

# Joint Executive (Cabinet) Committee

Forest Heath & St Edmundsbury councils

**West Suffolk**  
working together

**Minutes** of a meeting of the **Joint Executive (Cabinet) Committee** held on **Tuesday 12 March 2019** at **6.00 pm** in the **Conference Chamber West, West Suffolk House, Western Way, Bury St Edmunds IP33 3YU**

*This was the last meeting of the Joint Executive (Cabinet) Committee before it's dissolution on 6 May 2019. As a result, the minutes of the meeting remain as drafted following the meeting and cannot be confirmed by the Joint Committee and signed by the Chairman. This is consistent with all other dissolved committees and bodies.*

Present: **Councillors**

**Chairman** James Waters (FHDC Leader of the Council) (in the Chair)

**Forest Heath DC:**

Robin Millar  
David Bowman  
Ruth Bowman J.P.  
Andy Drummond  
Stephen Edwards  
Lance Stanbury

**St Edmundsbury BC:**

Sara Mildmay-White  
Carol Bull  
Robert Everitt  
Ian Houlder  
Joanna Rayner  
Peter Stevens

**By Invitation:**

Sarah Broughton

(Chairman of SEBC's Performance and Audit Scrutiny Committee)

Diane Hind

(Chairman of FHDC's Performance and Audit Scrutiny Committee)

**In attendance:**

Andrew Appleby

FHDC Member

## 114. **Apologies for Absence**

Apologies for absence were received from Councillors John Griffiths and Susan Glossop.

115. **Minutes**

The minutes of the meetings held on 22 January 2019 and 5 February 2019 were confirmed as correct records and signed by the Chairman.

116. **Open Forum**

No non-Cabinet Members in attendance wished to speak under this item.

117. **Public Participation**

The following statement was made under this item:

**Mike Cottee**, on behalf of the **Newmarket Horseman's Group**, made a statement in connection with Agenda Item 9, 'Hatchfield Farm: Masterplan'. He primarily expressed concern that the draft masterplan should not be adopted while the planning application for 400 dwellings (not including the school or employment land) remained subject to a planning inquiry, following the Secretary of State's decision to call it in for determination.

In addition, Mr Cottee considered that as a result of the site being put forward for allocation in the emerging Site Allocations Local Plan, it had attracted significant objection. That document had not been adopted and was subject to ongoing work, and as such, there was no adopted allocation.

Mr Cottee added his concern regarding the potential traffic impact on Newmarket should the outcome of the Examination in Public allow the planning permission to be implemented, and whether this had been adequately addressed in the draft masterplan. He also called for the current planning application to be returned to the FHDC Development Control Committee with an update on matters arising since it was last considered in 2013.

Mr Cottee provided further details of where he felt information was lacking in the draft masterplan and officer report, and therefore considered the proposed adoption of the masterplan should be deferred until such information was forthcoming.

The Chairman thanked Mr Cottee for his statement and explained that Councillor Lance Stanbury, FHDC's Portfolio Holder for Planning and Growth, would respond to his concerns during consideration of the draft masterplan for Hatchfield Farm when that agenda item was reached.

118. **Report of the Forest Heath and St Edmundsbury (Informal Joint) Performance and Audit Scrutiny Committees: 31 January 2019 (Report No: CAB/JT/19/009)**

The Joint Committee received and noted this report, which informed Members of the following substantive items discussed by the FHDC and SEBC Performance and Audit Scrutiny Committees at an informal joint meeting held on 31 January 2019:

- (1) West Suffolk Annual Governance Statement 2018-2019;
- (2) 2018-2019 Performance Report – Quarter 3;
- (3) West Suffolk Strategic Risk Register Quarterly Monitoring Report – December 2018;
- (4) Ernst and Young – Certification of Claims and Returns Annual Report 2017-2018;
- (5) Ernst and Young – External Audit Plan and Fees 2018-2019;
- (6) Approach to Delivering a Sustainable West Suffolk Budget 2019-2020 and Medium Term Plan;
- (7) Treasury Management Strategy Statement 2019-2020 and Treasury Management Code of Practice;

Items (6) and (7) above were considered by the Shadow Executive (Cabinet), at its meeting on 5 February 2019.

Separate reports for each authority were included on this Joint Executive (Cabinet) Committee agenda for Item (8) below.

- (8) Treasury Management Report 2018-2019 and Investment Activity (April – December 2018).

Forest Heath's Performance and Audit Scrutiny Committee had also considered the following item separately:

- (9) Local Government Ombudsman Decision.

Councillor Sarah Broughton, Chairman of SEBC's Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Joint Committee.

119. **Recommendations of the Forest Heath Performance and Audit Scrutiny Committee: 31 January 2019 - Treasury Management Report 2018-2019 and Investment Activity (1 April - 31 December 2018) (Report No: CAB/JT/19/010)**

The Joint Committee considered this report, which sought approval for recommendations emanating from FHDC's Performance and Audit Scrutiny Committee in respect of Forest Heath's Treasury Management Report 2018-2019 (third quarter). A summary of investment activities for the first nine months of 2018-2019 was also provided.

Members noted that the total amount invested at 1 April 2018 was £16.005m and at 31 December 2018 £19.800m. The increase in balances over this period was due primarily to timing differences in respect of the collection of local taxes, the payment of precepts and changes in the profile of the Capital Programme.

The 2018/19 Annual Treasury Management and Investment Strategy Statements sets out the Council's projections for the current financial year. The budget for investment income in 2018/19 was £224,000 which was based on a 0.75% target average rate of return on investments.

As at the end of December 2018 interest actually earned during the first nine months of the financial year amounted to £102,266 against a profiled budget for the period of £168,000; a budgetary deficit of £65,734. This was due to lower cash balances as a result of re-phasing of some income generated projects, as detailed in paragraph 1.1.4 of Report No: PAS/FH/19/008.

Report No: PAS/FH/19/008 also included assumptions on borrowing for capital projects included within it. The borrowing was based around four specific projects as per their agreed business cases (West Suffolk Operational Hub; Mildenhall Hub; Barley Homes - Loan Facility; Investing in our Growth Fund). The report included a summary of the capital borrowing budget for 2018-2019, and a summary of capital borrowing for Quarter Three. As at the end of quarter three, there had been no requirement to borrow externally over and above the £4.0m Barclays loan. Therefore the only interest payable for Quarter Three was the £85,032.33 relating to this loan. The detail on these budgets were laid out in paragraph 2.1.1 of Report No: PAS/FH/19/008.

Councillor Stephen Edwards, FHDC's Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Joint Committee.

**RECOMMENDED TO FHDC COUNCIL: (20 March 2019)**

That the Treasury Management Report for 2018-2019 for the period 1 April to 31 December 2018, as detailed in Report No: PAS/FH/19/008, be approved.

120. **Recommendations of the St Edmundsbury Performance and Audit Scrutiny Committee: 31 January 2019 - Treasury Management Report 2018-2019 and Investment Activity (1 April - 31 December 2018) (Report No: CAB/JT/19/011)**

The Joint Committee considered this report, which sought approval for recommendations emanating from SEBC's Performance and Audit Scrutiny Committee in respect of St Edmundsbury's Treasury Management Report 2018-2019 (third quarter). A summary of investment activities for the first nine months of 2018-2019 was also provided.

Members noted that the total amount invested at 1 April 2018 was £36.35m and at 31 December 2018 £44.30m. The increase in balances over this period was due primarily to timing differences in respect of the collection of local taxes, the payment of precepts and changes in the profile of the Capital Programme.

The 2018/19 Annual Treasury Management and Investment Strategy Statements sets out the Council's projections for the current financial year. The budget for investment income in 2018/19 was £308,000 which was based on a 0.70% target average rate of return on investments.

As at the end of December 2018, interest actually earned during the first nine months of the financial year amounted to £255,665 against a profiled budget for the period of £231,000; a budgetary surplus of £24,665. Further details were provided in paragraph 1.1.4 of Report No: TMS/SE/19/001.

Report No: TMS/SE/19/001 also included assumptions on borrowing for capital projects included within it. The borrowing was based around four specific projects as per their agreed business cases (West Suffolk Operational Hub; Suffolk Business Park Loan; Investing in our Growth Fund; Olding Road (DHL Depot)). The report included a summary of the capital borrowing budget for 2018-2019, and a summary of capital borrowing for quarter three – all of which was currently internally borrowed from the Council's overall cash balances. As at the end of quarter three, there had been no requirement to borrow externally, therefore there was no interest payable. Further details were provided in paragraph 2 of Report No: TMS/SE/19/001.

Councillor Ian Houlder, SEBC's Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Joint Committee.

**RECOMMENDED TO SEBC COUNCIL: (19 March 2019)**

That the Treasury Management Report for 2018-2019 for the period 1 April to 31 December 2018, as detailed in Report No: TMS/SE/19/001, be approved.

121. **Recommendations of St Edmundsbury's Overview and Scrutiny Committee: 9 January 2019 - Public Space Protection Order, Bury St Edmunds - Addition of Condition (Report No: CAB/JT/19/012)**

The Joint Committee considered this report, which sought approval for the recommendations emanating from SEBC's Overview and Scrutiny Committee in respect of adding a new condition to the existing Public Space Protection Order (PSPO) for Bury St Edmunds town centre.

Councillor Diane Hind, Chairman of SEBC's Overview and Scrutiny Committee was invited to speak and explained that on 9 January 2019, the Overview and Scrutiny Committee had considered Report No: OAS/SE/19/005, 'Public Space Protection Order, Bury St Edmunds – Addition of Condition'. At that meeting, Members had considered the report in detail and made the following suggestions for further investigation and, as appropriate, for them to form part of the consultation:

- (i) the proposal was for the additional condition to be operational between the hours of 6.00pm and 4.00am, which was based upon hours recommended by the Police as it was between these times that incidences previously reported were most prevalent. However, it was requested whether the additional condition should be operational for 24 hours a day;
- (ii) in respect of part (a) of the proposed additional condition 'Using a motor vehicle to perform stunts', whether the word '*stunts*' included the racing or sprinting of vehicles within this term or whether '*racing and / or sprinting*' needed to be specifically included within this activity; and
- (iii) in respect of part (b) of the proposed additional condition 'Repeatedly sounding horns and /or revving engines (as to cause public nuisance)', whether the words '*.../idling engines and associated equipment*' could be added to this activity, which was suggested following a discussion

about apparently noisy refrigeration lorries idling in the early hours of the morning in the road in between the car parks at School Yard East and School Yard West.

In response to the above suggestions, the officers had sought further advice following the Overview and Scrutiny Committee meeting from the Council's legal team to ascertain the feasibility of and whether it was sufficiently proportionate to make the suggested changes detailed above. Whilst (i) and (ii) above were taken forward and formed part of the consultation, following advice received from the Council's legal team, (iii) above could **not** be included in the additional condition as any nuisance potentially caused by this activity is covered under separate Environmental Health and Planning regulations. This advice was provided following the Committee meeting and the Chairman was informed. The Chairman had subsequently notified the Members of the Committee of the advice that it was not appropriate to include the additional condition (iii) in the consultation.

The proposed additional condition to the PSPO for Bury St Edmunds town centre, as amended following consideration by the Committee and advice received from the Police and the Council's legal team, was set out in paragraph 1.1.5 of the report (and as contained in the resolution below.)

The above proposal was subject to public consultation from 16 January to 13 February 2019. A summary of the consultation results and statistics received was attached as Appendix 1 to this report. The results, which had not been reviewed by the Overview and Scrutiny Committee, had been very positive with 93.75% of the 33 respondents agreeing with the proposal.

Councillor Hind also made reference to proposed action for the handling of idling vehicles in general, and appropriate action that could be taken to tackle anti-social driving currently being experienced at Moreton Hall.

Councillor Robert Everitt, SEBC's Portfolio Holder for Families and Communities, thanked Councillor Hind for the diligent work of her Committee regarding bringing this proposal forward for approval. If approved, the PSPO, with this additional condition, would be enforced by the Police, appropriate Council Officers and Police Community Support Officers and action taken against the alleged perpetrators, as appropriate.

Councillor Joanna Rayner, one of the Ward Members for Abbeygate Ward in Bury St Edmunds, also expressed her thanks to the Overview and Scrutiny Committee; to the residents in her ward that had sought action to tackle the problem; and to those that had responded to the consultation.

**RESOLVED:**

That:

- (1) the addition of a new condition to the existing Public Space Protection Order (PSPO) for Bury St Edmunds town centre, the relevant restricted area of which as shown in Appendix C to Report No: OAS/SE/19/005, be approved, as set out below:

*No persons shall, within the restricted area:*

*Gather in groups of two or more motor vehicles for purposes other than simply parking which will cause or is likely to cause harassment, alarm and distress to others by performing any of the activities listed below:*

- (a) Using a motor vehicle to race or perform stunts.*
  - (b) Repeatedly sounding horns and/or revving engines (as to cause a public nuisance).*
  - (c) Playing music excessively loud (as to cause a public nuisance).*
  - (d) Using foul or abusive language.*
  - (e) Using threatening, intimidating behaviour towards another person.*
  - (f) Causing obstruction on a public highway, or a publicly accessible space, whether moving or stationary.*
- (2) For clarification purposes, it be noted that the above additional condition to the PSPO will be operational for 24 hours a day.

*(Councillor Diane Hind left the meeting at the conclusion of this item.)*

**122. Hatchfield Farm, Newmarket: Masterplan (Report No: CAB/JT/19/013)**

The Joint Committee considered this report, which sought approval for a new masterplan for the Hatchfield Farm development site in Newmarket.

Councillor Lance Stanbury, FHDC's Portfolio Holder for Planning and Growth, firstly responded to the statement provided under Agenda Item 4, 'Public Participation' by Mr Mike Cottee on behalf of Newmarket Horseman's Group.

Councillor Stanbury stated that the paper before the Joint Committee today was to consider the adoption of the draft masterplan for Hatchfield Farm and not to discuss the detail of the forthcoming Examination in Public regarding this matter. The purpose of the masterplan was to provide a guide and strategy on an appropriate way forward to develop the site. Masterplans were an essential tool for setting an outline framework for proposed development on larger sites, illustrating landscape and open space proposals while identifying distinctive character areas, capturing design characteristics of the area (in this case Newmarket), and explaining movement and access principles in and around the development site.

In response to the concerns raised by Mr Cottee, particularly in respect of the issues raised regarding the potential traffic impact of the proposed development on Newmarket, Councillor Stanbury explained that the transport evidence had already been heard by the Inspector and any new evidence would be heard during the Examination in Public. This level of detail was not required to enable the proposed adoption of the draft masterplan to proceed.

In respect of Mr Cottee calling for the current planning application to be reconsidered by the Development Control Committee (DCC), Councillor Stanbury stated that the application had been approved by FHDC's DCC in 2013 and there was no material reason why it should be referred back.

Councillor Stanbury thanked Mr Cottee for putting his statement to the Joint Committee.

Councillor Stanbury was invited to introduce the item. Members noted that when the planning application for 400 dwellings (not including the school or employment land) was submitted in October 2013, this was prior to the adoption of the Joint Development Management Policies Document and accordingly, the requirement for a masterplan did not arise. As referred to above, the planning application, which was approved by FHDC's DCC, had since been called in by the Secretary of State and remained undetermined. In the meantime, the adoption of the Development Plan Document (DPD) and following the allocation of the site in the Site Allocation Local Plan (SALP) the preparation of a masterplan was now required.

The SALP identified the area at Hatchfield Farm for a mixed neighbourhood development of some 400 dwellings, 5 hectares of employment land, a new primary school, areas of open space and enhancement and promotion of cycling and walking routes. It also required the securing of improvements to the A14/A142 junction and horse crossings.

The draft masterplan, which had been prepared by the developers, was attached as Appendix A and had been subject to public consultation, the outcome of which was attached as Appendix B in the Statement of Community Involvement report. Post-consultation amendments had been identified within the draft document, as summarised in paragraph 1.2.4 of Report CAB/JT/19/013.

The Joint Committee acknowledged that FHDC had already approved the outstanding planning application for this site and it was now important to consider a masterplan. The document contained in Appendix A was duly supported and it was considered that its adoption would be a key element in the delivery of sustainable development at Hatchfield Farm.

**RESOLVED:**

That the masterplan for Hatchfield Farm, Newmarket, as contained in Appendix A to Report No: CAB/JT/19/013, be adopted as informal planning guidance.

*(Councillor Andy Drummond wished it to be recorded that he abstained from the vote.)*

123. **Former Castle Hill Middle School: Development Brief (Report No: CAB/JT/19/014)**

The Joint Committee considered this report, which sought approval for the draft development brief for the former Castle Hill Middle School in Haverhill.



The adopted Haverhill Vision 2031 Local Plan document allocated the site of the former Castle Hill Middle School as a site suitable for development with housing with an indicative capacity of 25 dwellings (Policy HV5c).

Despite being the site of a former school which was destroyed by fire, the allocated housing related solely to part of the playing field and was classified as greenfield. The area of the allocation was equivalent to the area of the former school buildings. The background explanatory text to Policy HV5 explained that the area occupied by the former school buildings would need to be made available as recreational open space prior to the housing being developed to offset the loss of playing field.

Prior to commencing work on preparation of the development brief, Ingleton Wood as agent for the developer (Barley Homes), undertook an initial consultation event on 14 June 2018, together with extensive engagement with the local community and key stakeholders. This then helped inform the preparation of the draft development brief.

A large part of the brief identified the constraints and opportunities affecting the site. These included identification of existing natural greenspace and features, the relationship with surrounding development, site levels and opportunities for vehicular access and the relationship with the adjoining land which would form recreational open space. A key element was the policy requirement to provide a pedestrian and cycle access linking the site and Chivers Road with the existing schools which were currently accessed solely from School Lane. This would be achieved through the central spine of the site and would have a fundamental influence on the layout of the site and the adjacent recreational open space.

On behalf of Councillor Susan Glossop, Councillor Lance Stanbury, FHDC's Portfolio Holder for Planning and Growth, drew relevant issues to the attention of the Joint Committee, including that the draft development brief, which was attached as Appendix A, had been prepared in accordance with St Edmundsbury Borough Council's adopted protocol and was subject to public consultation, as detailed in Section 1.2 of the report. A copy of the Development Brief Consultation Report prepared by Ingleton Wood was attached as Appendix B. Details of all of the responses received were contained in Appendix C, together with broad details of the location of respondents. Analysis of those responses and consequential changes to the document were contained within sections 4 and 5 of the Consultation Report (Appendix B).

Adoption of the draft Development Brief, which was subject to Council approval, would be a key element in the delivery of sustainable development at the former Castle Hill Middle School.

Councillor Sara Mildmay-White, SEBC's Portfolio Holder and West Suffolk's Lead Member for Housing, was delighted that this site was coming forward for development by Barley Homes, particularly as it had been empty for a number of years. The consultation had largely been positive, including support expressed for the proposed provision within the site for a footpath and cycle link to School Lane and the two existing schools.

In response to a question regarding the accuracy of the figures quoted within the draft development brief for proposed affordable rents, this was a typographical error and would be rectified for the final version.

**RECOMMENDED TO SEBC COUNCIL: (19 March 2019)**

That the development brief for the former Castle Hill Middle School, Haverhill, as contained in Appendix A to Report No: CAB/JT/19/014, be adopted as informal planning guidance.

124. **West Suffolk Joint Pay Policy Statement: 2019/2020 (Report No: CAB/JT/19/015)**

The Joint Committee considered this report, which presented the West Suffolk Joint Pay Policy Statement 2019/2020.

Section 38/11 of the Localism Act 2011 required local authorities to produce a Pay Policy Statement annually. Councillor Stephen Edwards, FHDC's Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Joint Committee. He stated that a Joint Pay Policy Statement for 2019/2020, attached as Appendix 1 to the report had been produced, which reflected a shared workforce and the single Pay and Reward Strategy in place for the two West Suffolk Councils. It also incorporated the outcomes of the 2013 collective agreement which established a modern reward framework for the integrated workforce.

The Pay Policy Statement included:

- (a) the level and elements of remuneration for Chief Officers (senior staff);
- (b) the remuneration of the lowest paid employees;
- (c) the relationship between the remuneration of the highest and lowest paid employees; and
- (d) other specific aspects of Chief Officer remuneration, fees and charges and other discretionary payments.

In addition, Section 7 of the Pay Policy Statement provided an analysis of the gender pay gap for the West Suffolk Councils. Members noted that for the period April 2017 to March 2018, the Councils' combined mean gender pay gap was -0.5%, showing that the average hourly rate of females was 0.5% more than the average hourly rate of males and the median gap. The median gender pay gap was zero, meaning there was no difference between males and females.

Members also noted that the lowest paid contractual employee was paid at spinal column point 9 (£8.68 per hour). Casual staff, aged 25 or over, were paid at the national living wage of £7.83 per hour. Those aged under 25 were paid the national minimum wage of £7.38 per hour. All employees, under National Joint Council terms and conditions, also received the national cost of living award.

**RECOMMENDED TO SEBC AND FHDC COUNCILS:**  
**(19 and 20 March 2019)**

That the West Suffolk Joint Pay Policy Statement for 2019/2020, as contained in Appendix 1 to Report No: CAB/JT/19/015, be approved.

*(Councillors Sarah Broughton and Peter Stevens left the meeting at the conclusion of this item.)*

125. **Forest Heath and St Edmundsbury Joint Executive (Cabinet) Committee Decisions Plan: 1 March 2019 to 31 March 2019 (Report No: CAB/JT/19/016)**

The Joint Committee received this report, which was the Forest Heath District Council's and the St Edmundsbury Borough Council's Joint Executive (Cabinet) Committee Decisions Plan covering the period 1 March 2019 to 31 March 2019.

Members took the opportunity to review the intended forthcoming decisions within the Plan. However, no further information or amendments were required on this occasion.

126. **Exemption to Contract Procedure Rules: Solar PV Installation Works under the West Suffolk Solar for Business Scheme**

*(Councillor Andy Drummond wished it to be recorded that he had installed solar PV panels on his own property utilising the 'Rent-a-Roof' scheme. It was confirmed that this was not an interest as this decision did not relate to, nor affect, the specific companies that had utilised the 'Rent a Roof' scheme.)*

The Joint Committee received and noted a narrative item which provided details of the exercising an exemption to the West Suffolk Contract Procedure Rules, in respect of Solar PV installation works under the West Suffolk Solar for Business Scheme.

Section 4.3 of the West Suffolk Contract Procedure Rules stated that:

*'Between £50,001 and the EU Threshold, any exemption must be approved by the Officer and the relevant Assistant Director in consultation with the Assistant Director for Resources and Performance. The Officer must provide evidence to support the request for any exemption and the relevant Assistant Director shall prepare a report for the next Cabinet to support the action taken, hence this agenda item.'*

The exemption, which was exercised on 21 February 2019 was for a total value of £465,000. The reason for it (together with supporting evidence) had been forwarded to the Assistant Director for Resources and Performance for approval.

On 31 March 2019, the Government's Feed In Tariff (FiT) closed for new installations. Any solar installation not registered by 31 March 2019 deadline would not secure the FiT tariff. An open tender was completed in January

2019 but some new sites had come forward since this tender that required the West Suffolk Councils to act immediately in order to secure the FiT tariff. Value for money could be demonstrated as the Councils could reference the January 2019 tender prices.

By registering and installing these additional sites with the Government's FiT within the deadline would generate approximately £265,000 in FiT payments alone. By awarding this contract the Councils would be guaranteed this income over the next 20 years. Overall, these installations would deliver £1.1 million of revenue to the Councils. The West Suffolk Councils had been delivering the West Suffolk Solar for Business service since 2015 and the end of the FiT would impact the financial returns of the scheme.

An exemption from Section 4.3 of the Contract Procedure Rules, as contained in Forest Heath and St Edmundsbury's Constitutions was, therefore, sought to allow the Works to be commissioned through an installer who won installation lots through the January 2019 tender, and who could deliver new installations within the FiT registration period. Value for money would be assured through a bench marking and quotation process.

127. **Forest Heath and St Edmundsbury Revenues Collection and Performance Write-Offs (Report No: CAB/JT/19/017)**

The Joint Committee considered this report, which provided the collection data in respect of Council Tax and National Non-Domestic Rates (NNDR) for both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) and sought approval for the write-off of the amounts contained in the Exempt Appendices attached to the report.

Councillor Ian Houlder, SEBC's Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Joint Committee, including the current performance of each authority, as set out in Section 3 of the report.

In response to a question in respect of how the West Suffolk Councils collection rates compared with other local authorities on a national basis, the Joint Committee was informed that whilst specific figures would be provided in a written reply, the West Suffolk Councils generally performed well.

**RESOLVED:**

That the write-off of the amounts detailed in the Exempt Appendices to Report No: CAB/JT/19/017, be approved, as follows:

- (1) Exempt Appendix 1: FHDC Council Tax totalling £4,261.36
- (2) Exempt Appendix 2: SEBC Council Tax totalling £11,686.85
- (3) Exempt Appendix 3: FHDC Business Rates totalling £31,973.03
- (4) Exempt Appendix 4: SEBC Business Rates totalling £42,225.08
- (5) Exempt Appendix 5: SEBC Overpayment of Housing Benefits totalling £39,352.31

**128. Newmarket Cinema and Restaurant Development: Outline Business Case (Report No: CAB/JT/19/018)**

The Joint Committee considered this report, which sought approval for the Outline Business Case (OBC) for a new Cinema and Restaurant development in Newmarket, and associated funding.

The production of the Outline Business Case (OBC), which was attached as Exempt Appendix A to the report, was a further gateway in the journey to develop a viable cinema scheme for Newmarket. It summarised work already completed including the study undertaken as a result of the FHDC Cabinet paper and funding approval given in June 2017, and set out the case to invest in detailed design and studies necessary to enable a planning application to be submitted for a cinema in Newmarket. At this stage of the project, the intention was to give councillors the confidence to take the next step of working up a final business case and designs that could be submitted to planning. This OBC was seeking to demonstrate that the next stage of the project was a good investment of taxpayers' money. The Joint Committee was not being asked to approve details or funding models for the scheme that could actually be delivered, only the budget for the work to prepare for them.

Councillor Lance Stanbury, FHDC's Portfolio Holder for Planning and Growth, drew relevant issues to the attention of the Joint Committee, including providing background to the proposed scheme; the reasons for considering the case for providing a cinema in Newmarket; work to date and the process undertaken to select an appropriate preferred site (which had concluded that a site on Fred Archer Way adjacent to the Guineas multi-storey car park was the premium development site); and the positive discussions held with a number of cinema providers that had been optimistic about operating in Newmarket. Further details regarding these issues were provided in the report.

Subject to approval of the recommendations contained in Report No: CAB/JT/19/018, Councillor Stanbury explained that further studies would need to be undertaken to move towards the preparation of a full business case, as outlined in paragraph 6.1 of the report.

The estimated cost of this work would be £190,000 for a three or four screen cinema. In addition, as a cinema and restaurant development would have a clear impact on the Guineas multi-storey car park given the expected loss of surface car parking spaces and access arrangements for the multi-storey car park itself, there was an opportunity to undertake a full evaluation of that car park and investigate its structural condition and look at opportunities for reconfiguration or extension to improve flow and increase capacity. It was suggested that this study would be undertaken in conjunction with the cinema evaluation as should works be necessary they needed to be planned to link with the cinema development. Such a study would cost no more than £20,000.

Section 6.4 provided further details on the proposed next steps, including measures to improve the financial case, which would include exploring external funding opportunities.

A detailed discussion was held and the Joint Committee expressed its support and keenness to proceed with this project. Should the scheme come to fruition, Members considered that not only would it provide an exciting additional leisure offer for residents and visitors of Newmarket, much wider benefits would be achieved, many of which were detailed in paragraph 4.5 of the report. Such a scheme was primarily about place-shaping and providing valuable investment in Newmarket, acting as a wider catalyst for growth and boosting the evening economy.

The Joint Committee also welcomed the proposed condition and options review of the Guineas multi-storey car park as this was considered to be an integral part of the scheme. Some caution was also expressed that approval of the OBC and the budget required to undertake necessary feasibility studies was not a guarantee that the proposed development would come to fruition. Further consideration of the cost and highway implications, for example, was required, which would come forward as part of the full business case, as appropriate.

### **RECOMMENDED TO FHDC COUNCIL: (20 March 2019)**

That:

- (1) the project objectives to continue to work towards bringing a cinema and restaurant development to the heart of Newmarket, be endorsed;
- (2) the Outline Business Case for the development of a 3 or 4 screen cinema, as contained in Exempt Appendix A to Report No: CAB/JT/19/018, be approved;
- (3) a budget of up to £190,000 be approved, funded by Strategic Priorities and MTFS reserve, to deliver the further design and study work as set out in paragraph 6.1 and Table 11 of the Outline Business Case; and
- (4) an additional £20,000 be approved, funded by Strategic Priorities and MTFS reserve, to undertake a condition and options review of the Guineas multi-storey car park.

#### **129. Exclusion of Public and Press**

See minutes 130. and 131. below.

#### **130. Exempt Appendices: Newmarket Cinema and Restaurant Development: Outline Business Case (para 3) (Exempt Appendices to Report No: CAB/JT/19/018)**

The Joint Committee considered the Exempt Appendices to this report. However, no reference was made to specific detail and, therefore, this item was not held in private session.

#### **131. Exempt Appendices: Forest Heath and St Edmundsbury Revenues Collection Performance and Write-Offs (paras 1 and 2) (Exempt Appendices to Report No: CAB/JT/18/017)**

The Joint Committee considered the Exempt Appendices to this report. However, no reference was made to specific detail and, therefore, this item was not held in private session.

The meeting concluded at 7.01 pm

**Signed by:**

**Chairman**

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