

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **BABERGH CABINET** held in the Mead Room (Rose) - Endeavour House on Tuesday, 5 September 2023

PRESENT:

Councillors: Jessie Carter Derek Davis
 Daniel Potter Deborah Saw

In attendance:

Councillor(s): Helen Davies
 Ruth Hendry
 Elisabeth Malvisi
 Mary McLaren
 Laura Smith
 Adrian Osborne
 Alison Owen
 Laura Smith
 John Whyman

Guest(s): Jan Osborne

Officers: Chief Executive (AC)
 Deputy Chief Executive (KN)
 Deputy Monitoring Officer (JR)
 Director – Planning and Building Control (TB)
 Professional Lead – Key Sites and Infrastructure (CT)
 Infrastructure Officer (JM)
 Director – Corporate Resources (ME)
 Corporate Manager – Finance and C&P (BP)
 Corporate Manager – Strategic Policy (JH)
 Housing Transformation Manager (DW)
 Head of Investment and Compliance (RS)
 Director – Assets and Investments (EA)
 Director – Economic Growth & Climate Change (FD)
 Regeneration and Capital Projects Manager (LC)
 Assistant Manager – Governance (HH)

Apologies:

David Busby (Chair)
Sallie Davies
Alastair McCraw
John Ward

14 DECLARATION OF INTERESTS BY COUNCILLORS

Councillor Jessie Carter declared Other Registerable Interests in respect of item 9 –

CIL bid B2311, due to being a Suffolk County Councillor and a Sudbury Town Councillor, and in respect of item 14 on the agenda, due to being a Sudbury Town Councillor.

However, the items under discussion did not directly relate to the finances or wellbeing of that interest. Therefore, Councillor Jessie Carter was not prevented from participating in the debate and vote in respect of items 9 and 14 on the agenda.

Councillor Jessie Carter had been granted dispensation for item 11.

15 BCA/23/7 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 10 JULY 2023

It was RESOLVED:-

That the minutes of the meeting held on the 10 July 2023 be confirmed and signed as a correct record.

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

None received.

17 QUESTIONS BY COUNCILLORS

None received.

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

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

19 FORTHCOMING DECISIONS LIST

There were no comments made for the Forthcoming Decisions List.

20 BCA/23/8 FINANCIAL MONITORING REPORT QUARTER 1 2023/24

20.1 Cabinet considered this report that summarised the financial activities of the Council for the first quarter of 2023/24, covering General Fund Revenue, the Housing Revenue Account and the Capital Programmes for both funds.

20.2 Councillor Daniel Potter proposed the recommendations, as detailed in the report, which was seconded by Councillor Derek Davis.

20.3 The Chair, Councillor Deborah Saw, invited questions from other Members attending the meeting.

20.4 Councillor Mary McLaren queried appendix A in relation to the funding

allocated to social prescribing and whether ward members received a breakdown of costs incurred for elections for parish councils.

- 20.5 The Deputy Chief Executive advised the funding for social prescribing would be a combination of staff costs and activities, as it was a multi funded project with Health.
- 20.6 In relation to Ward Members receiving elections costs for their respective parish council, the Chief Executive advised that this was an option going forward.

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.

21 BCA/23/9 COMMUNITY INFRASTRUCTURE LEVY (CIL) - CIL EXPENDITURE PROGRAMME SEPTEMBER 2023

- 21.1 Cabinet received this report, which sought to obtain approval by Cabinet for Babergh's CIL Expenditure Programme for September 2023, as detailed in Appendix A of the report. The report contained eight CIL bids including the judgements around the assessment of those bids (Appendix B).
- 21.2 Councillor Daniel Potter proposed the recommendations, as detailed in the report, which was seconded by Councillor Derek Davis.
- 21.3 Members considered the report and Councillor Derek Davis fully endorsed the CIL bids within the report.

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	Recommendation to Cabinet to approve CIL Bid B23-05 for £29,565.35 from the Local Infrastructure Fund

	<p>Trust: £300</p> <p>Boxford Rovers FC: £430.52</p>	
<p>B23-06 FLATFORD</p> <p>Flatford National Trust</p> <p>Installation of a Changing Places Facility within Flatford National Trust</p>	<p>Amount of CIL Bid £16,155.00</p> <p>Total eligible costs of the project £59,155.00</p> <p>Total of other funding</p> <p>Changing Places Fund £42,500.00</p> <p>National Trust £500.00</p>	<p>Recommendation to Cabinet to approve CIL Bid B23-06 for £16,155.00 from the Local Infrastructure Fund</p>
<p>B22-15 STANSTEAD</p> <p>Improvements to Stanstead Play Area</p>	<p>Amount of CIL Bid £27,677.31</p> <p>Total eligible costs of the project £36,903.08</p> <p>Total of other funding</p> <p>Stanstead Parish Council £ 9,225.77</p>	<p>Recommendation to Cabinet to approve CIL Bid B22-15 for £27,677.31 from the Local Infrastructure Fund</p>
<p>B23-11 – SUDBURY</p> <p>The Bridge Project (TBP) – Water and electrical connection element of The Triangle Project</p>	<p>Amount of CIL Bid £100,000</p> <p>Total eligible costs of the project £146,000</p> <p>Total of other funding</p> <p>£46,000</p> <p>(Total Net Cost of The Triangle Project</p>	<p>Recommendation to Cabinet to approve CIL Bid B23-11 for £100,000 from the Local Infrastructure Fund</p>

	£935,460.66)	
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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 (Reapplication)	Amount of CIL Bid £4,422.45 Total cost of the project £9,379.74 Total of other funding:- S106 Funding £2,353.08 Parish Council £2,604.21	Recommendation to Cabinet to note this approved CIL Bid B23-07 by delegated decision for £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
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1.2 Cabinet also noted and endorsed this CIL Expenditure Programme, which includes 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.

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

- 22.1 The Chair, Councillor Deborah Saw, introduced the report summarising the advantages and benefits for the Council to join UK100 and advised Members that Babergh Council had agreed a motion at Full Council on 18th July 2023 to join UK100.
- 22.2 Councillor Jessie Carter and Councillor Daniel Potter proposed and seconded respectively the recommendations, as detailed in the report.
- 22.3 The Deputy Monitoring Officer clarified that the recommendation should be amended to: *‘That Cabinet reiterated the commitment made by Full Council on 18th July 2023 to join UK100 and noted the content of Appendix A & B.’*

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.

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

- 23.1 The Chair, Councillor Deborah Saw, invited the Cabinet Member for Housing, Jessie Carter, to introduce the report.
- 23.2 Councillor Carter provided a summary of the report and advised that Members were asked to note the report.
- 23.3 Councillor Daniel Potter queried line 21 in the table, in relation to asbestos and asked for an update.
- 23.4 The Head of Investment and Compliance advised Members that a new programme of re-inspections for asbestos in council properties was underway and 40% complete and ahead of schedule.
- 23.5 In response to Councillor Saw's question relating to Reinforced Autoclaved Aerated Concrete (RAAC) in council properties, the Head of Investments and Compliance advised Members that there currently had not been any issues identified in Council properties.
- 23.6 Councillor Saw queried that given the current demand for surveyors, would the Council be undertaking inspections for RAAC or would it be outsourced to external surveyors.
- 23.7 The Head of Investments and Compliance responded that if any concerns were raised for RAAC in Council properties, the Council would undertake the initial inspections, but that formal inspections would be conducted externally.
- 23.8 Councillor Derek Davis referred to the communication with tenants in relation to contractors working on council properties and if there was any mechanism put in place to improve this.
- 23.9 The Head of Investments and Compliance responded that work was being undertaken to improve this area of service to tenants.
- 23.10 In response to questions from other Members attending the meeting, the Head Investments and Compliance advised that all tenants had been informed about the change of contractors. There had not been any reactions received from tenants for this matter.

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.

- 24.1 The Chair invited the Corporate Manager for Strategic Planning to introduce the report, which was for noting.
- 24.2 Following the introduction, Members considered the report and Councillor Deborah Saw and Councillor Derek Davis drew member's attention to the Council's new website and the drop-in sessions provided to Members.

The report was noted.

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

- 25.1 The Chair, Councillor Deborah Saw introduced the report, which supported a motion for a ban on live animals as prizes on Babergh District Council land, and a letter to the Government to support a wider ban on public and privately owned land.
- 25.2 Councillor Jessie Carter proposed the recommendations, as detailed in the report.
- 25.3 Councillor Daniel Potter seconded the recommendation.

It was RESOLVED: -

- 1.1 The councils are 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 is implemented.**
- 1.3 That the Councils write to UK Government requesting an outright ban on live animals as prizes on both public and private land.**
- 1.4 That the Councils carry 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.

26 BCA/23/14 BELLE VUE PARK (SUDBURY) IMPROVEMENTS

- 26.1 The Chair, Councillor Deborah Saw, invited the Cabinet Member for Economic Growth, Councillor Derek Davis, to introduce the report.
- 26.2 Councillor Davis provided a brief introduction and proposed the recommendation, as detailed in the report.

- 26.3 Councillor Potter seconded the recommendations.
- 26.4 Councillor Jessie Carter was concerned that the project would not be progressing in time to receive the Government funding and queried what would happen if the funding was lost.
- 26.5 The Director for Economic Growth and Climate Change advised that previous funding had been allocated in the budget for the project, however the team would endeavour to meet the tight time scale and secure the £45K Government funding.
- 26.6 Councillor Jessie Carter questioned what kind of disruptions would be occurring during the demolitions of the existing buildings.
- 26.7 The Regeneration and Capital Projects Manager advised that he was currently working with Public Realm with relation to the demolishing of the toilet block. However, the disruptions would be the closure of the park and the area around the toilet block would be cordoned off. The toilet block would be delivered as a modular and assembled on the site. Temporary toilets would be installed for that period.
- 26.8 Councillor Daniel Potter stated that the timeline was a risk and questioned if materials and supplies shortages were a factor.
- 26.9 The Regeneration and Capital Projects Manager responded that this had been checked with suppliers and they were confident that supplies would be delivered in time. In addition, the planning process had to be undertaken within the time frame for Council to receive the Government funding. The Government had been approached for an extension of the deadline for the funding for Changing Places, but this had been declined.
- 26.10 Councillor Davis thanked the Economic Growth team and Sudbury Town Council for working on the project.
- 26.11 The Chair advised Members to go into closed session, which was proposed by Councillor Derek Davis and seconded by Councillor Jessie Carter.

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

It was RESOLVED:

That 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 was 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.

28 BCA/23/14 BELLE VUE PARK (SUDBURY) IMPROVEMENTS - CONFIDENTIAL APPENDICES

28.1 Upon returning to Open Session the Chair reminded Members that the recommendations were for the café and the toilet block.

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 includes 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 includes a budget of £1.9m for works at Belle Vue and it is anticipated that this scheme will require £105,000 of that budget, or in the worst case £150,000 if it is 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 is 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.

The business of the meeting was concluded at 5:03 pm.

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Chair

