

## MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK CABINET** held in the Britten Room - Endeavour House on Tuesday, 7 November 2023

### PRESENT:

Councillors:	Teresa Davis	Rachel Eburne
	Andrew Mellen	Andrew Stringer
	Tim Weller	Richard Winch

### In attendance:

Councillors: Keith Scarff  
John Whitehead

Officers: Chief Executive (AC)  
Deputy Chief Executive (KN)  
Director – Planning and Building Control (TB)  
Director - Operations (ME)  
Director - Corporate Resources and Section 151 Officer (ME)  
Director - Housing (DF)  
Director - Customers, Digital Transformation and Improvements (SW)  
Corporate Manager- Governance & Civic Office, Deputy Monitoring Officer (JR)  
Strategic Projects and Delivery Manager (SS)  
Assistant Manager – Governance (HH)

### Apologies:

None

#### 45 DECLARATION OF INTERESTS BY COUNCILLORS

None received.

#### 46 MCA/23/ 24 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 3 OCTOBER 2023

It was **RESOLVED**: -

**That the minutes of the meeting held on the 3 October 2023 be signed and confirmed as a correct record.**

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

None received.

#### 48 QUESTIONS BY COUNCILLORS

48.1 The Chair, Councillor Andrew Mellen, invited Councillor John Matthissen to ask his question.

48.2 Councillor Matthissen posed his question to Cabinet Member for Environment, Culture and Wellbeing:

*What plans does the administration have to respond to the government consultation on disposable vapes and other tobacco products, noting that there is widespread public concern about the health and environmentally damaging effects of rapidly rising use, especially among young people. Within local government there is additional concern at the danger to staff from the numerous fires when vapes containing lithium batteries are crushed during waste processing and cause fires to break out.*

48.3 The Cabinet Member for Environment, Culture and Wellbeing responded:

48.4 The administration does propose to respond to the Department of Health and Social Care's consultation on all three questions posed, including the proposal to introduce new powers for local authorities in England and Wales, to issue fixed penalty notices to enforce age of sale legislation of tobacco products and vapes. Thinking about health, although for public health safety and chiefly environmental reasons many are opposing disposable vapes, vapes are recognised as one of the best ways for smokers to reduce smoking. Suffolk 's local authority and health partners prescribe vapes as part of their work to encourage smokers to quit tobacco. Looking at retailers; retailers are legally obliged to promote and fund the recycling of vapes. However, we know that the reality is not uniform across Suffolk. Neither Mid Suffolk's waste team nor all Suffolk County Council's trading standards teams have enforcement powers against retailers, who fail to comply with the waste electrical and electronic equipment regulations. For example, by not displaying or giving information about recycling to customers or not collecting or being part of a recycling scheme. So requesting the Government to bring forward enforcement powers will form part of this administration's response to the consultation.

48.5 Turning to the size of the problem. Research by independent organisation material focus reveals that approximately 5 million disposable vapes are thrown away each week in the UK. That equates to around 8000 per week in Suffolk. Research tells us that 73% of vapers don't recycle. So, by my rudimentary calculations that's over five and a half thousand disposable vapes discarded across the county every week. Disposable vapes can be recycled with electrical items at any of Suffolk's 11 recycling centres. Many supermarkets and retailers and retailers collect vapes in battery collection tubes in store, however, many don't have clear information or signage for customers about this.

48.6 Touching on Counsellor Matthiessen's point about fire. Incorrect disposal of vapes into kerb-side recycling or residual waste collections can cause fires resulting in the loss of valuable recycling materials, risk to our officers and

the general public. Vapes contain lithium-ion batteries, which can ignite if damaged, when litter is crushed in a waste collection vehicle or moved by machine to a waste handling facility. The Environmental Services Association reports that 48% of all waste fires in the UK each year are caused by lithium-ion batteries, costing £158m annually to waste operators fire service and the environment. Although it's often difficult to determine the exact cause of a fire, investigations are always conducted by our Fire Rescue service. Since February 2022, a total of seven fires in Suffolk's waste transfer stations, recycling centres and material recycling facilities have been attributed to batteries, such as those found in vapes.

48.7 Finally, addressing prospect of a ban. A number of UK organisations including the Local Government Association, the Waste and Resources Action programme among others, have called for a ban on disposable vape. The European Union are considering a ban, France is introducing a ban next month to join Germany, Australia and New Zealand and research from the Scottish Government also indicates a ban maybe eminent. So this administration similarly supports a ban on disposable vapes, and will make its position known to the Secretary of State for Department of Health and Social Care.

48.8 The Chair invited Councillor Matthissen to ask a follow up question:

48.9 Councillor Matthissen asked the following question:

*In the interim of waiting for Government to respond to those that call for banning disposal vapes, will we be working with Trading Standards and the police and also the Planning Department, because I know a shop window in Stowmarket which seems to be covered in pictures of disposable vapes. It is a shop which is just about to open. I wonder whether that falls within our advertising planning control regime.*

48.10 Councillor Weller responded:

48.11 In terms of working with trading standards, I touched on it, in my response that Trading Standards don't have powers currently, an amendment to legislation is required in order to enable that, but we'll be asking for that via the consultation.

48.12 The Director for Planning and Building Control responded to the question relating to the shop window and advised that Councillor Matthissen to forwarded photographs of the shop in question, because shops could be advertising on their own premises, but it might be possible for Planning Enforcement to investigate.

## **49 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.

## **50 FORTHCOMING DECISIONS LIST**

Councillor Rachel Eburne requested that the Housing Revenue Account Business Plan be added to the Forthcoming Decisions List.

## **51 MCA/23/25 BUILDING SERVICES TRANSFORMATION**

- 51.1 The Chair invited the Cabinet Member for Housing and Property to introduce the report.
- 51.2 Councillor Richard Winch introduced the report and proposed the recommendation as detailed in the report.
- 51.3 Councillor Rachel Eburne seconded the recommendation.
- 51.4 In response to questions from other Members attending the meeting, regarding the HRA Business Plan and the customer satisfaction survey in appendix A, Councillor Winch responded that this administration had inherited the current Housing Revenue Account (HRA) Business plan, which did not provide enough data and details for the numbers to be understood. Therefore, the current administration had inherited a problem that it had to deal with and which it aimed to resolve. In relation to the tenant survey, there were only two ways to measure the result of a survey. One was value for money and the other was satisfaction. The Council needed to move to a position where the people were happy with the services provided and Councillor Winch stated that the Council was not currently in a position to do this. There were cost implications and a need to achieve value for money for the community. This was a difficult balance to accomplish but the aim was to achieve this by the end of the administration's term.
- 51.5 The Director for Housing advised Members that she did not anticipate having any problems getting tenants into properties. A property stock survey was being undertaken with the initial aim of surveying 50% of the housing stock by next year. However, the team was now working towards surveying 100% of the housing stock by next year. In the past Building Services had been underfunded and this was currently being addressed.
- 51.6 In response to Members concerns of the pressures for the HRA Business Plan, the Director for Housing assured Members that progress had been made since last year and she will ensure that a successful HRA Business Plan will be produced.
- 51.7 During the debate Councillor Rachel Eburne stated that tenants had been let down by the previous administration and that this would have an effect on the investments that could be made in the years ahead.
- 51.8 Councillor Andrew Stringer stated that tenants relied on and trusted the Council, as their landlords. However, some repairs were not being

undertaken and this large amount of money needed to be invested into the services to bring everything up to standard. Councillor Stringer was content to invest this amount of money into the building service.

By a unanimous vote

**It was RESOLVED: -**

**That Mid Suffolk Cabinet agreed to the release of £672k from reserves to expedite the completion of outstanding repairs and enable delivery of the next phase of the Building Services Transformation and Improvement Programmes.**

#### **REASON FOR DECISION**

Cabinet approval is required to release this level of resource from reserves.

#### **Alternative Options Considered and Rejected:**

2.2 *Delay the request for release of the required resources until February 2024, when the HRA budget for 2024/25 is agreed* – This option is not recommended because it would slow down improvements to the quality of tenants' homes by taking significantly longer to clear outstanding repairs, while also risking greater deterioration of the Council's housing assets. A delay in the release of resources to deliver long term change would mean losing several months of lead in time required for commissioning of contracts and staff recruitment; in turn this would delay positive impacts for tenants and their homes.

2.3 *Do nothing* - This option is not recommended because it would not help to clear the backlog of outstanding repairs to tenants' homes. In addition, the more fundamental, long term transformational improvements to service provision referred to above could not be taken forward because these also require additional resource.

**Any Declarations of Interests Declared: None**

**Any Dispensation Granted: None**

## **52 MCA/23/26 UPDATE OF THE INSULATION SCHEME FOR MID SUFFOLK DISTRICT COUNCIL**

52.1 The Chair invited the Cabinet Member for Housing and Property to introduce the report.

52.2 Councillor Richard Winch introduced the report and proposed the recommendation, as detailed in the report.

52.3 Councillor Eburne seconded the recommendations.

52.4 Councillor Rachel Eburne enquired that as Aron Insulation accessed other grants, would it be possible to get data from them on heating homes and would the Council be able to access the same grants as Aron Insulation.

- 52.5 Councillor Winch agreed that it was key to get access to how many homes were getting additional grant money.
- 52.6 Councillor Andrew Mellen queried how this scheme would be promoted and Councillor Winch responded that the scheme would be promoted through posters, village magazines, social media and the Council's website as outlined in the plan in the attached appendix.
- 52.7 Councillor Andrew Mellen questioned if there was a capacity to deliver and how many homes would be eligible. The Director for Housing responded that Aron Insulation was a large organisation and were well resourced to manage this scheme.
- 52.8 Councillor Winch responded to questions from other members attending the meeting and that the scheme was straightforward to access, and he did not foresee any issues, unless it was a complicated application for extended insulation, which accesses several grants. In addition, he stated that it was value for money, as there was a cap on the grant of £3.5K per house, and even if the applicant was eligible to receive the grant, the assessment might show that it was not value for money to undertake the work.
- 52.9 During the debate Members agreed that the Insulation Scheme was coming forward at the right time just before winter and would make a difference to residents in the District and that by implementing this scheme the Council was able to provide further funding to the organisation that undertook the work.
- 52.10 Councillor Richard Winch summed up the issues and added that the Scheme would be reviewed early next year, and a decision would be made, if the Scheme needed any modification.
- 52.11 Councillor Andrew Mellen stated that it was good that £2M had been set aside from last year's budget and that the project could lead to accessing funding for other projects, which added significant value to the Insulation Scheme. Even if it was a broad scheme, it would help those residents, who for instance, had not considered having loft insulation before, to get the loft cleared and install insulation. The funding had been allocated via a budget amendment to the last administration's budget.

By a unanimous vote.

**It was RESOLVED: -**

**That Members noted the report.**

### **REASON FOR DECISION**

To ensure that Members and senior leaders of the councils have oversight over an agreed party priority: to support homeowners and those in the private rented sector

to reduce energy costs.

**Alternative Options Considered and Rejected:** None

**Any Declarations of Interests Declared:** None

**Any Dispensation Granted:** None

**53 MCA/23/27 POTENTIAL LOCAL LISTED BUILDING CONSENT ORDER FOR INSTALLING ENERGY EFFICIENCY MEASURES**

- 53.1 The Chair invited the Cabinet Member for Housing and Property to induce the report.
- 53.2 Councillor Andrew Stringer introduced the report and proposed the recommendation, as detailed in the report.
- 53.3 Councillor Teresa Davies seconded the recommendation.
- 53.4 Councillor Richard Winch asked for a clarification of the consultation.
- 53.5 The Strategic and Professional Lead – Development Management and Heritage detailed how the consultation would be undertaken and that it was anticipated that strong opinions would be voiced by respondents. The purpose of the Consultation was to look at all the responses and seek expert advice to see if there was scope to continue the project. The Project was part of the strategy to mitigate against climate change,
- 53.6 Councillor Andrew Stringer stated that other authorities had identical buildings and would not need this individual approach to allow listed building to install energy efficient measures. There was an element of caution in the approach to the proposal, but a policy needed to be explored. Owners of listed buildings needed to be empowered to make their homes as energy-efficient as possible, and also to be advised what they were allowed to do in line with the order. It was about pushing the boundaries, knowing that the Council also had a responsibility to maintain listed buildings.
- 53.7 The Director for Planning and Building Control added that the Council would be able to geographically bound the order and this was encouraged by Historical England.

By a unanimous vote

**It was RESOLVED: -**

**Cabinet approved to commence a seven-week period of consultation, commencing 10<sup>th</sup> November 2023 and ending 29<sup>th</sup> December 2023, on the proposed scope and conditions of a Local Listed Building Consent Order.**

**REASON FOR DECISION**

A Local Listed Building Consent Order would make it easier for the owners of designated heritage assets to implement energy efficiency or other improvements to their buildings, in line with the Council's commitment to reach its net zero carbon commitments by 2030. Such improvements would also be beneficial to the buildings, in improving resilience to climate change.

**Alternative Options Considered and Rejected:**

- 2.1 The first option is to continue relying on the traditional Listed Building Consent application process. Whilst this approach has been and remains the standard, feedback from councillors and the public suggests that it is perceived as inefficient and burdensome in terms of time and cost. Many works may of themselves be unobjectionable and therefore a streamlined approach would be advantageous in those circumstances.
- 2.2 The second option involves preparing for a seven-week consultation period to explore the feasibility and appropriateness of implementing a LLBCO. It is crucial to clarify that initiating this consultation does not automatically imply that such an Order will be enacted. Rather, the consultation aims to gather opinions on the LLBCO as a potential tool for achieving our carbon neutrality goals and assisting homeowners in making energy-efficient upgrades and other improvements to their properties. In that regard the benefits are various and would include energy efficiency and cost savings, as well as protecting these important historic buildings from the worst effects of climate change.
- 2.3 Given the district's rich heritage landscape, characterised by a diverse range of assets varying in age and significance, a prudent approach may involve piloting the LLBCO in a specific parish, village, or Conservation Area initially. This would allow for a more controlled evaluation of the Order's impact recognising that there may not be a 'one size fits all' solution.
- 2.4 The adoption of a LLBCO would signal the Council's ambition to meet its net zero carbon targets, particularly given the high proportion of listed buildings within the district. The Order would delineate explicit conditions aimed at minimising harm to affected heritage assets such that the works in question would be clearly and convincingly justified. Legal requirements mandate the annual review and monitoring of the LLBCO, providing an opportunity to assess effectiveness and make necessary adjustments. Should the Order result in unintended negative consequences for our historic buildings, options to amend or rescind it are available. Furthermore, this approach offers the advantage of co-designing the LLBCO details with external organisations and the community, thereby ensuring that the policy is shaped in a manner that addresses concerns related to the protection of listed buildings.

**Any Declarations of Interests Declared:** None

**Any Dispensation Granted:** None

**54 MCA/23/28 HEALTHY BEHAVIOURS PARTNERSHIP AGREEMENT**

54.1 The Chair invited the Cabinet Member for Environment, Culture and



Wellbeing to introduce the report.

- 54.2 Councillor Tim Weller introduced the report and proposed the recommendation, as detailed in the report,
- 54.3 Councillor Teresa Davies seconded the recommendation.
- 54.4 Councillor Richard Winch ask for clarification on how residents would get access to the services provided by Healthy Behaviours.
- 54.5 Councillor Weller advised Members that the Website was the Gateway to access the services on offer, however residents could also access via phone opportunities and get referred by health care professional.
- 54.6 Councillor Andrew Mellen queried how the wider publicity would be undertaken.
- 54.7 The Interim Director for Communities and Wellbeing responded that Public Health would lead the publicity via posters, and there had been discussion with the Portfolio holders on how these might look like and what other publications might be useful to encourage all members of the community to access the services.

By a unanimous vote.

**It was RESOLVED: -**

**To note the report and the Healthy Behaviours Partnership Agreement**

**REASON FOR DECISION**

So that Cabinet is updated on progress made with the partnership and development of a new Feel Good Suffolk Healthy Behaviours offer for Suffolk and understands the principles by which the partnership will operate and its key objectives to co-produce, deliver, and support the Healthy Behaviours offer for Suffolk, including:

- (a) Reducing smoking prevalence.
- (b) Reducing inactivity; and
- (c) Reducing the number of adults who are overweight or obese

**Alternative Options Considered and Rejected:** None

**Any Declarations of Interests Declared:** None

**Any Dispensation Granted:** None

The business of the meeting was concluded at 10:30 am.

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Chair