



AGENDA

COUNCIL MEETING

THURSDAY, 29TH JULY, 2021 – 5.30 PM

Members of the Council are summoned to a meeting of the Babergh District Council at Wherstead Park, The Street, Wherstead, Ipswich IP9 2BJ on Thursday, 29th July, 2021 at 5.30 pm.

For those wishing to attend, there will be a time for reflection 5 minutes prior to the commencement of the Council meeting.



Arthur Charvonia
Chief Executive



BABERGH COUNCIL	
DATE:	THURSDAY, 29 JULY 2021 5.30 PM
VENUE:	WHERSTEAD PARK, THE STREET, WHERSTEAD, IPSWICH IP9 2BJ

This meeting will be broadcast live to YouTube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting in person you will be deemed to have consented to being filmed and to the use of the images and sound recordings for webcasting/ training purposes.

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.

PART 1 MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

1 **APOLOGIES FOR ABSENCE**

To receive apologies for absence.

2 **DECLARATION OF INTERESTS BY COUNCILLORS**

3 **BC/21/7 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 25 MAY 2021** 9 - 18

4 **BC/21/8 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER** 19 - 20

In addition to any announcements made at the meeting, please see Paper BC/21/8 attached, detailing events attended by the Chairman and Vice-Chairman.

5 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

In accordance with Council Procedure Rule No. 11, the Chief Executive will report the receipt of any petitions. There can be no debate or comment upon these matters at the Council meeting.

6 QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

The Chairman of the Council to answer any questions by the public of which notice has been given no later than midday three clear working days before the day of the meeting in accordance with Council Procedure Rule No. 12.

7 QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

The Chairman of the Council, the Chairmen of Committees and Sub-Committees and Portfolio Holders to answer any questions on any matters in relation to which the Council has powers or duties or which affect the District of which due notice has been given in accordance with Council Procedure Rule No. 13.

8 BC/21/9 OVERVIEW AND SCRUTINY COMMITTEE REPORT 21 - 24

Chairman of Overview and Scrutiny Committee

9 COUNCILLOR APPOINTMENTS

a TO CONSIDER WHETHER TO CONFIRM OR NOT THE VOTE OF NO CONFIDENCE IN THE CHAIRMAN OF LICENSING AND REGULATORY COMMITTEE

To consider whether to confirm or not the vote of no confidence in the Chairman of Licensing and Regulatory Committee proposed by Councillor Maybury and seconded by Councillor Nunn at the Licensing and Regulatory Committee held on 11 June 2021.

b ELECTION OF CHAIRMAN OF LICENSING AND REGULATORY COMMITTEE (IF REQUIRED)

c APPOINTMENT TO OUTSIDE BODY - SUFFOLK JOINT EMERGENCY PLANNING POLICY PANEL

To appoint Councillor Ward as the Council's representative on the Suffolk Joint Emergency Planning Policy Panel.

d TO NOTE THE FOLLOWING APPOINTMENTS

Planning Committee

Councillor Simon Barrett (replacing Councillor Melanie Barrett)

Overview and Scrutiny Committee

Councillor Melanie Barrett (replacing Councillor Simon Barrett)

10 MOTIONS ON NOTICE

a **TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR HINTON**

That the Council Procedure Rules be amended as follows—

1. For Council Procedure Rule 5 (Ordinary Meetings), subsection (i), substitute the following—

“(i) consider questions from, and provide answers to, members of the public, in accordance with Council Procedure Rule 12;”.

2. For Council Procedure Rule 5 (Ordinary Meetings), subsection (j), substitute the following—

“(j) consider questions from, and provide answers to, Councillors, in accordance with Council Procedure Rule 13.2;”.

3. For Council Procedure Rule 4.1 (Order of Business, Annual Meeting of Council), omit subsection (n) and insert the following at the end—

“(n) consider questions from, and provide answers to, members of the public, in accordance with Council Procedure Rule 12;

(o) consider questions from, and provide answers to, Councillors, in accordance with Council Procedure Rule 13.2;

(p) consider any business set out in the notice convening the meeting.”.

Explanatory Notes (not part of the Motion) This Motion proposes to amend the Council Procedure Rules, such that Questions by Councillors and Questions by the Public will be able to be taken at Annual Meetings of the Council as they can currently be taken at Ordinary Meetings of the Council. At present, if a question arises at a time when the Annual Meeting is the next scheduled Meeting of the Council, the potential Questioner must either ask their question outside of the formal context of a Council Meeting (if this is possible) or wait until the next Ordinary Meeting of the Council for the same privilege. In 2021, the time between the Annual Meeting and the next Ordinary Meeting was a little under two months.

In the interests of democratic accountability, the signatories to this Motion believe that the rights of Councillors and Members of the Public to ask questions of elected officials should be the same at Annual Meetings of the Council as is currently the case with Ordinary Meetings of the Council. This is because – given that one Meeting a year will inevitably be an Annual Meeting – the signatories to this Motion do not believe that it is fair to require questions that would otherwise be answered at this meeting to wait until the next Ordinary Meeting to receive an answer.

In addition to adding items for Questions by the Public and Questions by Councillors to the statutory Annual Meeting Order of Business (Motion 3), this Motion also clarifies the wording of these items (including as they currently appear on the Ordinary Meeting Order of Business – Motion 1, 2), such as to make clear that the validity of any questions are governed by Council Procedure Rules 12 (for Questions by the Public) and 13.2 (for Questions by Councillors)

Proposer – Cllr John Hinton
Seconder – Cllr Alison Owen

Cllr Sue Ayres

Cllr Leigh Jamieson

Cllr Trevor Cresswell

Cllr John Nunn

Cllr Margaret Maybury

11 RECOMMENDATIONS FROM CABINET

a BC/21/10 BELLE VUE PARK (SUDBURY) FACILITIES AND ENTRANCE - PART 1 25 - 32

Leader of the Council

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

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

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

PART 2

13 CONFIDENTIAL APPENDICES - BELLE VUE PARK, SUDBURY 33 - 38

Leader of the Council

Date and Time of next meeting

Please note that the next meeting is scheduled for Tuesday, 21 September 2021 at 5.30 pm.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils YouTube page:

https://www.youtube.com/channel/UCSWf_0D13zmeqAf5Qv_aZSg

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Committee Services on: 01473 296472 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.

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Please switch off all mobile phones or turn them to silent.

Access Arrangements:

Please park in the main car park and follow the directional signage into the business centre, you will then be directed via Main Reception into the Atrium.

There is a lift at Reception to take visitors down to the ground floor Atrium.

Alternatively, if visitors with disabilities would prefer to park in the Mansion car park, there is a slope on the outside of the building leading to the side Atrium door.

This page is intentionally left blank

Agenda Item 3

BABERGH DISTRICT COUNCIL

Minutes of the Annual meeting of **BABERGH DISTRICT COUNCIL** held at Wherstead Park, The Street, Wherstead on Tuesday, 25 May 2021 at 5:30pm

PRESENT:

Councillors:	Clive Arthey	Sue Ayres
	Melanie Barrett	Simon Barrett
	Peter Beer	David Busby
	Sue Carpendale	Trevor Cresswell
	Derek Davis	Siân Dawson
	Mick Fraser	Kathryn Grandon
	John Hinton	Michael Holt
	Bryn Hurren	Leigh Jamieson
	Robert Lindsay	Elisabeth Malvisi
	Margaret Maybury	Alastair McCraw
	Mary McLaren	Mark Newman
	Zachary Norman	John Nunn
	Adrian Osborne	Jan Osborne
	Lee Parker	Stephen Plumb
	John Ward	

Officers:	Chief Executive (AC)
	Monitoring Officer (EY)
	Corporate Manager – Governance and Civic Office (JR)

Apologies:

Jane Gould
Richard Hardacre
Alison Owen

1 ELECTION OF CHAIRMAN OF THE COUNCIL

1.1 On the proposal of Councillor Ward and seconded by Councillor Arthey,

It was RESOLVED:-

That Councillor Adrian Osborne be elected as Chair of the Council for the Municipal year 2021/22.

1.2 Councillor Adrian Osborne thereupon made his Declaration of Office.

1.3 Councillor Adrian Osborne thanked everyone who had voted for him and paid tribute to the outgoing Chair, Councillor Grandon for being an excellent Chair and a credit to Babergh District Council, chairing the Council through the most challenging and difficult times.

1.4 Councillor Adrian Osborne announced that his chosen charity for his term of office was the Kernos Charity.

2 ELECTION OF VICE-CHAIRMAN OF THE COUNCIL

2.1 On the proposal of Councillor Arthey and seconded by Councillor Carpendale,

It was RESOLVED:-

That Councillor Kathryn Grandon be elected as Vice-Chair of the Council for the Municipal year 2021/22.

2.2 Councillor Grandon thereupon made her Declaration of Office.

3 DECLARATION OF INTERESTS BY COUNCILLORS

3.1 There were no declarations of interests by Councillors.

4 BC/21/1 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 23 MARCH 2021

It was RESOLVED:-

That subject to the declarations of interests of Councillor Jan Osborne and Councillor Maybury as trustees of Sudbury and District Citizens Advice, being added to the Minutes. The Minutes of the meeting held on 23 March 2021 be confirmed and signed as a true record.

5 BC/21/2 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER

5.1 The report from the Chairman was noted.

5.2 The Chairman Invited Councillor Ward to present his report.

5.3 Councillor Ward introduced his report and congratulated the Chair and Vice Chair on their election.

5.4 The Leader commented on the return to face to face meetings and informed Council that he hoped that virtual meetings would be able to continue in the future, especially as the Council had adapted well to online meetings, which had seen many benefits such as a reduction of travel and an increase in public participation.

5.5 The Leader congratulated the Members that had recently been elected to Suffolk County Council and welcomed back Councillor Simon Barrett to Babergh following the Great Cornard by-election.

5.6 Councillor Ward stated that it was good to see the country and district following the roadmap and coming out of restrictions. The Suffolk and North East Essex ICS announced that they had administered their one millionth vaccination and the vaccination programme had seen a drop in infections and hospital admissions which was wonderful news.

5.7 The Leader then announced changes to the Cabinet. Councillor Lee Parker was standing down from Cabinet with Councillor Alastair McCraw taking over his role of Cabinet Member for Customers, Digital Transformation and Improvement. The Leader paid tribute to Councillor Parker and thanked him for all of his hard work.

5.8 Councillor Ward reported that the bid to support rough sleepers across the two districts had been successful. The districts had been awarded £403,154 from the government's rough sleepers initiative funding for the next financial year. This would go towards shared services with Mid Suffolk.

5.9 The Leader thanked Members for attending workshops over the previous week. There had been so much agreement and commonality across all groups and the discussions had been really constructive. Any Councillors wishing to submit any further ideas should do so by 26th May 2021.

5.10 The Chairman thanked the Leader for his report.

6 DESIGNATION OF COMMITTEES AND JOINT COMMITTEES

6.1 On the proposal of Councillor Arthey and seconded by Councillor Dawson,

It was RESOLVED:-

That the following Committees and Joint Committees be appointed:

- **Babergh Overview and Scrutiny Committee**
- **Planning Committee**
- **Babergh Licensing and Regulatory Committee**
- **Joint Audit and Standards Committee**
- **Joint Appointments Committee**

7 BC/21/3 POLITICAL BALANCE AND COMPOSITION OF COMMITTEES

7.1 On the proposal of Councillor Arthey and seconded by Councillor Ward,

It was RESOLVED:-

- 1.1 **That the Committees' size and numerical allocation of seats be approved as detailed in Appendix A to the report.**
- 1.2 **That Committee members be appointed as set out in Appendix B to the report.**
- 1.3 **That the remaining unallocated Committee seat be allocated to Councillor Owen (Labour not grouped).**

8 ELECTION OF CHAIRS AND VICE-CHAIRS OF COMMITTEES

8.1 On the proposal of Councillor Ward and seconded by Councillor McCraw,

It was RESOLVED:-

That Councillor Mary McLaren be elected as Chair of the Overview and Scrutiny Committee for the municipal year 2021/22.

8.2 On the proposal of Councillor Arthey and seconded by Councillor Busby,

It was RESOLVED:-

That Councillor Kathryn Grandon be elected as Vice-Chair of the Overview and Scrutiny Committee for the municipal year 2021/22.

8.3 On the proposal of Councillor Busby and seconded by Councillor McCraw, Councillor Stephen Plumb was nominated for the position of Chair of the Planning Committee.

8.4 On the proposal of Councillor Melanie Barrett and seconded by Councillor Ward, Councillor Peter Beer was nominated for the position of Chair of the Planning Committee.

8.5 The nominations were **PUT** to the Council for voting.

It was RESOLVED:-

That Councillor Stephen Plumb be elected as Chair of the Planning Committee for the municipal year 2021/22.

8.6 On the proposal of Councillor Ward and seconded by Councillor Malvisi,

It was RESOLVED:-

That Councillor Sue Ayres be elected as Vice-Chair of the Planning Committee for the municipal year 2021/22.

8.7 On the proposal of Councillor Arthey and seconded by Councillor Plumb, Councillor Margaret Maybury was nominated for the position of Chair of the Licensing and Regulatory Committee.

8.8 On the proposal of Councillor Ward and seconded by Councillor Carpendale, Councillor Mark Newman was nominated for the position of Chair of the Planning Committee.

8.9 The nominations were **PUT** to the Council for voting.

It was RESOLVED:-

That Councillor Mark Newman be elected as Chair of the Babergh Licensing and Regulatory Committee for the municipal year 2021/22.

8.10 On the proposal of Councillor Hurren and seconded by Councillor Beer,

It was RESOLVED:-

That Councillor Sue Carpendale be elected as Vice-Chair of the Babergh Licensing and Regulatory Committee for the municipal year 2021/22.

8.11 On the proposal of Councillor Busby and seconded by Councillor Carpendale,

It was RESOLVED:-

That Councillor Bryn Hurren be elected as Co-Chair of the Joint Audit and Standards Committee for the municipal year 2021/22.

8.12 On the proposal of Councillor Arthey and seconded by Councillor Jan Osborne,

It was RESOLVED:-

That Councillor John Ward be elected as Co-Chair of the Joint Appointments Committee for the municipal year 2021/22.

9 BC/21/4 APPOINTMENTS TO OUTSIDE BODIES FOR 2021/22

9.1 On the proposal of Councillor Ward and seconded by Councillor Jan Osborne,

It was RESOLVED:-

That Councillors be appointed to the Outside Bodies detailed in Appendix A below:

NAME OF BODY OR PANEL	NUMBER OF REPRESENTATIVES TO BE APPOINTED	NAME OF MEMBER NOMINATED
Association for Suffolk Museums	1	John Nunn
East of England Assembly of Leaders	1	The Leader
East Suffolk Internal Drainage Board	2	Alistair McCraw
Gainsborough House Society	1	Simon Barrett
Greenways Countryside Project JAC	2	Ric Hardacre Zachary Norman
Haven Gateway Partnership	1 (+1 substitute)	Michael Holt (Sub: John Ward)
Ipswich and District Citizens Advice Bureau	1 (observer)	Bryn Hurren

Ipswich Strategic Planning Area Board	1 (+1 substitute)	Lee Parker (Sub: Clive Arthey)
Joint Advisory Committee and Partnership to Dedham Vale (AONB)	2	John Nunn Derek Davis
Joint Advisory Committee and Partnership to Suffolk Coast and Heath	2	John Nunn Derek Davis
Local Government Association – Sparse	1	John Ward
Local Government Association Assembly	1	The Leader
Pin Mill Bay Management Community Interest Company	1	Bryn Hurren
Sudbury and District Citizens Advice Bureau	1 (observer)	Adrian Osborne
Suffolk Coastal Forum	1	Derek Davis
Suffolk Flood Risk Management Scrutiny Sub-Committee	1 (+1 substitute)	Alistair McCraw (Sub: Jane Gould)
Suffolk Health and Wellbeing Board	1 (+1 substitute)	Derek Davis (Sub: Jane Gould)
Suffolk Health Scrutiny Committee	1 (+1 substitute)	Mary McLaren (Sub: Sue Ayres)
Suffolk Police and Crime Panel	1	Peter Beer (June 2019)
Suffolk Violence and Abuse Partnership	1	Mary McLaren
Suffolk Waste Partnership	1	Clive Arthey
The Quay Theatre Sudbury Board of Trustees Observer	1	Stephen Plumb (Sub: Melanie Barrett)
Western Suffolk Community Safety Partnership	1 (+1 substitute)	Derek Davis (Sub: Melanie Barrett)

10 APPOINTMENT OF COUNCILLORS TO THE SHARED REVENUES PARTNERSHIP JOINT COMMITTEE

10.1 On the proposal of Councillor Ward and seconded by Councillor Arthey,

It was RESOLVED:-

That Councillors Jan Osborne and Alastair McCraw be appointed as Members of the Shared Revenues Partnership Joint Committee and that Councillors John Ward and Derek Davis be appointed as substitute Members for the municipal year 2021/22.

11 APPOINTMENTS TO THE SUFFOLK JOINT STANDARDS BOARD

11.1 On the proposal of Councillor Busby and seconded by Councillor Carpendale,

It was RESOLVED: -

That Councillors Bryn Hurren, Adrian Osborne and Kathryn Grandon be appointed as Members of the Suffolk Joint Standards Board for the municipal year 2021/22.

12 APPOINTMENTS TO THE JOINT GYPSY AND TRAVELLER STEERING GROUP

12.1 On the proposal of Councillor Fraser and seconded by Councillor Arthey,

It was RESOLVED:-

That Councillors Sue Ayres, Lee Parker, Jane Gould and Alison Owen be appointed to the Joint Gypsy and Traveller Steering Group for the municipal year 2021/22.

13 APPOINTMENTS TO COUNCIL WORKING GROUPS

13.1 On the proposal of Councillor Ward and seconded by Councillor Hurren,

It was RESOLVED: -

- 1.1 That Councillors Zac Norman and Lee Parker be appointed to the Community Governance Review Working Group.**
- 1.2 That Councillors Dave Busby, Stephen Plumb and Elisabeth Malvisi be appointed to the Constitution Working Group.**
- 1.3 That Councillors Sue Carpendale, Adrian Osborne and Derek Davis be appointed to the Member Learning and Development Working Group.**
- 1.4 That Councillors Clive Arthey, Sue Carpendale, Peter Beer, Leigh Jamieson and Dave Busby (Substitute) be appointed to the Local Plan Working Group.**

14 BC/21/5 OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT 2020/21

14.1 Councillor Alastair McCraw introduced the report which followed the same format as the last year.

14.2 Councillor McCraw thanked everybody that had worked with the Overview and Scrutiny Committee over the last four years as it was the first opportunity for Overview and Scrutiny Committee to operate under the Cabinet system. He hoped that a base had been established to provide a balance between the needs of Cabinet, Council and the communities. Members of the Committee had worked hard and had engaged with the Cabinet who had taken on Overview and Scrutiny Committee recommendations.

14.3 Councillor McCraw stated that being the Chairman had been a privilege. He felt that scrutiny was an essential and productive process and had been left in the capable hands of Councillor McLaren.

14.4 The Chair of the Council praised and thanked Councillor Alastair McCraw in his role as Chair of the Overview and Scrutiny Committee.

14.5 Councillor Clive Arthey expressed gratitude to Councillor Alastair McCraw in his role as Chairman for Overview and Scrutiny and for his feedback of Overview and Scrutiny recommendations and actions to Cabinet and Council.

14.6 Councillor John Ward stated that Overview and Scrutiny has served a useful purpose to Cabinet especially on contentious issues and had highlighted areas that had made Cabinet rethink their stance.

It was RESOLVED:-

That Babergh Overview and Scrutiny Committee's Annual Report for 2020/21 be noted.

15 BC/21/6 OVERVIEW AND SCRUTINY COMMITTEE WORK PLAN 2021/22

15.1 As outgoing Chair, Alastair McCraw invited the incoming Chair Mary McLaren to present the report.

15.2 Councillor McLaren informed Council that several items had been added to the workplan following the meeting on 24th May 2021. This included training for the Overview and Scrutiny Committee and for all Councillors to keep up to date with Overview and Scrutiny and its objectives, with additional bespoke training on Overview and Scrutiny skills.

15.3 Pre meetings for Overview and Scrutiny had also been established.

15.4 In response to a question from Councillor Simon Barrett, Councillor McLaren informed Council that ideas and proposals from Members would be looked at in relation to the Work Plan.

It was RESOLVED:-

That Babergh Overview and Scrutiny Committee's Work Plan for 2021/22 be noted.

The business of the meeting was concluded at 7.10pm

.....
Chair

This page is intentionally left blank

BABERGH DISTRICT COUNCIL - 29 JULY 2021

CHAIRMAN'S ANNOUNCEMENTS

EVENT	LOCATION	DATE	CHAIRMAN	VICE CHAIR
JUNE 2021				
Armed Forces Day Flag Raising and Window Trail	Hadleigh High Street	22-Jun	✓	
JULY 2021				
Hadleigh Pool and Leisure Ribbon Cut Ceremony	Hadleigh Pool and Leisure, Hadleigh	02-Jul	✓	
West Suffolk Civic Service	St Edmundsbury Cathedral, Bury St Edmunds	25-Jul		✓
Photocall to promote Hadleigh Cookery School	Hadleigh Fork Kitchen & Deli, Hadleigh High Street	26-Jul	✓	

This page is intentionally left blank

Agenda Item 8

BABERGH DISTRICT COUNCIL

TO: Council	REPORT NUMBER: BC/21/9
FROM: Chair of Overview and Scrutiny Committee	DATE OF MEETING: 29 July 2021

Chair: Mary McLaren

The Joint Overview & Scrutiny Committee met on 24 May and 28 June and considered the following items:

24 MAY - REVIEW OF THE WORK OF THE OVERVIEW AND SCRUTINY COMMITTEE 2020/21

The Chair, Councillor McCraw, introduced the item and outlined the background for the annual review of the Committee. He referred to the appendices in the agenda papers and invited Members to make comments and observations on the work of the Overview and Scrutiny Committees during 2020/21 and the Annual Reports.

Members first made a number of observations on remote meetings, concluding that they had worked well but were missing the interaction before the meetings. It was agreed that officers had provided tremendous support for Councillors before and during virtual meetings and generally during the period of the Covid-19 pandemic.

Some Members felt there was more pressure from attending remote meetings, due to technical issues. Both Chairs felt that chairing virtual meetings was more demanding than meetings in Endeavour House.

Remote meetings had worked well when the Overview and Scrutiny Committee had invited witnesses to attend, such as the Local Citizens Advice and the scrutiny of Representatives on Outside Bodies. Briefings were particularly suitable for remote meeting and saved time for both councillors and officers.

Members expressed concern that the Overview and Scrutiny Committee were mostly guided by the Cabinet and Council for items to be scrutinised and that there is little feedback to the Committees from Cabinets and Councils. Also, whilst Joint meetings enabled a broader debate, they reduced the number of meetings held, which resulted in fewer items being scrutinised.

The Chair commented that both the Joint and sovereign Overview and Scrutiny Committees had held a large number of meetings, scrutinised most of the items on the workplans, and were among the hardest working committees of the Councils.

There were various views on the process of scoping of topics. Some Members felt that this was not an efficient way of approaching topics for scrutiny, as it was going over the same topic twice. The Monitoring Officer explained the benefits of scoping a topic and suggested that in the future officers could present a more completed scoping document to the Committee for consideration. It was agreed that Members needed training not just in scoping of topics but for scrutiny in general.

Members resolved that:

The Joint Overview and Scrutiny Committee recommends to the new Overview and Scrutiny Committees:

- 1.1 That pre-meetings of half an hour are adopted as standard practice;**
- 1.2 That officers work on a proposal for increasing the size of each committee to enable robust scrutiny for the sovereign committees;**
- 1.3 That a bespoke training session for committee members be held, encompassing all elements of the scrutiny function and taking into account the skills and experiences of individual members;**
- 1.4 That an increased use of a wider range of internal and external witnesses be adopted by the Committee;**
- 1.5 That an increased use of Task and Finish Groups be adopted by the Committee.**

28 JUNE - CAPITAL INVESTMENT FUND COMPANY (CIFCO CAPITAL LTD) BUSINESS TRADING AND PERFORMANCE REPORT 2020/21

Prior to the main report the Assistant Director - Assets and Investments explained that the Executive Summary had been provided to assist Members with the report. She drew the attention of members of the committee to paragraph 1.2 of her report:

1.2 The Joint Overview and Scrutiny Committee were asked to consider the following:-

- Does the current performance of CIFCO deliver good value to the councils?**
- Are the KPIs appropriate measures of performance?**
- Is the business plan robust and appropriate for the next 12 months?**
- Is their sufficient confidence in the management of CIFCO?**

Mid Suffolk District Councillor Peter Gould, Mid Suffolk Cabinet Member for Assets and Investments, presented the main report. He detailed the main points and developments for CIFCO identified in the report and advised that CIFCO now had a public website.

The four witnesses who were members of the CIFCO Board of Directors presented the essential details relating to the proposed work plan.

It was highlighted by the Chairman of the Board of Directors that the portfolio was well balanced and that the board was always looking to improve the value of the assets. He emphasised that despite a capital loss of £12.5m, Councils had to date received a net income of £5.5m.

Two written questions in relation to share allocation and registration were raised by a member of the public prior to Members' questions; these highlighted the importance that the Overview and Scrutiny Committee be transparent and recognise that the public do watch the live stream and take an interest.

Member questioning included the value of shares, opportunistic investments, the location of the investments, late payment of interest, borrowing costs, reletting and refurbishment of properties, whether the KPI measures were appropriate and effective, debt collection start date, weighted average unexpired lease term, future targets for sustainability, the management fee and possible shortfall in repayments.

Members debated the issues and were re-assured by the details of the report.

Members considered the recommendation to make to Council and there was general agreement that the Committee thought the Business Plan was robust and that members had scrutinised the four bullet points with rigour.

Members resolved:

That the Joint Overview and Scrutiny Committee had considered the four bullet points in paragraph 1.2 of the Executive Summary and that the Committee were satisfied that the CIFCO Capital Ltd Business Plan and Investment Plan for 2021/22 was robust.

28 JUNE - SCRUTINY AND REVIEW OF THE JOINT PARKING STRATEGY PROCESS AND TIMELINE

The Assistant Director – Environment and Commercial Partnerships introduced the report and informed Members that the timeline had changed, as an external consultant would be engaged to carry out parking surveys and other pre-consultation work. The pre-consultation period could now be concluded in the summer 2022 rather than December 2022.

Members welcomed the shortening of the timescale and were given an assurance that the new proposed date took account of the need for Cabinet and Council decisions.

Members raised current concerns about parking, including the need to take account of legislation and enforcement in respect of pavement parking. The needs of voluntary groups using the authorities' car parks will require careful consideration. Members welcomed the provision of electric vehicle charging points in rural areas but raised concerns about whether appropriate power supplies were available.

Other issues raised by Members included parking for vehicles for the disabled, park and ride facilities, emergency services, on-street parking in town centres, parking on verges in rural areas, car pooling, park and ride, park and walk, park and cycle, car park maintenance and the urgent need for resident car parking permit schemes.

In order to make an impact towards meeting climate change targets, the strategy should look for opportunities to influence motorist behaviour.

Members resolved:

1.1 That the Joint Overview and Scrutiny Committee noted the contents of the report;

1.2 That the Joint Overview and Scrutiny Committee noted that, by employing consultants to carry out some of the identified tasks, the timeline can be amended, and requested that the final report be presented to Cabinet in June 2022.

1.3 That the Joint Overview and Scrutiny Committee recommended that the following should be added to the list of stakeholders in paragraph 4.6 of the Officer's report:

- **Voluntary groups**
- **Emergency services**
- **Electricity supply companies and EV charging providers.**

And that the following topics should be considered:

- **Parking on pavements and verges**
- **Town centre on-street parking**
- **Impact of car park maintenance and management on climate change**
- **Park and ride, park and walk, park and cycle**
- **Hospital car parks**
- **Car pooling**
- **Opportunities for using the strategy to encourage walking, cycling and public transport.**

1.4 That the Joint Overview and Scrutiny Committee recognised that there was an urgent need for a resolution to resident parking permit scheme issues within both Districts and in doing so recognised that both Districts would have to consider potential financial commitments to such a scheme.

1.5 That work on this subject must be carried out within the Joint Parking Strategy.

Agenda Item 11a

BABERGH DISTRICT COUNCIL

TO: COUNCIL	REPORT NUMBER: BC/21/10
FROM: BDC CABINET	DATE OF MEETING: 29 July 2021
OFFICER: Fiona Duhamel, Assistant Director – Economic Development and Regeneration	KEY DECISION REF NO. N/A

BELLE VUE PARK (SUDBURY) FACILITIES AND ENTRANCE

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Council's approval, and addition to the Capital Expenditure Programme, of the scheme to create a retaining wall structure, new high quality, secure and accessible park entrance and new café/toilet block facilities (to 'Changing Places' standard) at the Belle Vue Park site in Sudbury.
- 1.2 This report also includes updated information on the overall delivery programme milestones and timeline for the site, an order of costs estimate for the retaining wall and park entrance works and indicative timescale for café/toilet facilities (subject to further public and stakeholder engagement).
- 1.3 It should be noted that Cabinet resolved (Paper B/Ca/20/44) on 11 March 2021 that up to 100% of the proceeds from the sale of the adjacent site (contracts exchanged 05 May 2021) be diverted to ensure the creation of a new Belle Vue park entrance, café and toilet facilities.

2. OPTIONS CONSIDERED

- 2.1 (a) DO NOTHING (Not Recommended) – the site for these proposed works continues to be retained and maintained by the Council. Cabinet has resolved to reinvest capital receipt from wider-site sale proceeds into these works. The Council has contractual obligations from the sale of the adjacent site to undertake retaining wall structural works, as a minimum, and within a timeframe to enable the retirement living complex development to come forward. Sale of the adjacent site means the current park entrance will need to be moved.

(b) SEEK FORMAL APPROVAL TO DELIVER THE FULL WORK-PACKAGE AND ADD THE SCHEME TO THE COUNCILS CAPITAL EXPENDITURE PROGRAMME (Recommended) – to enable the commissioning of a multi-disciplinary professional team to support and deliver the stakeholder and community engagement and detailed design work, surveys and investigations, planning, principal contractor procurement, liaison with the retirement living developer's professional team (including party wall matters) and construction delivery within the required timeframe.

<p>3. RECOMMENDATIONS TO COUNCIL</p> <p>3.1 That Council approve the addition to the Capital Expenditure Programme of the Council's spend of up to £1.12m to create a new high quality, secure and accessible park entrance with supporting retaining wall structure and new café/toilet block facilities (to 'Changing Places' or equivalent standard) at the Belle Vue Park site in Sudbury.</p> <p>3.2 That Council authorise forward funding of essential works by borrowing until the capital receipt is received, and to ensure that the overall site delivery programme critical path (including the retirement living development) remains on track.</p>	<p>REASONS FOR DECISION</p> <p>1. The Council has committed to deliver for the community and visitors to the town a new park entrance, café and toilet facilities at Belle Vue park in Sudbury. Cabinet resolved to divert this capital receipt and with understanding of the timeframes involved.</p> <p>2. As a condition of sale of adjacent land, the Council is contractually obliged to deliver completed, as a minimum, the new park wall retaining structure within nine months of completion of the sale. Those works are also to have commenced within three months of sale completion.</p> <p>3. Approval of the Capital Programme works will enable the Council to progress the necessary works and to also seek stakeholder engagement input and additional funding support (including CIL/S106/external contributions).</p>
---	--

4. KEY INFORMATION

- 4.1 The Council has, subject to planning, sold part of the previous outdoor swimming pool area and Belle Vue house to a retirement living developer. Exchange of contracts was effected on 05 May 2021. Upon completion of the transfer, the capital receipt to the Council from the sale will be £1.12m.
- 4.2 The Council is retaining the rest of the outdoor swimming pool area to create the new accessible park entrance, returning this area to accessible public space. In addition, a new café with outdoor seating and new toilet facilities will be developed on the site.
- 4.3 It is vital that in delivering the park entrance and facilities the Council works very closely with the retirement living developer on the other portion of the site to ensure the complementary works, including party wall considerations, come forward as an efficient and integrated programme of works. This will ensure that the necessary technical and structural requirements are fully understood by both sides and progressed accordingly to the overall critical path of the contract and programme.
- 4.4 Due to the contractual timeframes, it is anticipated that the Council will need to borrow ahead of the incoming capital receipt to deliver the retaining wall structure element, with remaining capital receipt made available for the new café and toilets investment in addition to any CIL/S106 and external funding match such as 'Changing Places Fund' for toilets.

- 4.5 Combining as much of the work package delivery as possible makes sense in terms of the programme delivery timescales, the need to prioritise the facilities for community use as soon as possible and minimise time and space needed on site for a compound, temporary traffic mitigations and related matters.
- 4.6 Having already applied for some external funding relating to remedial site works to bring forward the park entrance, which was unsuccessful, the Council will continue to actively seek external funding and match opportunities to deliver the café and toilet facilities. This is also supportive of furthering available funds for wider park improvements.

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, and Belle Vue forms a key strand of the Sudbury Vision in creating a better connected town centre and improving gateways to the town.
- 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
- 5.4 The Strategic Asset Management Plan 2020-2025 aims to achieve the following:
- Utilise the strategic property fund to respond to new opportunities quickly;
 - Diligent disposal of under-performing and surplus assets where use of these assets is otherwise unviable for the Councils;
 - Maintain and renew as appropriate, all publicly accessible assets;
 - Ensure property assets make the optimum contribution to the Councils' priorities and objectives;
 - Strategically manage the portfolio to maximise benefits to the Councils and communities;
 - Delivery of key programmes and projects.

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.
- 6.2 It is estimated that since 2017/18 the district council has incurred maintenance, insurance, remedial works and associated costs of around £150,000 in respect of the Belle Vue site, not including business rates liability currently standing at £16,886 per annum.

There is an ongoing and significant problem with unauthorised access, anti-social behaviour and vandalism at the site, which creates an ongoing cost burden to the Council. Improved facilities and security measures at the site, including coverage from the updated town CCTV system investment, should help to reduce these negative impacts.

- 6.3 The order of costs work undertaken so far indicates a new stepped and accessible park entrance with retaining wall will cost to the order of £777,000, which accounts for considerable site levelling and structural retaining elements. Engagement and preliminary costings/funding for café and toilet facilities are now being progressed but are not available at the time of reporting.

7. LEGAL IMPLICATIONS

- 7.1 The Council has a variety of contractual obligations and timeframes in relation to the disposal portion of the site to the retirement living developer. These constraints need to be reflected in the Council's own park entrance and facilities programme. An overview of the anticipated overall programme timeframe including contractual and other key milestones is attached as Confidential Appendix B. Estimated costs for individual elements is contained within Confidential Appendix C.
- 7.2 The Council will need to formally instruct the professional team and services required and, given the masterplanning development and entrance work to date, it is proposed to continue commissioning these services via the Council's Joint-Venture Company Babergh Growth Ltd for the three work packages involved, with early completion required of the retaining wall structure element. It is anticipated that planning applications will be submitted for the Council's packaged works around October 2021.
- 7.3 Legal advice has been taken from both internal and external legal advisors and will continue at all stages of the programme.
- 7.4 It is proposed to carry out a formal tender process for the appointment of a contractor to carry out all works to the park entrance, retaining structure and café/toilets. Recommendations of this report refer.

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 risks relating to land and assets remaining underutilised. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
No approval is given to progress the three work packages (wall/entrance/café & toilet) as a single programme	2 – Unlikely	3 – Bad	The Council is legally obliged to deliver the retaining wall structure as minimum and Cabinet have authorised the capital receipt investment in park entrance and new facilities. Approve the three work packages to combine as a one holistic capital delivery project

No forward-funding is authorised, meaning key contractual dates are missed and step-in rights activated by the retirement living developer	2 – Unlikely	3 – Bad	Approve the forward funding borrowing investment request, which will only be used until a capital receipt from the sale is available
The retirement living developer withdraws and does not complete the purchase – meaning Council's forward funding investment is recouped from a delayed capital receipt	2 – Unlikely	3 – Bad	An alternative best consideration disposal would need to be considered by Cabinet, potentially introducing some delay and uncertainty to recouping funds invested and borrowing costs. Due to the timeframes/subject to planning disposal, a residual risk will remain
Failure to deliver the structural wall works within the contracted dates	2 – Unlikely	3 – Bad	Combined programme of works for the whole site delivery. Robust project management. Sufficient borrowing until capital receipt available

9. CONSULTATIONS

- 9.1 Formal consultation in respect of the scheme will be facilitated under the planning regime in due course.
- 9.2 The Council has now set up a cross-services project group and stakeholder engagement will continue including with the town council and local community representatives, which will also influence the design of the café and toilet facilities, and any wider park improvements.
- 9.3 The retirement living developer has commenced engagement activities locally on their proposals initially with Sudbury Town Council on 26 May 2021, and are now developing their wider engagement proposals and planning pre-application discussions.
- 9.4 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 and as part of the Sudbury Vision programme exhibition held in January 2020.
- 9.5 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 including local community groups/charities.

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 widely benefit the local community and visitors, and enable free access for all. The park will remain within Council ownership and as a key asset and attraction for Sudbury residents and visitors to the area.
- 10.3 All relevant accessibility standards and specifications will be considered throughout the design, planning and construction phases of the project.

11. ENVIRONMENTAL IMPLICATIONS

- 11.1 Development of the site would have associated environment impacts, temporary during construction and from the development undertaken. Environmental implications and mitigations would be considered through design work, planning process and consultation. Overall, it is intended the entrance and café/toilet facilities will have a positive overall visual and sustainable/high environmental standard amenity impact.
- 11.2 The stakeholder working group will also assess and inform environmental impacts and mitigations.

12. APPENDICES

Title	Location
A: Entrance design and CGI work to date	Attached
B: Indicative forward integrated programme timeline and milestones CONFIDENTIAL	Attached in Part 2 of the Agenda
C: Order of costs estimates CONFIDENTIAL	Attached in Part 2 of the Agenda

BACKGROUND PAPERS

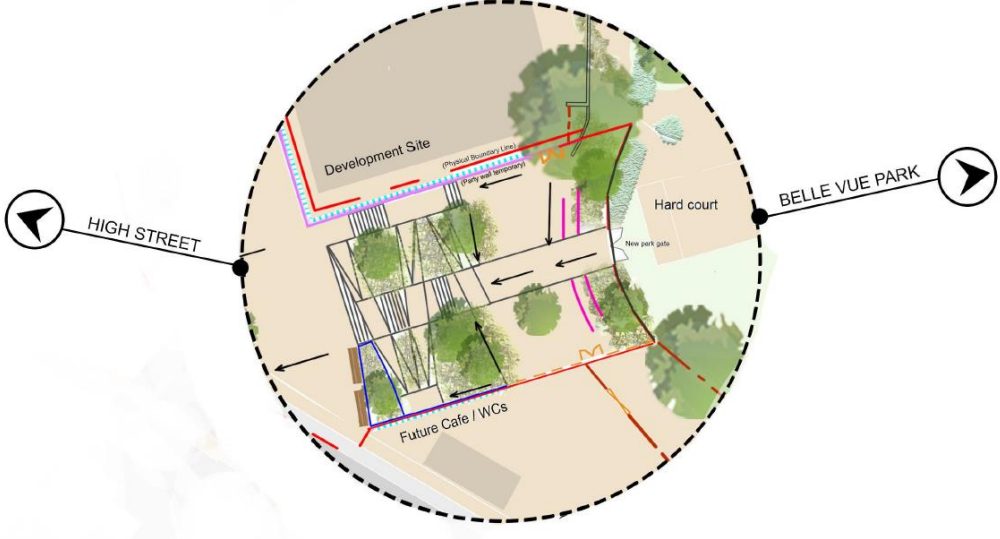
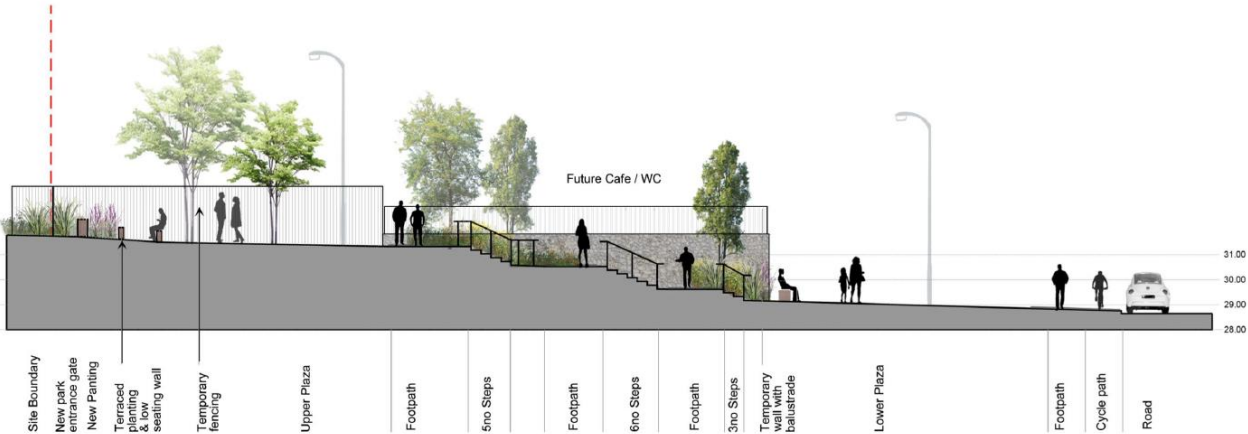
1. REPORT BCA/20/44 (CABINET 11 MARCH 2021)

APPENDIX A - ENTRANCE DESIGN & CGI WORK TO DATE



Page 31

Belle Vue Site Option 1 – New entrance to Belle Vue Park Section 1



This page is intentionally left blank

Agenda Item 13

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

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank