

Tuesday, 5 September 2023



BABERGH DISTRICT COUNCIL

DECISIONS NOTICE

**DECISIONS BY THE BABERGH CABINET
CALL IN DEADLINE 5:00PM ON 13 SEPTEMBER 2023**

The following decisions have been taken by the Babergh Cabinet and will come into effect on 14 September 2023 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/23/8 FINANCIAL MONITORING REPORT QUARTER 1 2023/24

It was **RESOLVED**: -

- 1.1 That, subject to any further budget variations that arise during the rest of the financial year, the projected overspend on the General Fund of £703,000 referred to in section 4.2 and Appendix A of the report be noted;
- 1.2 That, subject to any further budget variations that arise during the rest of the financial year, the projected overspend on the Housing Revenue Account of £305,000 referred to in section 4.3 and Appendix B of the report be noted;
- 1.3 That, the Council's compliance with the Prudential Indicators during quarter one referred to in section 4.4 and Appendix C of the report be noted.

REASON FOR DECISION

To ensure that Members are kept informed of the financial position for both General Fund Revenue and Capital, Housing Revenue Account and Capital and the Prudential Indicators.

Alternative Options Considered and Rejected:

The recommended option is set out in the Recommendations. There are no other available options.

Any Declarations of Interests Declared: None

Any Dispensation Granted: None

**BCa/23/9 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE PROGRAMME
SEPTEMBER 2023**

It was RESOLVED: -

- 1.1 That the CIL Expenditure Programme (September 2023) and accompanying Technical Assessments of the following CIL Bids (forming Appendices, A and B) be approved (including decisions on these CIL Bids for Cabinet to make/or note) as follows: -

Decisions for Cabinet to approve: - Ringfenced Infrastructure Funds (Acton)

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the infrastructure	Cabinet Decision
B23-10 ACTON Improvements to Acton Play Area	Amount of CIL Bid £20,403.57 Total cost of the project £27,204.76 Total of other funding is split between S106 Funding and Acton Parish Council	Recommendation to Cabinet to approve CIL Bid B23-10 for £20,403.57 from the Ringfenced Infrastructure Fund

Decisions for Cabinet to approve: Local Infrastructure Fund

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the infrastructure	Cabinet Decision
B23-05 BOXFORD Improvements to Boxford Pavilion Changing Rooms	Amount of CIL Bid £29,565.35 Total cost of the project £39,420.47 (including VAT) Total of other funding S106 funding - £3,009.60 Parish Council Contribution: £5,000 Fund Raising: £1,115 Groton Educational Trust: £300	Recommendation to Cabinet to approve CIL Bid B23-05 for £29,565.35 from the Local Infrastructure Fund

	Boxford Rovers FC: £430.52	
B23-06 FLATFORD Flatford National Trust Installation of a Changing Places Facility within Flatford National Trust	Amount of CIL Bid £16,155.00 Total eligible costs of the project £59,155.00 Total of other funding Changing Places Fund DLUHC £42,500.00 National Trust £500.00	Recommendation to Cabinet to approve CIL Bid B23-06 for £16,155.00 from the Local Infrastructure Fund
B22-15 STANSTEAD Improvements to Stanstead Play Area	Amount of CIL Bid £27,677.31 Total eligible costs of the project £36,903.08 Total of other funding Stanstead Parish Council £ 9,225.77	Recommendation to Cabinet to approve CIL Bid B22-15 for £27,677.31 from the Local Infrastructure Fund
B23-11 – SUDBURY The Bridge Project (TBP) – Water and electrical connection element of The Triangle Project	Amount of CIL Bid £100,000 Total eligible costs of the project £146,000 Total of other funding £46,000 (Total Net Cost of The Triangle Project £935,460.66)	Recommendation to Cabinet to approve CIL Bid B23-11 for £100,000 from the Local Infrastructure Fund

Delegated decisions for Cabinet to note: - Ringfenced Infrastructure Fund

CIL Bid, Location and Infrastructure Proposed	Amount of CIL Bid and total cost of the infrastructure	Cabinet Decision
B23-07 COCKFIELD MacKenzie Community Open Space Project	Amount of CIL Bid £4,422.45 Total cost of the project	Recommendation to Cabinet to note this approved CIL Bid B23-07 by delegated decision for

(Reapplication)	£9,379.74 Total of other funding:- S106 Funding £2,353.08 Parish Council £2,604.21	£4,422.45 from the Ringfenced Infrastructure Fund
B23-04 LAVENHAM Lavenham Hall Works	Amount of CIL Bid £3,000 Total cost of the project £4,000. Total of other funding:- Lavenham Parish Council - £500 Lavenham Community Council £500	Recommendation to Cabinet to note this approved CIL Bid B23-04 by delegated decision for £3,000 from the Ringfenced Infrastructure Fund
B22-17 ACTON Public Right of Way improvements – Bun Meadow	Amount of CIL Bid £4,590 excluding VAT. Total cost of eligible project costs £4,590	Recommendation to Cabinet to note this approved CIL Bid B22-17 by delegated decision for £4,590.00 from the Ringfenced Infrastructure Fund

- 1.2 Cabinet noted and endorsed this CIL Expenditure Programme which included the position in respect of approved CIL Bids from Rounds 1 to 10 inclusive (Appendix A Section B) together with details of emerging infrastructure /CIL Bids (Appendix A Section C).

REASON FOR DECISION

Community Infrastructure Levy (CIL) monies have been collected since the implementation of CIL on the 11th April 2016. The CIL Expenditure Framework (originally adopted in April 2018) has been reviewed with amendments adopted by both Councils in March 2019, April 2020, March 2021, July 2022 (Mid Suffolk) October 2022 (Babergh) and in March 2023. The CIL Expenditure Framework requires the production of at least two CIL Expenditure Programmes for each District (per year) and contains decisions for Cabinet to make or note on CIL Bids for CIL expenditure. These decisions relating to the expenditure of CIL monies form one of the ways in which necessary infrastructure supporting growth is delivered.

Alternative Options Considered and Rejected:

There is a diverse spectrum of approaches to CIL expenditure across the country from Unitary Authorities who have absorbed CIL into their individual Capital Programmes to others who

ringfence all funds to be spent locally. A range of different approaches was identified in Appendix A of the Framework for CIL Expenditure report provided to Cabinet's on the 5th and 8th of February 2018 and discussed in full during the workshops with the Joint Member advisory panel. Members adopted the original Framework documents set out in paragraph 1.1 above by Council decision in April 2018. These were subsequently reviewed and adopted by both Councils on:-

- **First Review - March 2019**
- **Second Review – April 2020**
- **Third Review – March 2021**
- **Fourth Review – 21st July 2022 (Mid Suffolk) and 6th October 2022 (Babergh)**
- **Fifth Review - March 2023.**

Any Declarations of Interests Declared: Councillor Jessie Carter declared an Other registrable interest in B2311, in her role as Suffolk County Councillor and Sudbury Town Councillor.

Any Dispensation Granted: No

BCa/23/10 UK100 NETWORK AND OUR COMMITMENT TO SIGN-UP FOR A MEMBERSHIP

It was RESOLVED: -

That Cabinet reiterated the commitment made by Full Council on 18th July 2023 to join UK100 and noted the content of Appendix A & B.

REASON FOR DECISION

We are committed to become a member of the UK100 network. This membership has the potential to help local authorities to fulfil and accelerate the Council's commitments to tackling the climate emergency and deliver local Net Zero.

Alternative Options Considered and Rejected:

Other options were not considered since the UK100 membership is the only network for UK local leaders focused solely on climate, clean energy and clean air policy.

Any Declarations of Interests Declared: None

Any Dispensation Granted: None

BCa/23/11 UPDATE ON THE REGULATOR OF SOCIAL HOUSING REFERRAL AND OUR CURRENT COMPLIANCE POSITION

It was RESOLVED: -

That members noted the report.

REASON FOR DECISION

To ensure that members and senior leaders of the councils have oversight of the journey with the Regulator back to a position where we are compliant.

Alternative Options Considered and Rejected: None

Any Declarations of Interests Declared: No

Any Dispensation Granted: Yes, Councillor Jessie Carter

BCa/23/12 BDC 2023-24 Q1 PERFORMANCE REPORT

It was **RESOLVED:** -

That the 2023-24 Q1 Performance Report was noted.

BCa/23/13 WORKING TOGETHER FOR ANIMAL WELFARE - BANNING PETS AS PRIZES ON COUNCIL OWNED LAND

It was **RESOLVED:** -

- 1.1 The councils were recommended to agree to support the RSPCA campaign and thereby resolve:
- 1.2 That an outright ban on the giving of live animals as prizes, in any form, on Babergh & Mid Suffolk Council owned land was implemented
- 1.3 That the Councils wrote to UK Government requesting an outright ban on live animals, as prizes on both public and private land
- 1.4 That the Councils carried out a review of the current policies and the terms and conditions of the contract agreements relating to the hire of council owned land and premises to ensure that they reflect the councils' positions as regards giving of live animals as prizes.

REASON FOR DECISION

With the RSPCA gaining traction since 2021 with some 50 local authorities adopting the RSPCA's recommendations it would be prudent to adopt the recommendations and lobby UK Government for an outright ban.

Alternative Options Considered and Rejected:

Doing nothing could lead to animal welfare issues and result in customer complaints.

Any Declarations of Interests Declared: None

Any Dispensation Granted: None

BCa/23/14 BELLE VUE PARK (SUDBURY) IMPROVEMENTS

It was RESOLVED: -

- 1.1 That Cabinet reviewed and noted the progress made in scoping and designing a suitable modular build café and toilet block facility for Belle Vue park, including the estimated breakdown of costs attached as Confidential Appendix B (which includes an estimate of borrowing costs).**
- 1.2 That Cabinet approved the recommendation to proceed with delivery of a new café and toilets as a modular build which included provision of a changing place facility.**
- 1.3 That Cabinet approved the funding of the works from the Changing Places Grant, the capital receipt from the sale of Belle Vue House and the existing capital budget (borrowing) for works at Belle Vue. The capital programme currently included a budget of £1.9m for works at Belle Vue and it was anticipated that this scheme will require £105,000 of that budget, or in the worst case £150,000 if it was not possible to complete the scheme in the timescale required to be able to utilise the £45,000 Changing Place grant.**
- 1.4 That Cabinet noted the intention to directly award a supplier for the modular unit design and delivery from a suitably approved contract framework under officer delegation to the Director for Economic Growth and Climate Change. This was for expediency due to the funding deadline set for accessing Changing Place grant.**

REASON FOR DECISION

Supporting the regeneration of Sudbury town centre and improvements to Belle Vue Park, by investing directly in expanded and new opportunities for local residents and visitors to the town to engage in healthy activities and pursuits.

Further, this intervention will support the town's amenities, connectivity and bring a range of positive economic, environmental and social benefits. This will also improve a Council asset in line with the aims of the Joint Strategic Asset Management Plan to 2025.

Alternative Options Considered and Rejected:

DO-NOTHING. Not Recommended. A 'do-nothing' approach will fail to deliver multiple benefits to the park and wider town centre.

Any Declarations of Interests Declared: Councillor Jessie Carter declared an Other Registrable Interest due to being a Sudbury Town Councillor.

Any Dispensation Granted: None