

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **BABERGH CABINET** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Monday, 5 July 2021 at 10:30am.

PRESENT:

Councillor: John Ward (Chair)

Councillors: Jan Osborne
David Busby
Elisabeth Malvisi
Clive Arthey
Michael Holt
Alastair McCraw

In attendance:

Councillor(s): Sue Ayres
Trevor Cresswell
Margaret Maybury
Mary McLaren
Alison Owen

Officers: Chief Executive (AC)
Strategic Director (KN)
Monitoring Officer (EY)
Assistant Director – Economic Development and Regeneration (FD)
Corporate Manager – Communities (VM)
Regeneration and Capital Projects Manager (LC)
Neighbourhood Planning Officer (PB)
Senior Governance Officer (HH)

17 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Derek Davis.

18 DECLARATION OF INTERESTS BY COUNCILLORS

There were no declarations of interests declared.

19 BCA/21/9 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 8 JUNE 2021

Councillor Busby referred to paragraph 9.7 in the minutes and asked that his name be amended.

It was RESOLVED:

That with the following amendment the minutes of the meeting held on the 8 June 2021 be confirmed as a true record.

9.7 Councillor Busby requested details of the number of fly tipping incidents resulting in prosecutions.

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

None received.

21 QUESTIONS BY COUNCILLORS

21.1 Questions had been received from Councillor Jamieson and Councillor Lindsay to the Cabinet Member for Economic Growth.

21.2 The Chair, Councillor Ward, read out the questions received.

21.3 The Cabinet Member for Economic Growth, Councillor Holt responded:

Councillor Jamieson to the Cabinet Member for Economic Growth

Question 1

The bid for external funding that was made for the park entrance, was this the bid for funding from the Land Release Fund? If it was, what Land did we intend to release, for the housing development? The land related to the Belle Vue House being brought back into residential use and the old swimming pool site?

Response

The bid was submitted prior to any marketing of the site and due to the criteria of the bid, had to be drafted on the assumption there would be housing on the old swimming pool site and a refurbishment of the house as residential. This was an assumption made only for the purposes of the bid and had no impact on the open and transparent marketing process of the site.

Question 2

How are Babergh going to remedy the Open Space deficit in Sudbury when they are disposing of the Open Space that it does have?

Response

Provision of new public open space as part of the new park entrance means that only a very small % of public open space will be lost due to the recent sale of the adjacent site. It's important to recognise that there are a range of different types of open space ranging from accessible natural green space to more formal parks and gardens. There will be significant new open space associated with Chilton Woods.

Councillor Lindsay to the Cabinet Member for Economic Growth

Question:

The contract with the retirement homes developer says that the contract will not complete – ie we will not get payment - until planning permission is granted. It also says that we don't have to start work on the retaining wall and entrance until after

completion (within three months). So why do we need to borrow money to do the retaining wall works before we have planning permission and before the sale to the developer completes?

Response

There will be a need to ensure we have forwarded funding monies before completion of the Churchill contract, as the lead in time actually commences works on site is several months before. The retaining wall is linked into the wider park entrance scheme and new café and toilets and for all of these elements we will need to appoint a professional design team (including next level of design and structural/party wall assessments), submit a planning application (independent to that being submitted by Churchill) and run a tender process for a contractor. If we do not start this work prior to completion of the Churchill contract, we will have insufficient time to meet the contract obligations to start on the site within three months.

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

The Co-Chair of the Joint Overview and Scrutiny Committee, Councillor Welham, introduced the recommendations for the Joint Parking Strategy scrutinised by the Joint Overview and Scrutiny Committee on the 28 June 2021. The recommendations had been tabled to Members.

23 FORTHCOMING DECISIONS LIST

The Forthcoming Decision List was noted.

24 BCA/21/10 LEISURE, SPORT AND PHYSICAL ACTIVITY STRATEGY

24.1 The Chair, Councillor Ward, introduced the report on behalf of the Cabinet Member for Communities, who had forwarded his apologies to the meeting. He provided a brief introduction, including that the Council had recently invested in two large projects in the District, the Hadleigh Swimming Pool and the Kingfisher Leisure Centre in Sudbury. He provided Members with some of the strategic priorities detailed in the report.

24.2 Councillor Ward proposed the recommendations in the report. This was seconded by Councillor Arthey.

24.3 The Chair of the Overview and Scrutiny Committee, Councillor McLaren, asked if the Cabinet would be able to have further engagement with Holbrook community and the Holbrook Academy in relation to the Holbrook Academy Sports Centre.

24.4 The Assistant Director for Economic Development and Regeneration responded that an action in the Leisure, Sport and Physical Activity Strategy enabled the Council to pursue community engagement with not only Holbrook but the wider community.

- 24.5 Following questions from Councillor Maybury, the Assistant Director for Economic Development and Regeneration advised that the strategy detailed the priority of high-level actions, and that further details would sit under these. The split between sports and village halls would be considered at the next stage and that the Strategy was creating activities for all generations.
- 24.6 Members debated the issues including that a consultation had previously taken place with Members including several workshops, the inclusion of the older generation in the Strategy, a full and extensive dialogue with educational establishments which provided facilities for public sports and leisure activities, the significant impact for supporting communities, and the economic benefits that the Leisure, Sports and Physical Activity Strategy would provide for the district.

It was RESOLVED:

- 1.1 That the refreshed Sport, Leisure and Physical Activity Strategy, priority actions identified and supporting evidence base be approved.**
- 1.2 That a comprehensive Action Plan be developed for the next 3 years based on the priority actions identified in the Strategy.**

Reason for Decision:

1. That the Councils have a clear strategy and action plan for Leisure, Sport and Physical Activity to support delivery across the Districts for the next 3 years and which reflects national and regional policies and strategies.
2. Developing an up-to-date Leisure, Sport and Physical Activity Strategy is a key strand of the Council emerging Wellbeing Strategy.
3. To ensure the Councils have a strategy which is linked to key partner outcomes e.g. Clinical Commissioning Group priorities, Active Suffolk.
4. The refreshed evidence base and strategy will maximise the current assets across the district for our communities.

25 BCA/21/11 UPDATE ON FIVE NEIGHBOURHOOD PLANS IN BABERGH

- 25.1 The Cabinet Member for Planning, Councillor Arthey, introduced the update on the five Neighbourhood Plans to be approved to go to referendum.
- 25.2 Councillor Arthey proposed the recommendations in the report and this was seconded by Councillor Busby.
- 25.3 In response to Councillor Maybury's question, Councillor Arthey stated that he would be commending all those involved in developing the Neighbourhood Plans when they were adopted.

It was RESOLVED:

- 1.3 That Assington Parish Council made the necessary modifications to their Neighbourhood Plan in accordance with the Examiner's recommendations and, subject to satisfactory completion of that task (to be agreed by the Corporate Manager for Strategic Planning), the Neighbourhood Plan be advanced to a local referendum covering the parish of Assington.**
- 1.4 That Chelmondiston Parish Council made the necessary modifications to their Neighbourhood Plan in accordance with the Examiner's recommendations and, subject to satisfactory completion of that task (to be agreed by the Corporate Manager for Strategic Planning), the Neighbourhood Plan be advanced to a local referendum covering the parish of Chelmondiston.**
- 1.5 That Little Waldingfield Parish Council made the necessary modifications to their Neighbourhood Plan in accordance with the Examiner's recommendations and, subject to satisfactory completion of that task (to be agreed by the Corporate Manager for Strategic Planning), the Neighbourhood Plan be advanced to a local referendum covering the parish of Little Waldingfield.**
- 1.6 That Newton Parish Council made the necessary modifications to their Neighbourhood Plan in accordance with the Examiner's recommendations and, subject to satisfactory completion of that task (to be agreed by the Corporate Manager for Strategic Planning), the Neighbourhood Plan be advanced to a local referendum covering the parish of Newton.**
- 1.7 That Whatfield Parish Council made the necessary modifications to their Neighbourhood Plan in accordance with the Examiner's recommendations and, subject to satisfactory completion of that task (to be agreed by the Corporate Manager for Strategic Planning), the Neighbourhood Plan be advanced to a local referendum covering the parish of Whatfield.**

Reason for Decision:

To enable the Council to meet its statutory obligations under Section 17A of the Neighbourhood Planning (General) Regulations 2012 (as amended).

26 BCA/21/12 BELLE VUE, SUDBURY - NEW PARK ENTRANCE AND FACILITIES

- 26.1 The Chair, Councillor Ward, informed Members that Appendix A was not confidential, as stated in the report, but that Appendices B and C were.**
- 26.2 The Cabinet Member for Economic Growth, Councillor Holt, introduced the report and advised Members that the recommendations were for Council.**
- 26.3 Councillor Holt proposed the recommendations in the report, and this was**

seconded by Councillor Osborne.

- 26.4 Councillor Ward referred to the risk in relation to the step-in rights and asked what the consequences would be for the developer if these were not activated.
- 26.5 The Assistant Director for Economic Growth and Regeneration responded this would be the last resort, but the economic consequence would be to the value of the retaining wall works.
- 26.6 Following a question from Councillor Maybury, the Monitoring Officer stated that it was for each Member to declare a pecuniary interest, however she did not see anything in the recommendations that would exclude them from the planning committee.
- 26.7 In response to questions from Members the Cabinet Member for Economic Growth stated that the safety issues for the entrance into the Belle Vue Park would be addressed by Suffolk Highways in the planning application and that the entrance was set off Cornard Road.
- 26.8 The issues raised by Councillor Ayres regarding the loss of green space, trees and parking provision would be addressed in the planning application for the retirement homes by the developer.
- 26.9 Councillor Owen asked for a written response to Councillor Lindsay's question to which the Chair responded they would be made available after the meeting.
- 26.10 Councillor Jan Osborne observed that residents in Sudbury would see the benefits once the work had been completed.
- 26.11 Councillor Arthey observed that the site had been an issue for nearly 30 years, and he thanked Councillor Holt and the Economic Growth team for bringing forward a plan and for obtaining funding to proceed.
- 26.12 Councillor McCraw referred to Councillor's Holt response to Councillor Lindsay, which stated the reason for why the decision had to be taken. There were necessary steps to follow for the project to be moved forward.
- 26.13 Councillor Busby expressed his concern for taking this decision when the full schedule of potential cost implications was not before Members. Further concerns included what would happen if the planning permission were not granted.
- 26.14 Councillor Ward stated that a decision had been made on how to proceed and deliverability was key, which included this decision for the park entrance.
- 26.15 Councillor Holt added that money had to be spent up front to be able to deliver a fantastic park for the future and that any planning application issues were for the developer to resolve.

26.16 Following the comments from Members, the Assistant Director for Economic Growth and Regeneration briefly outlined the funding for the prework design, and the planning application and she advised Members that land for the entrance was outside the red line area previously approved by Cabinet in March 2021.

26.17 The Chair stated that if the agreement with the developer did not proceed then an alternative solution would have to be found for the disposal of land in question. However, the work on the entrance would still be required and the forward fund would still have to be made to comply with the timescale for the project.

It was RESOLVED:

- 1.1 That the additional information provided with the report, further to its resolutions of 11 March 2021 relating to the Belle Vue site, and that recommendations to Council as follow at 1.3 and 1.4 below be noted.**
- 1.2 That with immediate effect from the approval of the recommendations of this report, 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 procure and appoint the contractor to deliver the scheme outlined in 1.3 below following a formal tender process.**

RECOMMENDATIONS TO COUNCIL

- 1.3 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.**
- 1.4 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.**

REASONS FOR DECISION

- 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.**
- 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.**
- 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).

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

28 BDC/21/12 PART 2 BELLE VUE (SUDBURY) FACILITIES AND ENTRANCE

Note: The questions and debate did not require the meeting to go into closed session.

The business of the meeting was concluded at 12.44 pm.

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Chair