

## **BABERGH DISTRICT COUNCIL**

Minutes of the meeting of the **BABERGH CABINET** held in the Frink Room (Elisabeth) - Endeavour House on Monday, 6 December 2021

### **PRESENT:**

Councillor: John Ward (Chair)

Councillors:	Jan Osborne	Derek Davis
	Clive Arthey	David Busby
	Michael Holt	Alastair McCraw
	Simon Barrett	Siân Dawson

### **In attendance:**

Councillors: Margaret Maybury

Officers:

- Chief Executive (AC)
- Strategic Director (KS)
- Assistant Director – Corporate Resources and Section 151 Officer (KS)
- Assistant Director - Law and Governance and Monitoring Officer (EY)
- Assistant Director – Planning and Building Control (TB)
- Assistant Director - Housing (GF)
- Corporate Manager - Financial Operations (RH)
- Licensing Officer (KS)
- Licensing Officer (KG)
- Senior Governance Officer (HH)

### **Apologies:**

Councillor: Elisabeth Malvisi

### **64 DECLARATION OF INTERESTS BY COUNCILLORS**

There were no declarations of interests declared.

### **65 BCA/21/28 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 1 NOVEMBER 2021**

#### **It was RESOLVED:**

**That with the following amendment the minutes of the meeting held on the 1 November 2021 be confirmed as a correct record:**

*Paragraph 63.2: Councillor Busby proposed recommendation 3.1 and 3.2 in the report, which was seconded by Councillor Arthey.*

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

None received.

**67 QUESTIONS BY COUNCILLORS**

None received.

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

There were no matters referred.

**69 FORTHCOMING DECISIONS LIST**

The Forthcoming Decisions List was noted.

**70 BCA/21/29 GENERAL FUND FINANCIAL MONITORING 2021/22 - QUARTER 2**

- 70.1 The Chair invited the Cabinet Member for Finance, Councillor Simon Barrett to introduce the report.
- 70.2 Councillor Barrett referred Members to the total for the General Reserves in Appendix D, and that the balance of the COVID-19 reserve was negative (£705k) but should have been a positive £705k. The correct figure for the total of all reserves was (£6.672m) rather than the (£5.262m) as shown in the report.
- 70.3 Councillor Barrett proposed recommendation 3.1 and 3.2 in the report, which was seconded by Councillor Holt.
- 70.4 Councillor Arthey queried the figures for Covid-19 in Appendix D and in addition the collection rate of 56.8% for Council Tax paragraph 6.4 in the report.
- 70.5 The Assistant Director for Corporate Resources stated that the figures for Covid-19 were correct and that the collection rate for Council Tax was generally between 50% and 60%, and that the figures were as expected.
- 70.6 Councillor Busby queried the detail for the revenue account and the Cabinet Member for Finance, Councillor Barrett detailed how the income from the revenue account was calculated.
- 70.7 In response to Councillor Ward's question regarding the Other Variances under Planning and Building control, in Appendix A, the Cabinet Member for Finance stated that all that was included in this report was the variances in the budget.

- 70.8 Councillor Arthey queried the Capital Programme in relation to the loss of income from car parks and whether resurfacing, signage and improvement to access of car parks were included in the Capital programme, and if so in which financial year would the funding be spent. The Cabinet Member for Finance advised that a response would be provided outside of the meeting.
- 70.9 Members debated the issues including that the report indicated that the Council was in a good position despite the effect of the Covid-19 Pandemic.

**It was RESOLVED: -**

- 1.1 That, subject to any further budget variations that arise during the rest of the financial year, the surplus position of £320k, referred to in section 6.6 and Appendix A of the report, be noted;**
- 1.2 The revised 2021/22 Capital Programme referred to in Appendix E and section 6.16 be noted.**

#### **REASON FOR DECISION**

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

#### **71 BCA/21/30 HOUSING REVENUE ACCOUNT (HRA) FINANCIAL MONITORING 2021/22 - QUARTER 2**

- 71.1 The Chair invited the Cabinet Member for Finance, Councillor Simon Barrett, to introduce the report.
- 71.1 Councillor Barrett proposed recommendations 3.1 and 3.2 in the report, which was seconded by Councillor Jan Osborne.
- 71.2 Councillor Arthey queried the variance for Building Services and whether this was a result to of the Covid-19 pandemic.
- 71.3 The Cabinet Member for Finance agreed that he was concerned that there was budget deficit in a budget managed on a day to day basis by the Council and that this needed to be under better control. The Assistant Director for Housing advised Members that the whole housing sector had struggled during the last eighteen months, and that the Building Service and contractors had been unable to undertake repairs. In addition, tenants had reported more repair jobs whilst spending more time at home. However, the Building Service had been able to reduce the outstanding number of repair jobs from 3000 to 500. The team was working with sub-contractors to catch up on repair jobs
- 71.4 Councillor Holt queried the £2m surplus from last years HRA budget, the method of budget setting and whether the surplus from last year was being spent.
- 71.5 Councillor Ward stated that the surplus of £2m had been added to the funding

for Strategic Priorities.

- 71.6 The Assistant Director for Housing provided details of how the budget was set before the final outturn. During the last four years there had also been a reduction in the reliance on sub-contractors.
- 71.7 Councillor Arthey referred to page 33 and the entry for ICT for £413K project spending of which only £10K had been spent and the Cabinet Member for Finance, Councillor Barrett and the Leader of the Council, Councillor Ward, advised Members that the money had not yet been spent and that the forecast would double again as this was a year on year spend.
- 71.8 In a response to Councillor Busby's question, the Assistant Director for Finance detailed how sub-contractors worked on a schedule of rates and that this was reviewed periodically. Therefore, the increase in the cost of material for this part of the building service did not have an impact on the budget.

**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 £499k, referred to in section 6.5 of the report, be noted;**
- 1.2 The 2021/22 revised Capital Programme referred to in Appendix A and section 6.13 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.

## **72 BCA/21/ 31 QUARTER 2 PERFORMANCE**

- 72.1 The Chair invited the Cabinet Member for Customers, Digital Transformation and Improvement, Councillor McCraw, to introduce the report.
- 72.2 Councillor McCraw provided a detailed summary of the Quarter 2 Performance and advised that a new framework would be introduced in 2022 – 2023.
- 72.3 Members commented on the performance in the papers including that the statistics for fly tipping, waste and subscription to the garden waste scheme was good.
- 72.4 Councillor Arthey was concerned about the wait time and abandonment of telephone calls for Customer Services and the Cabinet Member for Customers, Digital Transformation and Improvement responded that more staff were being taken on and the response time had dropped in October to 1.66 seconds. The current target was a response time of 1.45 seconds. The response time in the papers still included the lockdown periods earlier in the year.

- 72.5 In a response to Councillor Jan Osborne's question regarding what preventative measures were being taken by the Council for fly tipping, as the clearing of fly tipping was costly to the Council, the Cabinet Member for Communities, Councillor Dawson advised she would provide a response outside the meeting.
- 72.6 Councillor Dawson asked that the charge made by Suffolk County Council to clear hard core rubbish was reviewed by the Cabinet Member for Finance.
- 72.7 Councillor Osborne queried whether the charge for domestic waste collection for those on low income could be reduced.
- 72.8 The Quarter 2 Performance was noted.

### **73 BCA/21/32 NEW HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE LICENSING POLICY**

Note: The meeting was adjourned between 3:30pm and 3:39pm.

- 73.1 The Chair invited the Cabinet Member for Communities, Councillor Dawson, to introduce the report.
- 73.2 Councillor Dawson introduced the paper and proposed recommendation 3.1 in the report.
- 73.3 This was seconded by Councillor Barrett.
- 73.4 In response to Councillor Holt's question, the Chair of the Licensing and Regulatory Committee, Councillor Maybury assured Members that she was satisfied that the consultation had been thoroughly conducted. However, she suggested that Cabinet considered funding the cost of £150 per driver for the statutory 2-day course being introduced by the legislation, for the first year of its implementation.
- 73.5 The Cabinet Member for Communities, Councillor Dawson, responded that it was not possible to single out a specific profession to fund professional development and that this should not be considered by Cabinet.
- 73.6 The Licensing Officer responded to questions in the Policy including that taxi drivers were not allowed to place advertisements on their cars, the private licensing for hire of a fire engine for social events, that taxi drivers were not allowed to eat in their vehicles, and that currently there was a constant level of applications for the renewal of taxi licenses.

**It was RESOLVED:**

**That Cabinet, following consideration of Licensing and Regulatory Committee's recommendation, adopted the post consultation draft Hackney Carriage and Private Hire Vehicle Licensing Policy, attached as Appendix A.**

## **REASON FOR DECISION**

Following the publication of the new Statutory Standards for Taxi's and Private Hire Vehicles, Councils are required to review the recommendations from the Department for Transport (DFT) and consult on any changes to their current policies.

### **74 BCA/21/33 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE PROGRAMME DECEMBER 2021**

- 74.1 The Chair invited the Cabinet Member for Planning, Councillor Arthey, to introduce the report.
- 74.2 Councillor Arthey proposed recommendations 3.1 and 3.2 in the report which was seconded by Councillor McCraw.
- 74.3 Councillor Barrett queried the issues around provision in the delivery plan for new schools in villages where large housing developments were being built.
- 74.4 Members shared this concern, and the Assistant Director for Planning and Building Control detailed the issues around school buildings and building new schools in relation to funding. He advised Members that an all-Member briefing on these complex issues would be organised in due course.
- 74.5 In a response to a question regarding the catchment area for the Brooklands school, Jo Fellows, Suffolk County Council's Schools Infrastructure Programme Manager, confirmed that there were few pupils attending this school who were outside the catchment area of the school.
- 74.6 Members debated the issues including that the additional places in Brooklands school were intended for the people housed in the new developments, and where the funding for infrastructure developments were coming from.
- 74.7 The Assistant Director for Planning and Building Control would provide further information for what comprises ringfenced funding to Members.

#### **It was RESOLVED: -**

**That the CIL Expenditure Programme (December 2021) and accompanying technical assessment of the CIL Bid – B21-04 (forming Appendices, A and B) which includes decision on this CIL Bid be approved.**

**Decision for Cabinet to approve: Brantham – Ringfenced 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>

<p>B21-04 BRANTHAM</p> <p>Brooklands Primary School</p>	<p>Amount of CIL Bid £345,360</p> <p>Total cost of the project £1,935,169</p> <p>Total of other funding obtained by Suffolk County Council is £1,589,809 as follows</p> <ul style="list-style-type: none"> <li>– Section 106: £950,118</li> <li>– Basic Need funding: £639,691</li> </ul>	<p><b>Recommendation to Cabinet to approve CIL Bid B21-04 for £345,360, £443.78 from the Ringfenced Fund and £344,916.22 from the Local Infrastructure Fund</b></p>
---	---	---

**1.2 Cabinet noted and endorsed this CIL Expenditure Programme which includes the position in respect of approved CIL Bids from Rounds 1, 2, 3, 4, 5, 6 and 7 (including Cabinet decisions – June and October 2021. (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 and March 2021) 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.

**75**

### **UPDATE ON PARKING IN BABERGH DISTRICT**

75.1 The Leader of the Council, Councillor Ward provided the following update on Parking in Babergh District:

*This is a follow-up to the email I sent to all members on 26<sup>th</sup> November. I want to summarise some of the key points today, so it is a matter of public record, even though we are not being live-streamed.*

*We always knew that the proposed changes would be challenging – and it has proved possibly to be the most controversial and emotive thing we have done at Babergh. Yes, the cost of providing car parks must sensibly be borne at least in part by the users so we can free up funds for services for all our residents and yes, we do want to encourage transport modal shift for those living close to the town centres, but the question of whether the reduction from three hours to one hour free parking will or will not have an impact on businesses is really at the core of the controversy and it is clear that there are strongly held views on both sides. Our two towns have a*

*very varied range of mostly independent shops, and both have busy markets – Hadleigh's has grown significantly recently, and it is clear that, despite the online naysayers who wish to talk them down, our towns are doing reasonably well. The Christmas trading period will be critical for our businesses. the disappearance of the large chain stores is futile: the nature of shopping – particularly in small towns – is changing and we must and do support and encourage that change.*

*But we must also acknowledge that many businesses are fearful that any change to parking charges at the moment could affect what is for some a slow recovery from Covid. Irrespective of whether any effect is real or not, that fear exists and as a result of this we have made a further postponement of the tariff changes.*

*The original cabinet decision still stands, and it will be for cabinet to give a steer on a new date. The decision does not need to be reconsidered by Cabinet if the intention is still to implement charges at some point in the future.*

*The Assistant Director has delegated authority to determine the date of implementation for the required traffic orders, in consultation with the Cabinet Member for the Environment, subject to the date being not earlier than October 2021. The Cabinet Member should give a steer to the AD, in line with the collective view of the Cabinet, but it is the officer who will take the decision.*

*I know there has been some confusion and disquiet about how this has been done, but the process we followed is exactly the same as that done in the Summer when we postponed from October to January, albeit this time there was disagreement about it.*

*So, to conclude, we are postponing the implementation of short-term parking charges beyond January. As I have said, high street recovery is slow, confidence is shaky and there is a real fear of anything that may discourage shoppers. Although we didn't know it at the time, it does seem to have been a wise decision: the omicron variant has emerged and, whilst we don't yet know its eventual health impact, it is starting to affect behaviour with events and parties being cancelled.*

*It now gives us time to look again at this and identify options and mitigating measures to minimise the impact on our businesses.*

75.2 Councillor Arthey stated that he had expected that the statement made in the email sent to Members on the 26 November would be included in today's statement, whilst querying whether the email was a public document or not. He then quoted from the statement made on the 26 November: 'Finally I want to clarify that the claim made publicly to the media that the initially proposal for the parking charges was an independent one, is not true, it was not, as I stated earlier the idea first came from the Conservative Group to Cabinet'

75.3 Councillor Arthey stated that for the Independent Group this was an important statement, as the earlier proposals were different than those now included in the parking charge papers. This had been achieved as a result of the Independent and Liberal Democrat Members in Cabinet, who had secured a dilution of the original proposal, which had then been put to Cabinet.



- 75.4 Councillor Ward responded that it had not been his intention to leave this out of his statement today and that he fully acknowledged the content of the email sent to all Members. He confirmed that the email of the 26 November sent to all Members was a public document.
- 75.5 In response to Councillor Davis' questions relating to when the parking charges would be revisited by Cabinet, Councillor Ward stated that the Cabinet would only be considering a new paper if substantial changes were made to parking charges.

The business of the meeting was concluded at 4:11pm.

.....  
Chair