

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **BABERGH CABINET** held in the Frink Room (Elisabeth) - Endeavour House on Monday, 5 September 2022

### **PRESENT:**

Councillor: John Ward (Chair)

Councillors: Jan Osborne  
Jane Gould  
Mary McLaren

David Busby  
Elisabeth Malvisi

### **In attendance:**

Councillors Adrian Osborne – Vice-Chair for Overview and Scrutiny

Officers: Chief Executive (AC)  
Deputy Monitoring Officer (JR)  
Director – Planning and Building Control (TB)  
Director - Corporate Resources and Section 151 Officer (ME)  
Assistant Manager - Finance Operations (RH)  
Corporate Manager - Public Realm (WB)  
Assistant Manager – Governance (HH)

### **Apologies:**

Councillors: Clive Arthey  
Alastair McCraw

### **34 DECLARATION OF INTERESTS BY COUNCILLORS**

Councillor Busby declared an Other Registrable Interest in Item 12 due to being Vice-Chair of Chapel Community Trust.

Councillor Osborne declared an Other Registrable Interest in Item 13 due to being a Trustee of Sudbury and District Citizen Advice

Both Councillors left for the duration of the respective items.

### **35 BCA/22/16 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 5 JULY 2022**

It was **RESOLVED**: -

**That the minutes of the meeting held on the 5 July 2022 be confirmed and signed as a correct record.**

### **36 BCA/22/17 TO CONFIRM THE MINUTES OF THE MEETING HELD ON THE 8**

## **JULY 2022**

**It was RESOLVED: -**

**That the minutes of the meeting held on the 8 July 2022 be confirmed and signed as a correct record.**

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

None received.

### **38 QUESTIONS BY COUNCILLORS**

None received.

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

There were no matters referred by the Overview and Scrutiny or the Joint Audit and Standards Committees.

### **40 FORTHCOMING DECISIONS LIST**

There were no comments made for the Forthcoming Decisions List.

### **41 BCA/22/18 GENERAL FUND FINANCIAL MONITORING 2022/23 - QUARTER 1**

- 41.1 The Chair, Councillor Ward invited the Cabinet Member for Finance, Assets and Investments, Councillor Busby to introduce the report.
- 41.2 Councillor Busby delivered an overview of the report and moved the recommendations as detailed, and Councillor McLaren seconded the recommendations.
- 41.3 Councillor Osborne queried if the expected future changes to the waste service had been taken into considerations and whether the shortfall of temporary accommodation arrangements had been included in the budget for this year.
- 41.4 Councillor Ward responded that a possible increase in cost of the Removal and Waste Service (RAWS) would be included in next year's budget should RAWS change in the coming years.
- 41.5 Councillor McLaren questioned how the contract for the Shared Revenues Partnership (SRP) would impact the cost to the Council.
- 41.6 The Cabinet Member for Finance, Assets and Investments stated that the budget for SRP was likely to increase next year as there were currently a high number of vacancies within the service which would be filled by next

year.

- 41.7 Councillor Ward questioned how to relate table 4.14 to table 5.4 in the report in order to understand the high level of inflation in relation to the £812K forecast as estimated impact o the budget.
- 41.8 The Director for Corporate Resources clarified the purpose of table 4.14 and advised that the table would be amended for clarification.

**It was RESOLVED: -**

- 1.1 That, subject to any further budget variations that arise during the rest of the financial year, the net expenditure overspend position of £782k and forecast reserve movements, referred to in section 5.5 and Appendix A of the report, be noted;**
- 1.2 The revised 2021/22 Capital Programme referred to in Appendix B and section 5.9 be noted.**

#### **REASON FOR DECISION**

To ensure that Members are kept informed of the current budgetary position for both General Fund Revenue and Capital

## **42 BCA/22/19 HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2022/23 - QUARTER 1**

- 42.1 The Chair, Councillor Ward invited the Cabinet Member for Finance, Assets and Investments, Councillor Busby to introduce the report.
- 42.2 Councillor Busby provided an overview of the main points in the report and moved the recommendations in the report.
- 42.3 Councillor Osborne seconded the recommendations.
- 42.4 Councillor McLaren referred to paragraph 4.3 and asked whether rents had been increased year on year. In response the Cabinet Member for Finance, Assets and Investments stated that rent increases and decreases were determined by Government.
- 42.5 The Cabinet Member for Housing, Councillor Osborne stated that rents had just caught up to the rent level from five years ago, and that Members would determine the level of rent in due course once the Government had provided the rent levels for the coming year. However, it would be difficult to increase the rent due to the cost-of-living crisis. She assured Members that the Government would be fully informed of the rent situation.
- 42.6 Members debated the issues including the challenges for the Council's Housing Service, the new build and acquisition programme and that the

Housing Revenue Programme had ambitious targets set for the next few years.

**It was RESOLVED: -**

- 1.1 That, subject to any further budget variations that arise during the rest of the financial year, the adverse variance of £527k, referred to in section 6.5 of the report, be noted.**
- 1.2 The 2022/23 revised Capital Programme referred to in Appendix A and section 6.12 be noted.**

### **REASON FOR DECISION**

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

## **43 BCA/22/20 QUARTER 1 PERFORMANCE**

- 43.1 The Chair, Councillor Ward introduced the Quarter 1 Performance item on behalf of the Cabinet Member for Customers, Digital Transformation and Improvements, who had forwarded his apology for the meeting.
- 43.2 Councillor McLaren referred to the Health of the Organisation slide in the papers and asked if figures could be provided for the number of staff included under the total number of days lost to sickness. The Director for Customers, Digital Transformation and Information responded that the level of sickness for staff was very low in comparison to similar authorities and that she would provide the exact number outside of the meeting.
- 43.3 Councillor Osborne asked for clarification of the 6% decrease in the emails received by Customer Services, and for details of the type of email responses sent by the Council to residents.
- 43.4 The Director for Customers, Digital Transformation and Improvements stated that the priority was to respond to in-person enquiries and telephone calls and that emails were responded to throughout the day in quieter times. She would provide a response to the contents of the response email outside of the meeting.
- 43.5 Councillor Gould queried if there had been an increase in attendance to the free swimming sessions for children provide by the Council during half term, and the Director for Customers, Digital Transformation and Improvements advised that she would provide a response to this outside of the meeting.

**The Quarter 1 Performance was noted.**

## **44 BCA/22/21 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE SEPTEMBER 2022**

- 44.1 The Chair, Councillor Ward, introduced the report on behalf of the Cabinet

Member for Planning, who had forwarded his apology for this meeting.

44.2 Councillor Ward moved the recommendations in the report, which was seconded by Councillor Osborne.

44.3 During the debate Councillor Osborne and Councillor Ward expressed their support for the Gainsborough House CIL bid and Members considered the CIL bids proposed and the delegated decisions for CIL bids brought to Cabinet.

**It was RESOLVED: -**

**1.1 That the CIL Expenditure Programme (September 2022) and accompanying technical assessment of the CIL Bids (forming Appendices, A and B) which include decisions on this CIL Bid for Cabinet to make and to note as follows: -**

**Decisions for Cabinet to approve: - Ringfenced Infrastructure Funds and Local Infrastructure Fund.**

<b>CIL Bid, Location and Infrastructure Proposed</b>	<b>Amount of CIL Bid and total cost of the infrastructure</b>	<b>Cabinet Decision</b>
B22-02 CAPEL ST MARY upgrade to Children's Play Area at Playing field and Provision of Additional Car parking	<p>Amount of CIL Bid £100,000.00</p> <p>Total cost of the project £143,116.00 Net Cost (Parish can reclaim VAT)</p> <p>Total of other funding obtained from Community Grant funding - £15,000.00 and funding from the Parish Council and Capel Community Trust - £28,116.00</p>	<p>Recommendation to Cabinet to approve CIL Bid B22-02 for £100,000.00 from the Ringfenced Infrastructure Fund (Capel St Mary)</p>

<p>B22-05 COCKFIELD - Provision of Bus Shelter</p>	<p>Amount of CIL Bid £25,028.08</p> <p>Total cost of the project £35,028.08</p> <p>Total of other funding obtained through Parish Council Neighbourhood CIL £10,000</p>	<p>Recommendation to Cabinet to approve CIL Bid B22-05 for £25,028.08 from the Ringfenced Infrastructure Fund (Cockfield) subject to the prior completion of a lease for the land (not less than 25 years)</p>
<p>B22-06 SUDBURY Gainsborough House</p>	<p>Amount of CIL Bid £152,504.86</p> <p>Total cost of remainder of the project £2,016,000 to November 2022,</p> <p>Total cost of the completed project £10,628,838</p>	<p>Recommendation to Cabinet to approve CIL Bid B22-06 for £152,504.86; £43,618.07 from the Ringfenced Infrastructure Fund (Sudbury) and £108,886.79 from the Local Infrastructure Fund.</p>

**Decisions for Cabinet to note: Delegated Decisions – Ringfenced and Local Infrastructure Funds.**

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the infrastructure	Cabinet Decision

<p>B21-03 SUDBURY – to provide a Community Bus Transport parking area -Alexander Road Chilton Industrial Estate</p>	<p>Amount of CIL Bid £2,024.72</p> <p>Total cost of the project £2,689.72</p> <p>Total of other funding obtained by Bid applicants from BDC Communities – Minor Grant - for £665</p>	<p>Recommendation to Cabinet to note the Delegated decision for CIL Bid B21-03 for £2,024.72 from the Local Infrastructure Fund</p>
<p>B21-05 BENTLEY</p>	<p>Amount of CIL Bid £5706.00</p> <p>Total cost of the project ££9,988.00</p> <p>Total of other funding obtained by Bid applicants from BDC Communities – s106 for ££1,159.59</p> <p>Bentley Parish Council Funds - £3,122.41</p>	<p>Recommendation to Cabinet to note the Delegated decision for CIL Bid B21-05 for £5706.00 from the Local Infrastructure Fund</p>
<p>B22-04 SUDBURY – Provision of CCTV facilities for Kingfisher Leisure Centre</p>	<p>Amount of CIL Bid £5416.21</p> <p>Total cost of the project £6,499.45 including VAT (which can be claimed back)</p>	<p>Recommendation to Cabinet to note the Delegated decision for CIL Bid B22-04 for £5,416.21 from the Ringfenced Infrastructure</p>

		Fund (Sudbury)
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**1.2 Cabinet are also asked to note and endorse this CIL Expenditure Programme which includes the position in respect of approved CIL Bids from Rounds 1, 2, 3, 4, 5, 6, 7, 8 and 9. (Appendix A Section B) together with details of emerging infrastructure /CIL Bids (Appendix A Section C).**

**REASON FOR DECISION**

Community Infrastructure Levy (CIL) monies have been collected since the implementation of CIL on the 11<sup>th</sup> April 2016. The CIL Expenditure Framework (originally adopted in April 2018 and reviewed with amendments adopted on the 18<sup>th</sup> March 2019 and with further amendments on the 20<sup>th</sup> April 2020, March 2021 (and suggested for consideration in September 2022) requires the production of a CIL Expenditure Programme for each District which contains decisions for Cabinet to make or note on CIL Bids for CIL expenditure. These decisions relating to the expenditure of CIL monies form one of the ways in which necessary infrastructure supporting growth is delivered.

**Alternative Options Considered and Rejected:**

There is a diverse spectrum of approaches to CIL expenditure across the country from Unitary Authorities who have absorbed CIL into their individual Capital Programmes to others who ringfence all funds to be spent locally. A range of different approaches was identified in Appendix A of the Framework for CIL Expenditure report provided to Cabinet’s on the 5<sup>th</sup> and 8<sup>th</sup> of February 2018 and discussed in full during the workshops with the Joint Member advisory panel. Members adopted the documents set out in paragraph 1.1 above by Council decision in April 2018 which were subsequently reviewed and adopted on the 19<sup>th</sup> March 2019 (Babergh) and 18<sup>th</sup> March 2019 (Mid Suffolk) and then reviewed for the second and third time and adopted by both Councils on the 20<sup>th</sup> April 2020 and 23<sup>rd</sup> March 2021(Babergh) and 25<sup>th</sup> March 2021(Mid Suffolk) respectively. The fourth review took place in June 2022 and Mid Suffolk approved the changes on the 21<sup>st</sup> July 2022. All the changes/documents will be considered by Babergh on the 20<sup>th</sup> September 2022.

**Any Declarations of Interests Declared:** Councillor Busby declared an

Other Registrable Interest due to being Vice Chair of Chapel Community Trust and left the meeting for the duration of this item.

**Any Dispensation Granted:** None

**45 BCA/22/22 OVERVIEW AND SCRUTINY COMMITTEE RECOMMENDATIONS - ANNUAL REVIEW OF SUDBURY & DISTRICT CAB**

- 45.1 The Chair, Councillor Ward invited the Cabinet Member for Communities and Wellbeing, Councillor McLaren to introduce the report.
- 45.2 Councillor McLaren provided background details and a summary of the recommendation.
- 45.3 Councillor McLaren moved the recommendation in the report which was seconded by Councillor Malvisi.
- 45.4 Councillor McLaren stated that the Citizens Advice (CA) faced a dark future and that the proposed uplift of 30% would support the excellent service they provided to residents.
- 45.5 Councillor Busby queried why the CA provided advice on food, nutrition and cookery, as this should be provided by the local food banks. He also disagreed with the proposed indexation of the funding provided by the Council to the CA.
- 45.6 In response the Director for Communities informed Members that a 30% uplift in funding had been provided to Sudbury and District CA in July and that the rolling review would not be undermined by the uplift.

**It was RESOLVED: -**

**That Cabinet considers the report from Joint Overview and Scrutiny and agrees its response to the recommendations in the report as detailed in paragraph 4, and in line with the Council's response to the Cost of Living Crisis and the five point plan that will look at a better system of connectivity between partners, including the CAB, the Council and system wide partners.**

**REASON FOR THE DECISION**

To respond to the recommendations in the report from the Joint Overview and Scrutiny Committee.

**46 BCA/22/23 TREE CANOPY COVER SURVEY - PROPOSALS TO CABINET**

- 46.1 The Chair, Councillor Ward invited the Cabinet Member for Climate Change, Biodiversity and Sustainable Travel, Councillor Gould to introduce the report.

- 46.2 Councillor Gould introduced the report and thanked the Officers for the work undertaken.
- 46.3 Councillor Gould moved the recommendations in the report, which was seconded by Councillor Malvisi.
- 46.4 Members agreed that the report was excellent, and the data would be useful.
- 46.5 In response to Councillors' questions the Corporate Manager for Public Realm explained that the Survey would lead into a strategy, and further that DEFRA (Department of Environment, Food and Rural Affairs) would deliver a strategy in 2024, which would place a high emphasis on tree planting. Consideration for the types of trees and where they would be planted would be included in the Council's strategy. Parish Councils were already involved in where tree planting would take place in their parishes and work was being undertaken to develop this further.
- 46.6 In response to Councillor Malvisi's question regarding suitable availability of land to plant trees on, the Cabinet Member for Climate Change, Biodiversity and Sustainable Travel, responded that these issues would be considered in the strategy.

**It was RESOLVED: -**

- 1.1 The Cabinet resolves to publish in full the web maps and canopy cover survey data on the Babergh and Mid Suffolk District Councils' website.**
- 1.2 The Cabinet resolves to develop a formal Tree Planting Strategy to guide all future tree planting within the District to ensure that, where possible, the greatest benefit is achieved.**
- 1.3 The Cabinet resolves to identify feasible canopy cover percentages for each ward, options for delivery of planting to achieve this target and the creation of a vision for the future.**
- 1.4 The Cabinet resolves to delegate authority to the Portfolio Holder for Climate Change, Biodiversity and Sustainable Travel along with the Director of Operations to complete these actions.**

**REASON FOR DECISION**

The Tree Canopy Survey has, for the first time, provided quantifiable evidence to prove the value of trees as an incredible natural capital asset. Publishing the data will be invaluable in helping people understand the benefits of trees. Developing a strategic delivery model for increasing canopy cover across Babergh District ensures we are planting the right tree in the right place to provide benefits to residents and wildlife.

The business of the meeting was concluded at 3:31pm.

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Chair