for assessment in November 2020 which highlighted some areas of the report needing further consideration. The areas were addressed, and the report resubmitted to the Home Office Quality Assurance Panel in December 2020 and is currently awaiting Home Office sign off. Although there have been delays with the Home Office reviewing and signing off the DHR Overview Report, WSCSP are overseeing the implementation of the recommendations detailed in the action plan, the majority of which have are complete.
- 4.34 Other than the Mid Suffolk DHR in 2017 there have been no further Domestic Homicide Reviews in Babergh and Mid Suffolk.

Hate Crime

- 4.35 The Suffolk Hate Crime Network co-ordinated by Suffolk County Council continues to be well attended. Suffolk response to Hate Crime Awareness Week resulted in a whole host of campaigns and materials that can be used throughout the year to encourage reporting – 2020 also saw the creation of The Hope Awards – a partnership initiative with schools aimed to promote and celebrate the good work of young people during a very difficult year.
- 4.36 A joint county-wide Hate Crime Improvement Plan has been developed by the Police and Suffolk County Council and focusses on the following five key themes:
- Governance, Leadership and Accountability
 - Preventing Hate Crime
 - Increasing Knowledge
 - Increasing reporting/improving support
 - Improve the quality of investigations
- 4.37 BMSDC supported National Hate Crime Awareness Week in October with a social media campaign highlighting hate crime, raising awareness of the impact of hate crime and how to access support.
- 4.38 Hate crime training continues and awareness raising sessions are actively promoted. Free hate crime e-learning continues to be available free of charge to all partners across Suffolk: https://suffolk.melearning.university/course_centre

Prevent

- 4.39 The Countywide PREVENT Delivery Group, is a strategic group which brings together partners, including, Local Authorities, prisons, probation, schools, university, colleges, health sector and Police – continues to meet and respond to threats and risks identified within the counter terrorism local profile.
- 4.40 Each quarter the group receive recommendations from the Counter Terrorism Local Profile, and these are adopted into the rolling partnership action plan.
- 4.41 Two editions of the Suffolk Prevent newsletter have been released providing key information for front line officers – the most recent focussed on advice and guidance to parents and guardians around young people and radicalisation and also an in-depth look at Right Wing Extremism
- 4.42 In early April 2020 the Suffolk Khub was launched. This provides a secure place to share up to date information with our trainers and offer countywide support. It has also offered the opportunity to share best practice with some neighbouring local authorities as to the problems we are all experiencing in identifying people who are vulnerable to radicalisation during a period of lockdown. Suffolk currently has over 40 practitioners trained to deliver training from a wide range of organisations. Since 2015 19654 people have attended a workshop to raise awareness of prevent

- 4.43 Little staff training has been completed in the past year but this will be made a priority for 2021/22 and will be extended out to community groups. Plans to work with Community Groups and deliver PREVENT sessions in our communities during 2020 were put on hold due to Covid.

Modern Slavery

- 4.44 Although modern day slavery is not a standalone priority for the WSCSP, it is identified as a cross cutting priority and is evident within domestic abuse and County Lines.
- 4.45 Between December 2019 and June 2020 six half day multi-agency free workshops to raise awareness of Modern Slavery and Human Trafficking have been delivered across Suffolk by the charity Unseen following a successful PCC funding application to the Modern Slavery Police Transformation Fund. In excess of 100 delegates from 19 organisations, including delegates from Babergh and Mid Suffolk District Councils attended the events. The impact of Covid on the workshops meant that the last 2 sessions were delivered to delegates using MS Teams
- 4.46 A number of training sessions on the National Referral Mechanism were delivered by The Children's Society in 2020 to frontline professionals and First Responders. First Responders are from organisations (which includes local authorities) authorised to refer potential victims of modern slavery into the National Referral Mechanism (NRM). Their role is to identify and refer potential victims of modern slavery into support, where appropriate.
- 4.47 October 2020, Suffolk Police launched a new Modern Slavery and Vulnerable Communities Team to tackle Modern Slavery and protect vulnerable people and pursue those who exploit the victims of Modern Slavery. In partnership with other agencies, the team are focussing on community engagement work to prevent Modern Slavery from taking place.
- 4.48 Following a further successful Home Office funding application to the Modern Slavery Transformation Fund in 2020 for Modern Slavery preventative work, two awareness raising/training films for frontline professionals to identify and refer potential victims of exploitation and trafficking will be developed in Suffolk. Covid has delayed the production of these films which will now be completed later in the year. As part of the funding bid, The Children's Society will be delivering more in-depth practitioner training on the completion of the National Referral Mechanism (NRM) and Duty to Notify (DtN). Both activities will help to prevent Modern Slavery in the communities and sectors most at risk in Suffolk.
- 4.49 A Modern Slavery awareness raising campaign is scheduled to take place across Suffolk during April 2021. This is the first local 5-day campaign across Suffolk to raise awareness of Modern Slavery and Human Trafficking. Due to the current Covid restrictions this first campaign will take place over social media.

Anti-social Behaviour

- 4.50 The Districts are safe places to live however, we do recognise that some of our communities are not immune from crime and disorder, including anti-social and other behaviour affecting the local community. Tackling issues when they arise, collaboratively and professionally remains a key priority for the partnership.
- 4.51 Effective partnership working on community safety is key to sustainable and safer communities and is crucial in effectively tackling the range of issues that ASB involves. In order to respond to the needs of victims and witnesses in an effective way, agencies must work together to identify their areas of expertise and to give a rounded solution to the problems our communities face.
- 4.52 ASB which is not assessed as high risk, can be referred by members of the community, Police or Councillors. This information is passed to our Community Safety Team and partners to resolve issues, support victims and investigate the use of our enforcement powers in the first instance. We recognise the need for adopting early, low level intervention in anti-social behaviour cases, as mild cases can often escalate if not addressed.
- 4.53 Our two ASB ‘professionals’ Panel focus on high risk, repeat and/or vulnerable victims and each case is managed through the shared case management system and data sharing protocol. From time-to-time high risk ASB incidents occur and it is imperative that both our partnership ASB arrangements and internal ASB arrangements are fit for purpose, well understood and effectively delivered.
- 4.54 Significant focus has been given to our ASB arrangements during the last six months which has led to many developments including the implementation of the E-CINs case management software, and the on-going development of a Council-wide ASB Policy.
- 4.55 We are confident that E-CINs will help us log and better manage our ASB cases, improving joint working both between Council teams, and with partner agencies. Several higher-level cases have already been uploaded onto the system, and some ‘super-users’ identified within our teams who will support their colleagues adopt to the new ways of working. E-CINs, if adopted widely enough, will improve communication, reduce silo-working, and produce much better outcomes for victims of ASB.
- 4.56 Alongside E-CINs we have been developing a Council-wide ASB Policy and accompanying procedures including a very clear escalation process to manage high risk ASB cases. Previously our ASB Policy has only referred to Council housing, but this initiative should enable us to deliver a tenure-neutral service. The Policy, and its many associated documents, are currently going through a process of internal consultation, with a view to have it approved by Councils later in the year.

5. LINKS TO JOINT STRATEGIC PLAN

- 5.1 Continued support for health and wellbeing outcomes that prevent interventions.

6. FINANCIAL IMPLICATIONS

6.1 There are no financial implications directly associated with this report.

7. LEGAL IMPLICATIONS

7.1 Community Safety Partnerships were created in accordance with Section 17 of the Crime and Disorder Act 1998 which gave local authorities and the police new responsibilities to work in partnership with other organisations and the community to draw up strategies to reduce crime and disorder.

8. RISK MANAGEMENT

8.1 This report does not link directly to the Council’s Corporate / Significant Business Risks however there is an operational Risk:

Risk Description	Likelihood	Impact	Mitigation Measures
The Statutory requirements of the Community Safety continues to increase. This, together with the rising need to tackle County-wide issues places significant additional pressures on Partnerships in terms of resources and capacity.	Highly Probable	Significant	Regularly review the Partnerships budgets, funding allocation and capacity. Seek alternative funding streams to ensure the Partnership is enabled to fulfil its statutory duties.
Risk to our communities around any reduction in partnership working, including appropriate information sharing in relation to community safety. This may arise due to loss of resources, return to silo working practices	Unlikely	Significant	This can be mitigated by the continued commitment of the Senior Leadership Team (SLT) and Councillors to support Partnership working and to embed this into all areas of Babergh and Mid Suffolk

and engagement partners.	non- of			District Council activities.
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9. CONSULTATIONS

9.1 A range of consultations with relevant WSCSP partners and other partners relating to wide ranging community safety issues, including the production of the WSCSP Strategic Assessment, County Lines and Domestic Homicide Reviews. Due to the sensitivity it is not appropriate for public consultation.

10. EQUALITY ANALYSIS

10.1 The content of this report is such that there are no equality issues arising from this report although the review itself may consider any equality impacts.

11. ENVIRONMENTAL IMPLICATIONS

11.1 None

12. APPENDICES

Title	Location
Glossary of Abbreviations	Appendix 1
Western Suffolk Community Safety Partnership Terms of Reference	Appendix 2

13. BACKGROUND DOCUMENTS

13.1 The Suffolk Police and Crime Plan 2017 – 2021 published by the Suffolk Police and Crime Commissioner. This Plan is required to reflect the priorities of the Western Suffolk Community Safety Partnership Plan. The Plan is published on the Suffolk PCC website:

<http://suffolk-pcc.gov.uk/the-commissioner/police-crime-plan>

Authorship: Vicky Moseley, Corporate Manager Communities

Email: Vicky.moseley@baberghmidsuffolk.gov.uk

Appendix 1

GLOSSARY OF ABBREVIATIONS

CSPs – Community Safety Partnerships

WSCSP – Western Suffolk Community Safety Partnership

CDRPs – Crime and Disorder Reduction Partnerships

CCG – Clinical Commissioning Group

CRC – Community Rehabilitation Company

SCC – Suffolk County Council

RSL – Registered Social Landlord

YOS – Youth Offending Service

VAWG – Violence Against Women and Girls (including Men and Boys)

CTLP – Counter Terrorism Local Profile

DHRs – Domestic Homicide Reviews

WRAP – Workshop to Raise Awareness of Prevent

E-CINS – Empowering Communities Inclusion and Neighbourhood Management System

ASB – Anti-Social Behaviour

PCC – Police and Crime Commissioner

SCF – Suffolk Community Foundation

SSF – Safer Suffolk Fund

SSCG – Safe and Strong Communities Group

SVAP - Suffolk Violence and Abuse Partnership

MARAC – Multi- Agency Risk Assessment Conference

IDVA – Independent Domestic Violence Advisor

MSDAF – Mid Suffolk Domestic Abuse Forum

PRU - Pupil Referral Unit

ISCRE – Ipswich and Suffolk Council for Racial Equality

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WESTERN SUFFOLK COMMUNITY SAFETY PARTNERSHIP (WSCSP) TERMS OF REFERENCE

Aim of the Partnership:

To meet the statutory requirements of the Crime and Disorder Act 1998 and subsequent legislation.

1. To work collaboratively to prevent and reduce crime, disorder and the fear of crime, following an evidence-based approach, to promote the sharing of good practice and divert people away from crime and anti-social behaviour.
2. To promote a wider understanding of the contributions and responsibilities of individual agencies and develop a shared commitment to partnership working.
3. To encourage and support collaborative partnerships between local communities, statutory and non-statutory organisations.
4. To support non-statutory, voluntary and community groups in accessing funding to deliver community safety projects that address the strategic priorities across the Western Suffolk CSP area.

Objectives of the Partnership:

The Western Suffolk Community Safety Partnership (WSCSP) is a statutory body with a responsibility to:

- Make an assessment of community safety issues
- Produce a plan which responds to those issues
- Review and report on progress against that plan
- Carry out Domestic Homicide Reviews

The Partnership is made up of statutory representatives from the named Responsible authorities and include local councils in West Suffolk, Mid Suffolk and Babergh, Suffolk Police, Suffolk County Council, National Probation Service, Norfolk and Suffolk Community Rehabilitation Company (CRC), West Suffolk and Ipswich and East Clinical Commissioning Groups (CCG) and Suffolk Fire and Rescue Service.

Registered Social Landlords and Youth Offending Service are co-opted as additional non statutory members of the WSCP,

These partners will form the Responsible Authorities Group. (RAG)

RESPONSIBLE AUTHORITIES GROUP (RAG)

Responsible authorities have a statutory duty to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder including anti-social and other behaviour adversely affecting the local environment as well as the misuse of drugs in their area. The partnership coordinates community safety activity across Western Suffolk CSP area at a strategic level, to reduce crime and the fear of crime, to address the risk, threat and harm to victims and local communities.

Composition of voting members

West Suffolk Council	Service Manager for Families and Communities 2 x West Suffolk District Councillors
Babergh District Council and Mid Suffolk District Council	Corporate Manager – Communities Babergh District Councillor Mid Suffolk District Councillor
Suffolk County Council	Elected Member from West Suffolk area Elected Member from Babergh and Mid Suffolk areas
Suffolk Police	Senior Police Officer for Western area
Suffolk Fire and Rescue Service	Safer Communities Manager District Manager
Clinical Commissioning groups	Head of Primary Care (CCG)
National Probation Service	Probation Manager
Community Rehabilitation Company	Director

Composition of non-voting co- opted members

Youth Offending Service	YOS Manager
Housing	Registered Social Landlord representative
Housing	Babergh and Mid Suffolk District Councils representative
Education	Education Rep (West Suffolk College)
Education	Education Rep (County Upper)
Education	Education Rep (Albany PRU)
Norfolk & Suffolk Foundation Trust	Clinical Team Manager, Suffolk Children's, Families and Young Persons (CFYP)

All members are entitled to have a substitute attend these meetings.

Terms of Reference

To contribute to the preparation of an annual community safety Strategic Assessment for the Western Suffolk CSP.

1. To produce a 3yr plan and a supporting action plan (reviewed and refreshed annually), for the Western Suffolk CSP (with the support and involvement of all relevant agencies).
2. To identify problem areas, trends and gaps through problem solving process.
3. To co-opt additional members from key agencies as required addressing specific priorities.

4. The Chair of the Western Suffolk CSP is a 3-year tenure and is open to any member organisation of the WSCSP. The administration for the WSCSP follows the Chair.
5. The meetings will take place quarterly. Minutes and agenda will be sent out one week prior to the meeting.

12/11/2020

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Agenda Item 10

BABERGH OVERVIEW AND SCRUTINY COMMITTEE WORK PLAN 2020/21:

TOPIC	PURPOSE	LEAD OFFICER	CABINET MEMBER	PREVIOUSLY PRESENTED TO COMMITTEE
19 April 2021 – JOINT Chair – Cllr McCraw				
PRE-ELECTION PERIOD				
24 May 2021 – JOINT Chair – Cllr Welham				
Review of the Overview and Scrutiny Committee 2020/21	Review of the work conducted throughout 2020/21 – Lessons learnt, improvements and achievements	Corporate Manager – Democratic Services Senior Governance Support Officer		
21 JUNE 2021				
Overview and Scrutiny Training for Members of the Committee	Training on the principles and approach to Scrutiny	Corporate Manager – Governance and Civic Office		
CIFCO Business Plan	The Scrutinise the Business Plan	Assistant Director for Assets and Investment	Cabinet Member for Assets and Investments	June 2020
Information Bulletin Public Realm	A review of Management of public open space secured in relation to planning	Assistant Director – Environment and Commercial Partnerships Corporate Manager - Communities	Cabinet Members for Environment and Commercial Partnerships	
19 JULY 2021				
Annual Review of Joint Homes and Housing Strategy and Homelessness and Rough Sleeping Reduction Strategy		Assistant Director - Housing	Cabinet Member for Housing	

Customer Service Update	An Information Bulletin brought to Committee as a result of the presentation update on 20 July 2020, to include a general update but focusing on Face-to-Face customer services performance.	Assistant Director – Customer, Digital Transformations and Information Corporate Manager Customer Operations	Cabinet Member for Customer, Digital Transformations and Information	
23 AUGUST 2021				
20 SEPTEMBER 2021				
18 OCTOBER 2021				
22 NOVEMBER 2021				
Annual Review of Local Citizens Advice	To review the Funding Arrangements for LCA in the two Districts.	Assistant Director – Planning for Growth	Cabinet Member for Communities	
20 DECEMBER 2021				
17 JANUARY 2022				
Draft General Fund (GF) 2022/23 and Four-year Outlook	Scrutiny of the GF Budget for 2022/2023	Assistant Director – Corporate Resources Corporate Manager – Finance	The Leaders Cabinet Members for Finance	BDC 18 January 2021
Draft Housing Revenue Account (HRA) and Four - year Outlook	Scrutiny of the HRA Budget and Business Plan	Assistant Director – Corporate Resources Corporate Manager – Finance	The Leaders Cabinet Members for Finance	BDC 18 January 2021
21 FEBRUARY 2022				
Representatives on Outside Bodies	A review of the Representatives on Outside Bodies and an update on the work undertaken	Corporate Manager – Governance and Civic Office Senior Governance Officer		A review of the Representatives on Outside Bodies and an update on the work undertaken

21 MARCH 2022				
Crime and Disorder Panel meeting	The Committee conduct a scrutiny review of the SWSCP to fulfil the Councils Statutory requirements	Assistant Director – Sustainable Communities Community Safety Professional Lead - Communities	BDC Cabinet Member for Communities MSDC Cabinet Member for Communities	22 March 2021
25 APRIL 2022				
23 MAY 2022				
Review of the Overview and Scrutiny Committee 2020/21	Review of the work conducted throughout 2020/21 – Lessons learnt, improvements and achievements	Corporate Manager – Democratic Services Senior Governance Support Officer		

Topics identified for review but not currently timetabled:

Underspend of Grants for bringing empty homes back into to use

A report to be brought to Committee for the effect of the underspending off grants for bringing empty homes back into use – **To be reviewed by the Chair in February/March 2021** **NOTE:** Whilst in emergency response mode SLT deemed this was not a high priority.

Crime and Disorder Panel meeting

Required to take place at least once a year, provisionally agreed to take place in **March 2022**

Annual Review of Joint Homes and Housing Strategy and Homelessness and Rough Sleeping Reduction Strategy to be reviewed in **June/July 2021**

Customer Service Update July 2021 – an Information Bulletin brought to Committee as a result of the presentation update on 20 July 2020, to include a general update but focusing on Face-to-Face customer services performance.

Improving Access to the Private Rented Sector - Chairs to discuss the timing for bringing this to Committee

Other topics identified:

- Home ownership review

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Agenda Item 11

MID SUFFOLK OVERVIEW AND SCRUTINY COMMITTEE

WORK PLAN 2020/21:

TOPIC	PURPOSE	LEAD OFFICER	CABINET MEMBER	PREVIOUSLY PRESENTED TO COMMITTEE
19 April 2021 – JOINT Chair – Cllr McCraw				
PRE-ELECTION PERIOD				
24 May 2021 – JOINT Chair – Cllr Welham				
Review of the Overview and Scrutiny Committee 2020/21	Review of the work conducted throughout 2020/21 – Lessons learnt, improvements and achievements	Corporate Manager – Democratic Services Senior Governance Support Officer		
17 JUNE 2021				
Overview and Scrutiny Training for Members of the Committee	Training on the principles and approach to Scrutiny	Corporate Manager – Governance and Civic Office		
CIFCO Business Plan	The Scrutinise the Business Plan	Assistant Director for Assets and Investment	Cabinet Member for Assets and Investments	June 2020
Information Bulletin Public Realm	A review of management of public open space secured in relation to planning	Assistant Director – Environment and Commercial Partnerships	Cabinet Members for Environment and Commercial Partnerships	
15 JULY 2021				
Annual Review of Joint Homes and Housing Strategy and Homelessness and Rough Sleeping Reduction Strategy		Assistant Director - Housing	Cabinet Member for Housing	

Customer Service Update	An Information Bulletin brought to Committee as a result of the presentation update on 20 July 2020, to include a general update but focusing on Face-to-Face customer services performance.	Assistant Director – Customer, Digital Transformations and Information Corporate Manager Customer Operations	Cabinet Member for Customer, Digital Transformations and Information	
19 AUGUST 2021				
16 SEPTEMBER 2021				
14 OCTOBER 2021				
18 NOVEMBER 2021				
Annual Review of Local Citizens Advice	To review the Funding Arrangements for LCA in the two Districts.	Assistant Director – Planning for Growth	Cabinet Member for Communities	
16 DECEMBER				
13 JANUARY 2022				
Draft General Fund (GF) 2022/23 and Four-year Outlook	Scrutiny of the GF Budget for 2022/2023	Assistant Director – Corporate Resources Corporate Manager – Finance	The Leaders Cabinet Members for Finance	BDC 14 January 2021
Draft Housing Revenue Account (HRA) and Four - year Outlook	Scrutiny of the HRA Budget and Business Plan	Assistant Director – Corporate Resources Corporate Manager – Finance	The Leaders Cabinet Members for Finance	BDC 14 January 2021
17 FEBRUARY 2022				

Representatives on Outside Bodies	A review of the Representatives on Outside Bodies and an update on the work undertaken	Corporate Manager – Governance and Civic Office Senior Governance Officer		A review of the Representatives on Outside Bodies and an update on the work undertaken
17 MARCH 2022				
Crime and Disorder Panel meeting	The Committee conduct a scrutiny review of the SWSCP to fulfil the Councils Statutory requirements	Assistant Director – Sustainable Communities Community Safety Professional Lead - Communities	BDC Cabinet Member for Communities MSDC Cabinet Member for Communities	22 March 2021
21 APRIL 2022				
19 MAY 2022				
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Crime and Disorder Panel meeting

Required to take place at least once a year, provisionally agreed to take place in **March 2022**.

Annual Review of Joint Homes and Housing Strategy and Homelessness and Rough Sleeping Reduction Strategy to be reviewed in June/July 2021

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Improving Access to the Private Rented Sector - Chairs to discuss the timing for bringing this to Committee

Other topics identified:

- Home ownership review

Agenda Item 12

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **BABERGH OVERVIEW AND SCRUTINY COMMITTEE** held in the Virtual Meeting on Monday, 15 February 2021

PRESENT:

Councillor: Alastair McCraw (Chair)
Adrian Osborne (Vice-Chair)

Councillors: Siân Dawson Jane Gould
Kathryn Grandon Mary McLaren

In attendance:

Guest(s): Mr Thomas Morelli – Lead Petitioner
Councillor Jack Owen – Mayer of Sudbury
Councillor Sue Ayres – Sudbury Town Councillor

Officers: Assistant Director Law and Governance and Monitoring Officer (EY)
Corporate Manager - Governance and Civic Office (JR)
Senior Governance Officer (HH)

Apologies:

None

10 WELCOME - THE CHAIR TO THE COMMITTEE

The Chair, Councillor McCraw, welcomed Members and guests to the meeting.

- 10.1 He informed Members that this meeting had been called as the Petitioner and Organiser, Mr Thomas Morelli, of the petition received on the 11 January 2021, had requested that a review of the steps taken by the Council in respect of the validation of his petition be undertaken by the Committee.

11 DECLARATION OF INTERESTS

There were no declarations made.

12 PROTOCOL FOR REVIEWING PETITIONS VALIDATION PROCESS

- 12.1 The Chair drew Members' attention to the attached protocol for the meeting.
- 12.2 Councillor Grandon proposed the motion that the protocol be approved, which was seconded by Councillor Gould.

By a unanimous vote

It was RESOLVED:-

That the Protocol for reviewing the procedure be approved by the Overview and Scrutiny Committee.

13 B/RP/20/1 VALIDATION OF PETITIONS

13.1 The Chair invited the Corporate Manager for Governance and Civic Officer to provide details of the process for the validation of petitions and the process taken for the validation of Mr Morelli's petition.

13.2 The Corporate Manager – Governance and Civic Office provided the following statement:

You have before you my report that details the validation process of petitions. I would like to highlight the following key points:-

The Council does not have a statutory requirement to provide a petitions process but chooses to have one because it welcomes the views of its residents and recognises it is a method where they can raise their concerns.

The Council adopted the Model Petitions Policy that was formulated by the now amalgamated department of the DCLG and confirmed in the Local Democracy, Economic Development and Construction Act 2009.

A number of other councils have also adopted this model petitions scheme. We are not the only Council that sets out these requirements.

Our petition scheme is clearly set out in the Constitution under Part 3, Paragraph 2.2 and lists the criteria that the petition must meet to ensure that the petition is valid.

Mr Morelli's petition was assessed by the Committee Officer and was rejected for validation because the full address of the persons supporting the petition had not been submitted as detailed in Part 3 Paragraph 2.2 where it clearly states that this is a requirement of the Petitions Process and as advised in the check form and example attached to the Petitions Process.

It is important that the Council validates each petition to ensure that the petitioners, live, work or study in the area and that the petition is genuine. It is also essential that the Council has the full name and address of the petitioners so that it is able to contact them to provide them with any further information regarding the petition or if the Council wishes to consult with the petitioners further. This cannot be done from a postcode.

Provision of the full name and address enables the Council to be able to validate the petition to avoid any fraudulent submissions that may result in the Council taking a decision based on incorrect representation and incorrect information. It is also important that the validation process is consistent and in line with Council procedure.

Once the Committee Officer realised that he was unable to validate the petition, he consulted with myself, as the Deputy Monitoring Officer, and immediately wrote to Mr Morelli explaining that a postcode did not provide sufficient detail for due diligence to be carried out. This approach is consistent with other petitions that had been rejected.

A further complication was not all of the petitioners had endorsed all three issues and the signature count was different for each of those issues. This could lead to confusion and misrepresentation and this was explained to Mr Morelli. The Committee Officer also offered advice and assistance to Mr Morelli on how to enable the petition to be validated so that it could be actioned. Mr Morelli was also signposted to the E petitions scheme which enables the petition to be completed electronically for convenience and also to comply with the current COVID-19 lockdown restrictions.

The Lead Petitioner contacted the Council to say he was not prepared to provide twenty names and addresses to validate the petition.

At this point recognising the work and the effort the Lead Petitioner had put in to collecting the signatures, Mr Morelli was invited to the next full council meeting to address the Council on the parking element of his petition this being the only element of the petition that was yet to be resolved.

Whilst the Council applauds the work that Mr Morelli has carried out to capture public feeling and recognises his strong feelings on the subject and those of our residents, the Council must follow the rules within its own Constitution and apply a fair consistent process when validating petitions across the board. As the Corporate Manager for Governance and Civic Office and the Deputy Monitoring that oversees this process, I am satisfied that the Council did follow this process correctly in an impartial fair and consistent manner.

Although the Council has been unable to validate the petition in its current form the Council has worked hard to ensure that Mr Morelli had the ability to address full Council, to air the views of the residents which would have been the same outcome if the petition had been validated.

- 13.3 The Chair invited Members to ask questions of the Corporate Manager – Governance and Civic Office.
- 13.4 Councillor McLaren asked for clarification of the requirements for a name and address for each petitioner including the address of work or study for petitioners who did not live in the area.
- 13.5 The Corporate Manager – Governance and Civic Office confirmed that this was correct and that anybody could start a petition, but petitioners had to provide a name and address and those who lived outside the area had to provide a work or place of study address in the area.
- 13.6 Councillor McLaren questioned further how the Council would establish the validity of petitioners' full address for work or study if they lived outside the

area and whether this would be through accessing the electoral roll, or the council tax records.

- 13.7 The Corporate Manager – Governance and Civic office responded that it would not be through the electoral roll, but the Council could write to the place of work or study if necessary, to confirm that the petitioner's information was valid. Officers could also undertake a sample check of such addresses to establish validity.
- 13.8 Councillor McLaren asked for clarification of 'area' and the Corporate Manager – Governance and Civic Office established the area was within Babergh District.
- 13.9 Councillor McLaren referred to 3.1b (page 16) and in what circumstance would an ordinary petition go to Council for debate following validation.
- 13.10 The Corporate Manager – Governance and Civic Office responded that when an ordinary petition was received by the Council which had 1000 or more valid signatures, it would be reported to and debated at a meeting of the Council. However, if the subject had been debated in the previous twelve months, the petition would not be debated at Council again.
- 13.11 Councillor Gould referred to Petition Scheme paragraph 2.2 (page 14) and that the Scheme stated name, address or place of work or study, she queried whether a petitioner could either supply an address of residence, place of work or study, to which the Corporate Manager – Governance and Civic Office confirmed as correct, and that the key point was to have an address for contact purposes.
- 13.12 Councillor McLaren noted that the date on the petition scheme was the adopted by Council 19 March 2019 and asked whether the scheme was reviewed annually.
- 13.13 The Corporate Manager – Governance and Civic Office responded that the Council had within the Constitution that the Council had a duty to review the Constitution on an annual basis and that the last review was a thorough line by line review. The Constitution working Group undertook this review, and their suggested amendment and updates were presented to Council for approval on an annual basis. She further detailed, as an example that the previous reviews including the most recent updates relating to virtual meetings.
- 13.14 Councillor Gould then questioned if a more detailed review was thought necessary by a Member of the Council, could that Member suggest this to Council.
- 13.15 The Corporate Manager of Governance and Civic offices confirmed that this was possible and should be reported to the Monitoring Officer, who would evaluate if the request was appropriate before referring the request to the Constitution Working Group.

- 13.16 Councillor Dawson sought clarification over identification of an address by the postcode and if it would not be easy to identify a specific address by the postcode.
- 13.17 The Corporate Manager for Law and Governance explained that a postcode covered a group of houses in of a street.
- 13.18 Councillor Dawson thought that the postcode and a last name would be sufficient to identify a single address for validation.
- 13.19 The Corporate Manager – Governance and Civic Office explained further that the Council would not have enough officer resource to combe though addresses to identify a petitioner by their name. In some areas there would be several addresses, some the same last names, as some families lived close to each other. However, the petitioner’ full names and addresses were required so that the Council could contact the petitioners.
- 13.20 Councillor Dawson asked if all addresses were checked and the Corporate Manager responded that a sample would be checked.
- 13.21 The Chair added that postcodes could cover up to twenty houses and not all in one street, postcodes were not all encompassing as some thought.
- 13.22 Councillor Dawson questioned the sample method with regards to fraudulent addresses and the Corporate Manager explained that the sample was to check for fraudulent addresses but mainly to ensure that petitioners could be contacted.
- 13.23 Councillor Grandon referred to 2.2 in the report and that it might be considered ambiguous that the text did not state *full address* for clarity, as some people might consider that a post code would suffice and leave the Council open to the current situation.
- 13.24 The Corporate Manager – Governance and Civic Office responded that going forward this could be considered as update to the Constitution for both the Petition Scheme and the forms attached.
- 13.25 Councillor McCraw asked for clarification for the use of the word ‘must’ both in the constitution and on the form and added that everybody might know their address, but not necessarily their post code.
- 13.26 The Corporate Manager – Governance and Civic Offices stated that the term ‘must’ was used in many places in the Constitution and if there had been any ambiguity about the need for addresses the term ‘might’ would have been used.
- 13.27 The Chair invited Mr Morelli to present to Members why he felt that the steps taken to validate his petition were inadequate.

13.28 Mr Morelli provided the following statement:

As Members of this Committee may be aware, in the run-up to this meeting, I learnt that the Monitoring Officer took a much narrower view than myself on the remit of the review to be carried out by this Committee. Because of the limited remit which this Committee has now been advised that it has, I am unsure if the Committee – through no fault of its own – will be able to conduct a full and fair review of my petition’s rejection.

In addition, to have the same people who oversaw Babergh’s refusal to accept my petition – the Monitoring Officer and the Deputy Monitoring Officer – be advising the Committee on what it is and isn’t allowed to do in its review, and what is and isn’t in its remit, seems likely to me to be a conflict of interest.

However, with this dispute over the Committee’s remit, and all the other roadblocks upon roadblocks that I have faced in appealing Babergh’s decision, it is easy to lose sight of the most important part of all of this – the actual points raised within the petition. Democracy is damaged when processes become more important than issues themselves – as has happened here, in the dispute over my petition’s validity.

These issues *will* affect real people – from the businesses that would be harmed with the rash removal of free parking from Sudbury to the heritage that could be lost if the Belle Vue land sale is not handled with care, to the most vulnerable in our community that will suffer from Babergh’s plans to move the Customer Access Point to Sudbury Library and staff it for only 2 full days a week. This is why I find it disgraceful that Babergh – instead of focusing on the actual issues at hand – has continuously placed barrier after barrier in the way of allowing the issues at the heart of all of this to be properly heard at all. This is why I am pushing for this petition to be accepted – so that these issues, which *will* affect real people, can be properly heard and debated at Babergh Full Council.

Babergh District Council are fully aware of the strength of feeling that has been transmitted through this petition, whether they choose to accept it or not. They know that over one thousand, six hundred signatures have been obtained during a time in which Sudbury was in Tier 4 – and then lockdown – restrictions. To quote an email to Babergh from the Chair of the Sudbury Society, in which they comment about the individual sheets of paper that make up this petition:

You can throw them away, burn them or just disregard them but the opposition they represent won’t go away and you know it.

I’d like to take the opportunity to address some inaccuracies and confusing statements in report B/RP/20/1 from the Monitoring Officer, presented to this Committee. With the time limit I have for this speech, I am not able to respond to every statement in the report that I object to, so I will respond to the ones that I believe are the most inaccurate.

Paragraph 4.7 in this report states that signatories’ names and addresses are checked against the open electoral register. However, this method of signature verification is still possible when only postcodes are provided –

even without full addresses, the postcodes can

still be matched against the electoral roll. It is not explained within the report why such a method of verification is not possible with only postcodes provided.

Paragraph 4.11 states that, quote, “the validation of the full name and address of each signatory also enables the council to avoid accepting any signatures which may have been submitted fraudulently”. However, no information is given for how this would be possible at all, and for why it is not possible with postcodes instead of full addresses.

Paragraph 4.13 states that, quote, “not all of the petitioners had endorsed all three issues contained in the petition”. This statement is misleading and seems to deliberately lack context. Babergh District Council know full well that only 11 signatories signed a ‘partial petition’. This is in comparison to the 1,662 people that signed the petition as-is. Without the context, I accept that this could be seen as a problem – but when the context is provided, it becomes clear that this issue is so minor as to be completely irrelevant.

Paragraph 4.17 states and strongly implies that my invitation to attend Full Council would have produced the same outcome as, quote, “if the petition had been validated”. This is patently false. It was made clear to me that, if I attended the Full Council debate on the Hadleigh car parking petition, car parking would be the only matter allowed for discussion – not any of the two remaining issues on my petition. If my petition is accepted, I would be able to address a Full Council debate on all three issues. It is therefore clear to see that the opportunity I was given to address Full Council would not, quote, “have been the same outcome”, end quote, as if this petition had not been rejected.

To close, I mentioned earlier in my speech that I was unsure if the Committee would be able to conduct a fair review of my petition’s rejection, with the remit that it has been told that it has. However, I still hold out hope. I urge this Committee to recommend to Full Council that this petition be accepted – so that the issues raised, all of which *will* affect real people, can be properly debated by the Full Council.

13.29 The Chair invited Councillor Owen, Mayor of Sudbury to speak.

13.30 Councillor Owen addressed the Committee in relation to the topic of the petition in question. Whilst he understood a consistent level of approach to the petitions, he thought that a constant level of circumstance could help in that process. He suggested that trying to abide by the rules during the Pandemic, lockdown and stay at home reactions coupled with the different timings of the three issues in the petition, did not leave an easy environment for democracy to flourish. He referred to a consultation survey conducted by Babergh last year which only required a post code and he felt that petitions and surveys were a way for residences to express their feelings and views over a chosen topic. The first conducted by the Council seeking to change things and the latter conducted by a member of the public opposing changes. He thought a need to apply consistency irrespectively of who was

conducting the survey/petition should be the case. He thought that a common sense should be applied taking into consideration the circumstances, timings, and the extraordinary efforts of the Lead Petitioner in obtaining so many signatures in difficult times to seek out democracy. He urged the Committee to overturn the decision of the Council for the Petition.

13.31 The Chair thanked Councillor Owen and added that there was no doubt of the efforts of Mr Morelli in obtaining the signatures. He then invited Councillor Ayres, Town Councillor in Sudbury to speak.

13.32 Councillor Ayres thanked Mr Morelli for his efforts. Had it not been a period of Lock-down she would have been outside the Town Hall collecting full names and addresses. However, she was more concerned of the impression young people were getting of democracy and thought this was bureaucracy gone barmy. She questioned how many times the names and addresses were checked on petitions. She had offered to check all the names and addresses, and she felt that this petition should be listened to in light of the current circumstances.

13.33 The Chair invited questions from Members to Mr Morelli.

13.34 Councillor Dawson thanked Mr Morelli. She asked why Mr Morelli had not provided the 20 names and addresses to validate the petition and why he had declined to speak at Full Council, which she thought was a shame, as he had missed opportunities for expressing the views in the petition.

13.35 Mr Morelli responded that by only submitting 20 names and addresses the petition would be validated on those names only and would not be eligible to go to Full Council for debate. This had been confirmed by the Monitoring officer. He therefore felt that this had not been an appropriate action to take.

13.36 The Chair asked Officers to confirm that that this was correct and the Corporate Manager – Governance and Civic Office explained that had the petition been validated with valid 20 names the Council would have had to take action through the petition process, and it would have been up to the Portfolio Holder and Assistant Director to take this forward. The validated petition would have been reported to Full Council but not debated.

13.37 The Chair thought that it had been agreed with the Portfolio Holder for Environment, Councillor Malvisi, that Mr Morelli could address the Council on at least one of the subjects of his petition.

13.38 The Corporate Manager – Governance and Civic Office confirmed that Mr Morelli had been invited to Full Council to speak on the Town Centre Parking in Babergh. She confirmed that an ordinary petition which was validated would be presented to the Senior Leadership Team and the Portfolio Holder for that area and there were a number of actions they could take, one being that the petition be debated at Full Council.

13.39 Mr Morelli confirmed that he had been offered the opportunity to speak at Full

Council on the Car Parking issues but that he would not had been able to speak on the Sudbury Customer Access Point or on Belle Vue. He felt that this was a disservice to the petitioners, as the petition had covered these issues too. He thought that there was confusion between the statutory rights for the petitions and the offer made by the Council for him to speak.

13.40 Councillor Grandon stated that she was also Chair of the Council and was disappointed that Mr Morelli had not taken the opportunity to speak at Full Council. She and Officers had been mindful of the efforts put into the collection of the signatures and were keen to give democracy a chance. Efforts had been made to allow Mr Morelli to speak despite that the petition process had not been followed correctly. She was disappointed that he had not taken up the opportunity. She made it clear there may have been an opportunity to speak on the Belle Vue in the future and that the Sudbury Customer Access Point item had now been resolved.

13.41 Mr Morelli acknowledged that exceptions had been made to provide him with an opportunity to speak at Full Council. He felt that it had not been made clear to him that there might have been an opportunity to speak on Belle Vue later. However, he maintained that it was not satisfactory for the petitioners to only speak on one subject of the petition. He had hoped that the Council would have made an exception for the petition due to the circumstances in line with his suggestions and similar to the decision made by Braintree Council, as outlined in the appendices.

13.42 Councillor Grandon stated that had Mr Morelli attended the Full Council meeting it would have provided him with the same opportunities as a petition with a thousand signatures.

13.43 Mr Morelli responded that this was not the case, as he would only have had the opportunity to present one subject of this petition and the subject would not have been included as a separate agenda item.

13.44 Councillor Gould thought that it was a missed opportunity that Mr Morelli had not attended Council and that Councillors had been looking forward to hearing his speech. She queried the issue of twenty signatures and that it would not have been up to the Cabinet Member for Environment to decide what happened to the petition had it only been validated with twenty signatures. She pointed out that the petition in Braintree had been validated and on that basis the petition had been presented to Braintree Council.

13.45 Mr Morelli responded that it had not been really made clear to him what would have happened after the Council had received the twenty valid signatures. The example of petition presented to Braintree Council was to show that Councils could take different actions if they wished.

13.46 Councillor McLaren enquired if Mr Morelli had visited the Council's Website to look at the Petition Schemes before starting his petition.

13.47 Mr Morelli responded that he had not, as he had not been aware that the

Council had a Petition Scheme nor that it was on the Website. He had accessed the Government's Website and had obtained the information for his petition from this site. He had assumed that a Government requirement of postcodes only would apply.

- 13.48 Councillor McLaren asked what Mr Morelli had thought would happen to his petition once it had been received by the Council.
- 13.49 Mr Morelli thought that the issues would be addressed and that once the petition reach a thousand signatures, it would be debated at Full Council.
- 13.50 Councillor Dawson referred to 4.6 on page 18 of the report and that the petition did not fall under these reasons for objection, so she therefore thought that the Council should have taken the action under section 5.1. As the Council had not taken any of these actions it suggested to her that the process was not followed correctly.
- 13.51 The Corporate Manager – Governance and Civic Offices explained that those sections were for a valid petition, however the petition in question was not valid and had therefore not reached this part of the Petition Scheme process.
- 13.52 Councillor McCraw enquired if the petition would have not been better if Mr Morelli had accessed the Petition Scheme information on the Website.
- 13.53 Mr Morelli responded that he had not been aware that Babergh District Council had a petition scheme. However, he considered whether all petitioners would have signed the petition if they had to provide a full address to the Council.
- 13.54 Councillor McCraw thought this would imply that petitioners would wish to be associated with the petitions. He asked further if Mr Morelli had received advice to organise the petition and how he had undertaken the petition during the current lockdown restrictions.
- 13.55 Mr Morelli responded that some people could be deterred by providing all address information, as it might make them feel uneasy about repercussions. In response to the second question, Mr Morelli had received advice from friends regarding the petition. In response to the last questions, he had considered the restrictions under the Level 4 lockdown rules and had taken precautions in accordance with these rules, as far as he was able.
- 13.56 The Chair invited Mr Morelli and the Corporate Manager – Law and Governance to provide a brief summing up.
- 13.57 Mr Morelli stood by the letter to the Committee, which he had submitted, and he emphasized the precedent set by Braintree Council to take action for a petition, which was non-compliant be it by numbers or addresses and that it reaffirmed the ability of a Council to take such an action.

- 13.58 The Corporate Manager – Governance and Civic Office reiterated that the Council must follow the rules set within its Constitution and must apply them fairly and consistent across the board. She admired the work of Mr Morelli. The Council welcomed petitions and this had never been a question about democracy as such but about following the rules consistently.
- 13.59 The Chair invited Members to debate the issue as to whether the validation process was followed correctly, and the petition had been dealt with adequately.
- 13.60 Councillor Grandon said as Chair of the Council, she had been able to observe the action taken place in attempting to validate this petition and she thought that the Council and its officers had done everything to help this process. She thought that the scheme had been followed correctly from the Council's point of view, whilst the Council had provided an opportunity for Mr Morelli to speak at Council, as if the petition had been validated.
- 13.61 Councillor Dawson agreed and thought it was a shame the Mr Morelli had not provided the 20 names and addresses. However, this was a matter of process. She hoped that the Council would act differently in the future, as people felt uncomfortable by providing full addresses. She commended Mr Morelli on his work and asked that he followed procedures in the future.
- 13.62 Councillor Gould agreed that she thought the Council had followed the process correctly. However, if Members thought that Petition Scheme required updating to be more robust, perhaps further recommendations could be made.
- 13.63 Councillor McLaren thought that Mr Morelli had been supported by people, who could have directed him better during this process.
- 13.64 Councillor Adrian Osborne felt that it was unfortunate that he had not received the correct advice from those who supported him, nor that he had seen the petition scheme on the website. He supported that the correct process had been adhered to.
- 13.65 Councillor McCraw noted that e-petition was available in section 6 and that officers were always helpful. The electoral roll was organised in street order and not in post code order. This had not been an arbitrary decision and the Council had followed the process correctly.
- 13.66 Councillor McCraw proposed that the validation process had been followed correctly and that the petition was dealt with adequately and that the petition scheme only be reviewed.
- 13.67 Councillor Grandon seconded the recommendation.

By a unanimous vote

It was RESOLVED:-

That the Council followed the Validation Process correctly and that the Petition was dealt with adequately and that the Babergh Overview and Scrutiny Committee recommends to the Constitution Working Group that the Petition Scheme only be reviewed and recommendations be reported to Full Council (in line with the comments made at this Committee).

14 LETTER TO COMMITTEE AND EVIDENCE PACK

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

The Committee did not go into closed session during the meeting.

16 B/RP/20/1 VALIDATION OF PETITION - CONFIDENTIAL APPENDIX E

17 LEAD PETITIONER - CONFIDENTIAL LETTER TO COMMITTEE AND EVIDENCE PACK

The business of the meeting was concluded at 5:25 pm.

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Chair

Agenda Item 15

BCa/20/44 Regeneration of Belle Vue Site in Sudbury Call in Notice.

The decision relating to report no BCa/20/44 has been called in under the Principles of Decision Making (Article 12 of the Constitution) because of the following reasons:-

1. Consideration of Options

Not all options listed in the report were discussed and debated and it was not clear why the alternative options were not chosen. Only bids B and F were discussed however there were 4 other bids. Why were they not discussed?

2 Presumption of Openness

When the decision was taken there should have been a presumption in favour of openness. The bid scoring matrix which was on the closed session should have been on the open session, so that the process was visible, transparent and open (without the names and the price bid included).

3 Lack of Clarity

a) It was not made clear on what areas of the whole Belle Vue site were open space so how could a decision be made on balancing loss of open space.

b) Why was the red line not defined in a clear manner?

we the undersigned agree to the call in to Overview and Scrutiny committee the decision BCa/20/44 for the reasons detailed above.

Cllr. Alison Owen
Cllr. Trevor Cresswell
Cllr. John Hinton
Cllr. Sue Ayres
Cllr. John Nunn
Cllr. Margaret Maybury
Cllr. Robert Lindsey
Cllr. Leigh Jamieson
Cllr. Jane Gould
Cllr. Richard Hardache

16th March 2021

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Thursday, 11 March 2021



BABERGH DISTRICT COUNCIL

DECISIONS NOTICE

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

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

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

It was **RESOLVED**:

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

Reason for Decision:

1. The Council is obliged to publish a notice under S123 of the Local Government Act 1972 prior to any disposal of land which contains areas of open space. The Council is required to consider objections and make a formal decision on whether to proceed with the sale in the light of these objections and balanced with the needs of the site and the future

economic growth aspirations of Sudbury.

2. The site has been unused for several years and forms a gateway to the town centre so bringing it back into economic use is a key part of the regeneration plans for the Sudbury Vision.
3. Proceeds from the capital receipt from the sale can be diverted to create a new park entrance, café and new toilets for local communities and visitors. An improved park entrance was a key 'ask' from public and stakeholder engagement including the exhibition event held in January 2020.
4. If the preferred bidder drops out or otherwise does not progress on terms proposed, the Council will be able to move forward with an alternative proposal or terms provided it meets best value requirements.

Any Alternative Options Considered and Rejected:

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

Any Declarations of Interest Declared: None

Any Dispensation Granted: None

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)

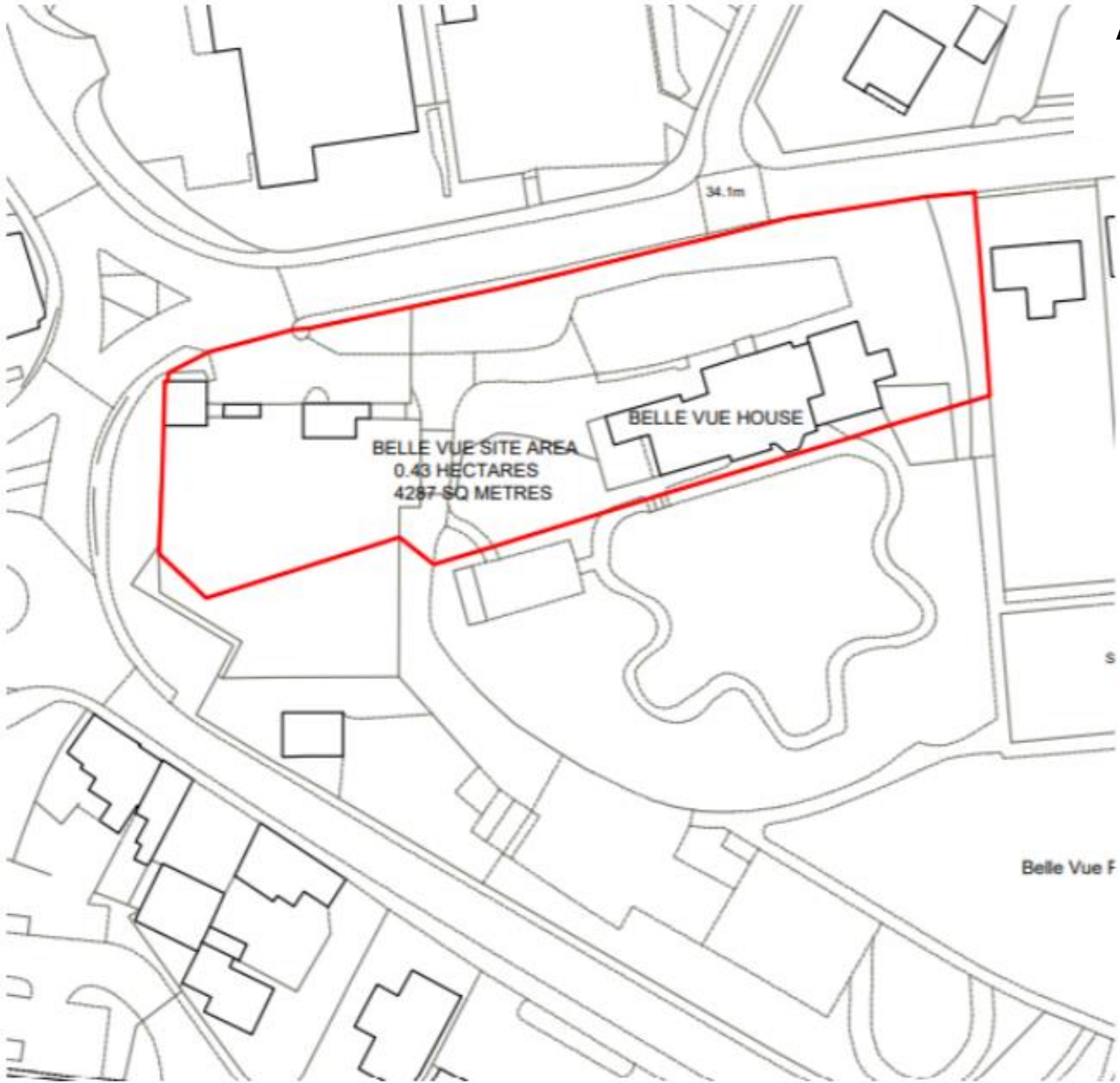
BACKGROUND PAPERS

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

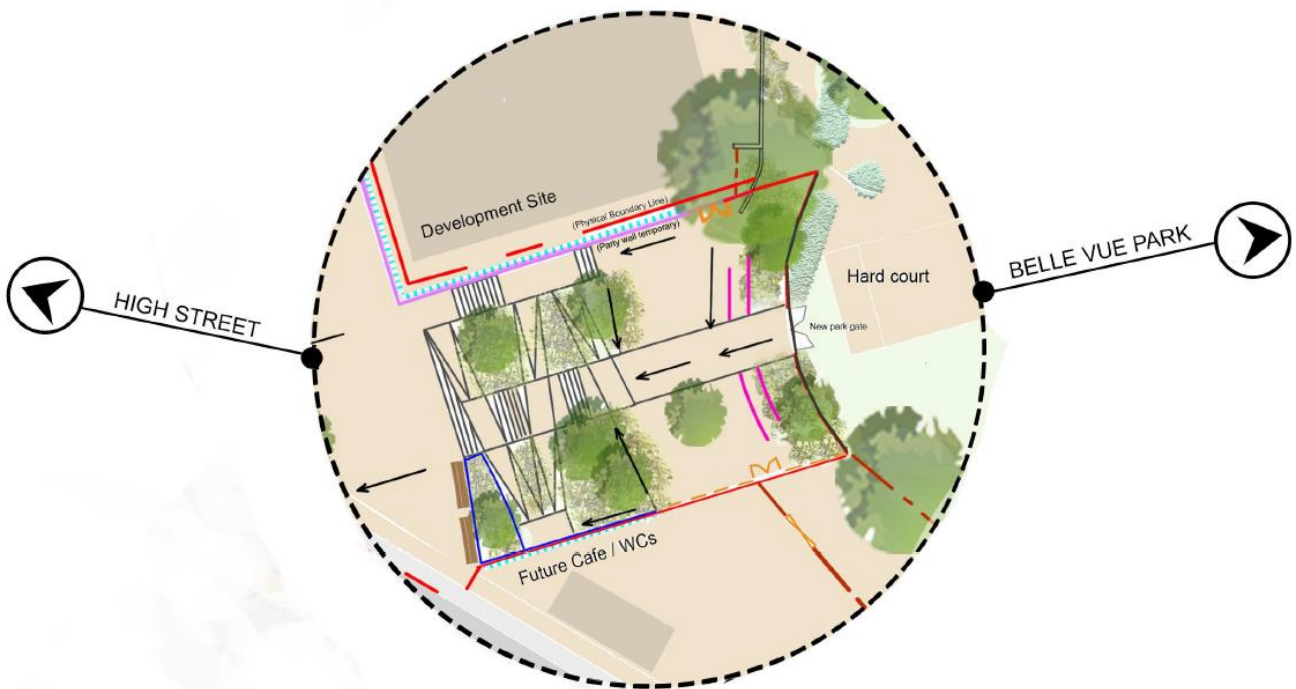
* Note: Indicative only based on available information and not to be inferred as complete and full history

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 its 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 its 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. An 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	Querying 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 ç



BMSDC-IDP-July-201
9-.pdf



Communities-Strateg
y-2019.pdf



BV Public-Notice.pdf

Agenda Item 17

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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