

Minutes of a meeting of the **Cabinet** held on
Tuesday 23 July 2019 at 6.00 pm in the **Conference Chamber West**
(FR1-09), West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chair John Griffiths (Leader of the Council)

Vice Chair Sara Mildmay-White (Deputy Leader of the Council)

Sarah Broughton
Carol Bull
Andy Drummond
Robert Everitt

Susan Glossop
Joanna Rayner
Peter Stevens

By invitation

David Nettleton

(Chair of Overview and Scrutiny
Committee)

In attendance

John Burns
Mike Chester
Max Clarke
Rachel Hood

Karen Richardson
David Roach
Ian Shipp
David Smith

19. **Apologies for Absence**

No apologies for absence were received.

20. **Minutes**

The minutes of the meeting held on 25 June 2019 were confirmed as a correct record and signed by the Chair.

21. **Open Forum**

The following non-Cabinet members spoke under this item:

1. **Councillor David Smith** expressed his disappointment that the motion on notice presented to Council on 16 July 2019, was not debated at the meeting. He quoted from the Council Procedures Rules contained in the Constitution that *'Any motion on notice under paragraph 9.1 above of these Rules, on being moved and seconded, will usually, without discussion, be referred to the appropriate forum for consideration. If the Chair considers it*

appropriate, allow the motion to be dealt with at the meeting at which it is moved and seconded...'. Councillor Smith felt that in this circumstance, it was appropriate for the Chair to allow the motion to be debated at the Council meeting and not be referred to the appropriate forum, which in this case was Cabinet.

Councillor Smith also felt that it was a missed opportunity for the Council not to declare a Climate Emergency as called for as part of the motion, particularly as several other local authorities had already passed this resolution.

In response, Councillor John Griffiths, Leader of the Council, stated that the motion was very detailed and had asked for various commitments, many of which may have financial implications. In accordance with the Rule 9.6 of the Council Procedure Rules of the Constitution, the Chair had considered the following rule should be applied:

'Any motion on notice under paragraph 9.1 above of these Rules, on being moved and seconded, will usually, without discussion, be referred to the appropriate forum for consideration. If the Chair considers it appropriate, allow the motion to be dealt with at the meeting at which it is moved and seconded provided that the motion, if carried, would:

- (a) Not involve the Council incurring expenditure not included in the Council's approved revenue or capital budget...*

Councillor Griffiths added that this matter was not only about declaring a Climate Emergency, but what that declaration would actually mean, and more importantly, the action needed to be taken to make a real difference. He went on to reiterate that he had previously announced at the Annual Meeting in May 2019, before the motion had been presented to Council on 16 July 2019, his intention to set up a taskforce to look at environmental and climate change issues, and this proposal was now on this Cabinet agenda at Item 9.

The Monitoring Officer (MO) was invited to state the constitutional position in respect of the way the motion on notice was handled at the Council meeting on 16 July 2019. Whilst it was at the Chair's discretion as to what he felt was appropriate, the Chair had considered that as expenditure was likely to be incurred, that the matter should be referred to the appropriate forum, as quoted above. The MO added that a Constitution Review Group had been established to look at proposing changes to the Constitution and therefore should Members have concerns regarding particular elements of the Constitution, these could be put to the Group for consideration.

2. **Councillor Max Clarke** commended the Leader for speaking with members of the public following the Council meeting on 16 July 2019 regarding the contents of the motion on notice. He expressed concern that should the proposed Environment and Climate Change Taskforce be looking to follow the Government's 25 Year Plan (this document was referred to in the proposed Terms of Reference (ToR) for the Taskforce – see minute 27. for further detail), this timeframe was too far into the future. Councillor Clarke considered that the effects of actions taken needed to be evident within 15-20 years from now.

In response, Councillor Griffiths explained that point 3 (a) of the draft ToR stated that the Taskforce would look *to develop and appraise options for the actions the Council would have to take to be net-zero carbon by 2030...*

He added that the Taskforce would aim to ensure that the Council used the opportunity to review and assess its existing activities and future opportunities in response to increased societal awareness of environmental issues. The purpose of the Taskforce was to ensure action was taken to achieve real outcomes, therefore his proposal for establishing the Taskforce went far beyond declaring a Climate Emergency. The draft ToR had been circulated to all Group Leaders for comment prior to this meeting and it was hoped that membership to the Taskforce would be drawn from all Groups, regardless of political affiliation. It was expected that final, meaningful, purposeful recommendations emanating from the Taskforce would be presented to Cabinet for approval and subsequent action in 2020.

Councillor Clarke agreed that the establishment of the proposed Taskforce was the right course of action to take this matter forward.

22. **Public Participation**

The following members of the public spoke under this agenda item:

1. **Richard Smith, a resident of the district**, asked a question on behalf of St Phillips Newmarket Amateur Badminton Club, in connection with proposed improvements to facilities at Newmarket Leisure Centre, as set out under Agenda Item 8 (minute 26 below.)

The badminton club in which Mr Smith represented had expressed concern that the Newmarket Leisure Centre's sports hall facility had been overlooked in the proposed alterations/refurbishment. He outlined the reasons for the concerns and asked whether improvements and investment in the sports hall facility were forthcoming and if so, whether there was an expected timeline for such works.

In response, Councillor Joanna Rayner, Portfolio Holder for Leisure, Culture and Community Hubs, provided history regarding proposals for the replacement of Scaltback Sports Hall (the club's former place of play) following the County Council's decision to demolish it. The importance and need for additional sports hall capacity in Newmarket had been recognised and an extended sports hall was an initial requirement for the development of Newmarket Leisure Centre. However, due to site constraints and the proximity of the adjacent school, this was unable to be included within the proposal at Agenda Item 8. Work was continuing with partners in search for an alternative location.

No supplementary question was asked.

2. **Malcolm Searle of Bury St Edmunds**, made a statement in connection with Agenda Item 9, and how it was imperative that action was taken now to tackle climate change and the outcomes of those actions needed to be evident by 2025.

In response, Councillor John Griffiths, Leader of the Council, agreed that working with partners locally, nationally and on a global scale, action needed to be taken now to mitigate the effects of climate change.

3. **Paul Quantrill of Bury St Edmunds**, also made a statement in connection with Agenda Item 9, requesting that the Council should demonstrate its commitment to tackling climate change by facilitating a car-free day in the district, for example.

In response, Councillor John Griffiths, Leader of the Council, agreed that this was an interesting idea; however, practical implications needed to be considered as many residents within the district were unable to travel without the use of a motor vehicle, so whilst this would be attractive to some, it may not be to others. He welcomed other ideas for potential consideration by the Environment and Climate Change Taskforce however.

23. **Report of the Anglia Revenues and Benefits Partnership Joint Committee: 11 June 2019 (Report No: CAB/WS/19/012)**

The Cabinet received and noted this report, which informed Members of the following substantive items discussed by the Anglia Revenues and Benefits Partnership Joint Committee at their meeting held on 11 June 2019:

- (1) Governance and Reporting Arrangements relating to Internal Audit;
- (2) Performance Reports:
 - (a) Joint Committee Performance Report April 2019;
 - (b) Presentation of Data Q4 Final 2018/2019;
 - (c) ARP Financial Outturn 2018/2019;
- (3) Service Plan and Risk Update;
- (4) Welfare Reform Update; and
- (5) Forthcoming Issues.

Councillor Sarah Broughton, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet.

Councillor Griffiths congratulated Councillor Broughton on being elected Chair of the Joint Committee for 2019/2020.

24. **Report of the Overview and Scrutiny Committee: 11 July 2019 (Report No: CAB/WS/19/013)**

The Cabinet received and noted this report, which informed Members of the following substantive items discussed by the Overview and Scrutiny Committee at their meeting held on 11 July 2019:

- (1) West Suffolk Parking Review 2019;
- (2) Cabinet Decisions Plan (1 July 2019 to 31 May 2020); and
- (3) Work Programme Update.

Councillor David Nettleton, Chair of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet, including providing details of the current West Suffolk Parking Review.

On behalf of the Cabinet, the Portfolio Holder for Operations had asked the Overview and Scrutiny Committee to undertake a review of car parking across the district, which had subsequently been incorporated into the Committee's work programme. Councillor Nettleton explained that the first meeting of the West Suffolk Parking Review Group, in which he had been appointed Chair, had been held immediately prior to this meeting. He gave a brief synopsis of the discussion held at the Review Group meeting, including outlining how the review was intended to be conducted; the outcomes intended to be achieved and the membership of the Review Group, which included a Member of Suffolk County Council, Highways Authority. Further information was provided in the Cabinet report, including that it was intended that the recommendations emanating from the Review Group would be presented to an extraordinary meeting of the Overview and Scrutiny Committee on 12 December 2019, and subsequently for consideration by Cabinet on 14 January 2020.

In response to a question regarding the practicalities of presenting a thoroughly investigated report in such a tight timescale, it was reported that if it was necessary to issue statutory notices for a change in tariff for implementation from 1 April 2020, the review would need to be completed by January 2020. Potential implications arising from the expected introduction of Civil Parking Enforcement also needed to align with this timeline. Confidence was expressed that a thorough review would be undertaken within the allocated period.

25. **West Suffolk Annual Report 2018/2019 (Report No: CAB/WS/19/014)**

The Cabinet considered the above report, which sought approval for the West Suffolk Annual Report 2018/2019.

This version of the Annual Report was the last one for Forest Heath District and St Edmundsbury Borough Councils working together as the West Suffolk Councils. The Report highlighted the key activities and developments that had been achieved over the financial year 2018/2019, with regard to the priorities set out in the West Suffolk Strategic Framework 2018 -2020.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet, including that over the past year, the West Suffolk councils had continued to deliver excellent public services to its residents and businesses. The Annual Report had been designed to help bring some examples of these to life. As may be expected when retrospectively looking at what the Councils had achieved, many of the examples had been communicated or used in the media. The new Council would continue to work on their good work throughout 2019/2020.

On 13 June 2019, the Annual Report was presented to the Overview and Scrutiny Committee. The Report raised some interesting topics for discussion and debate, which resulted in some helpful amendments being made to improve the document, as set out in the Cabinet report.

Thanks were conveyed to the Overview and Scrutiny Committee, and all councillors and staff alike, for their contributions to the Annual Report.

In response to a question, Councillor Griffiths stated that the Annual Report would be distributed as widely as possible to parish councils, residents, businesses and visitors to West Suffolk, which would include making summaries and paper copies of the Annual Report 2018/2019 available to those that did not have access to online services.

RESOLVED:

That the West Suffolk Councils' Annual Report 2018/2019, as contained in Appendix A to Report No: CAB/WS/19/014, be approved.

26. Newmarket Leisure Centre Investment (Report No: CAB/WS/19/015)

The Cabinet considered this report which sought approval for investment in Newmarket Leisure Centre facilities.

Agreement had previously been given to invest in the Council's leisure centres, which included the development of a £5 million Strategic Leisure Investment Fund, as detailed in paragraph 1.1 of the report. This fund was set up with the aim of providing capital to invest in the Council's leisure facilities to reduce the management fee provided to Abbeycroft Leisure accordingly (Report Nos: CAB/SE/16/055 and CAB/FH/16/049 refer.) The Cabinet was now asked to consider investing £1.8 million of this fund and other associated funding in facilities provided at Newmarket Leisure Centre.

Councillor Joanna Rayner, Portfolio Holder for Leisure, Culture and Community Hubs, drew relevant issues to the attention of Cabinet, including that the proposals, as summarised in Section 2 of the report, accorded with the principles of the Council's Promoting Physical Activity Framework, and the requirements of the Strategic Leisure Investment Fund that was approved in November 2016.

Attention was also drawn to the proposed introduction of a Traffic Regulation Order and associated ticketing provision in the car park, together with providing a facility to deliver further improvements to the leisure centre car park.

The Cabinet expressed its full support for the extensive improvements proposed for the leisure centre, which would not only enhance the facilities on offer, but would also reduce Abbeycroft's management fee. The changes proposed for the car park were also considered to be a sensible approach, especially due to the present demand on capacity.

RESOLVED:

That:

- (1) capital spending of £1,831,053 from the strategic investment fund that was agreed in November 2016 (Report No: CAB/FH/16/049) to deliver the improvements to Newmarket Leisure Centre outlined in Report No: CAB/WS/19/015, be approved;
- (2) capital spending of £7,000 from the strategic investment fund that was agreed in November 2016 (Report No: CAB/FH/16/049) to implement a Traffic Regulation Order and associated ticketing provision on the Newmarket Leisure Centre car park, be approved; and
- (3) a facility of an additional £295,000 from the strategic investment fund that was agreed in November 2016 (Report No: CAB/FH/16/049) to deliver further improvements to Newmarket Leisure Centre car park to increase capacity, if measures in (2) above do not address capacity challenges, be approved.

27. Proposal to Establish a West Suffolk Environment and Climate Change Taskforce (Report No: CAB/WS/19/016)

The Cabinet considered this report, which sought approval for the establishment of an Environmental and Climate Change Taskforce, and its associated Terms of Reference (ToR).

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet, including that at the Annual Meeting of Council held on 22 May 2019, he had announced that he would be proposing to set up two taskforces, one of which would be requested to look at ways in which the Council could improve on its current and previous actions taken to mitigate the effects of adverse environmental factors and climate change.

The report before Members at this meeting contained proposals for the ToR for the Environment and Climate Change Taskforce that had been announced at the Annual Meeting. In summary, the Taskforce would aim to ensure that the Council used the opportunity to review and assess its existing activities and future opportunities in response to increased societal awareness of environmental issues. The Taskforce would explore how the Council could enhance its environmental stewardship, recognising the need for balance with other urgent social and economic priorities.

Councillor Griffiths made reference to the motion on notice presented to Council on 16 July 2019. In accordance with the Constitution, the matter had been referred to the appropriate forum (which in this case was Cabinet), without debate, as if carried, the motion was likely to have budgetary implications. Councillor Griffiths reiterated how the motion was welcomed, including its aims to take appropriate action, the details of which would help inform the work of the taskforce. The ToR for the Taskforce had been produced to include much, if not all, the targets of the motion. Group Leaders had previously been asked to comment on the draft ToR and to date no changes had been proposed.

It was anticipated that initial findings and feedback from the Taskforce would be presented to Cabinet in autumn 2019, with final recommendations coming forward in 2020.

Councillor Griffiths then responded to previous requests for a Climate Emergency being called for the whole of Suffolk. He proposed an additional recommendation for the Cabinet to recommend to West Suffolk Council that it declares a Climate Emergency. Acknowledgement was given to how West Suffolk would specifically play its part, including what exactly calling a Climate Emergency in West Suffolk would actually mean, and more importantly, the action needed to be taken to make a significant difference.

The Cabinet welcomed the proposals, including the additional recommendation. Members recognised the environmental work and activities already carried out within the Council and in partnership with other organisations, and acknowledged that further action could be taken in this area through the work of the Taskforce, in accordance with its proposed ToR.

In response to a question, Members were informed that the areas of focus for the Taskforce had been drawn from the Government's 25 year Environment Plan, as stated in the proposed ToR. This was making reference to the document itself and did not necessarily mean that mitigating action in respect of the areas listed would take 25 years for the outcomes to be achieved.

RECOMMENDED TO COUNCIL (17 September 2019):

That a Climate Emergency be declared.

RESOLVED:

That:

- (1) the establishment of a Cabinet Taskforce to make recommendations on West Suffolk Council's approach to protecting and enhancing the environment and addressing climate change, be agreed; and
- (2) the Terms of Reference for the Taskforce, attached as Appendix A to Report No: CAB/WS/19/016, be approved.

(Councillor Karen Richardson left the meeting during the consideration of this item.)

28. Decisions Plan: 1 July 2019 to 31 May 2020 (Report No: CAB/WS/19/017)

The Cabinet considered this report which was the Cabinet Decisions Plan covering the period 1 July 2019 to 31 May 2020.

Members took the opportunity to review the intended forthcoming decisions of the Cabinet; however, no further information or amendments were requested on this occasion.

29. **Revenues Collection Performance and Write-Offs (Report No: CAB/WS/19/018)**

The Cabinet considered this report, which provided the collection data in respect of Council Tax and National Non-Domestic Rates (NNDR) and sought approval for the write-off of the amounts contained in the Exempt Appendices attached to the report.

Councillor Sarah Broughton, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of the Cabinet, including the current performance of both council tax and business rates collection, as set out in Section 3 of the report. She reiterated that whilst these were relatively small amounts, it was always frustrating to write-off any outstanding debts.

The Cabinet agreed with Councillor Broughton's frustration but commended the work of the Anglia Revenues and Benefits Partnership, and in particular their Enforcement Agency, in trying to do all they possibly could to retrieve outstanding debts.

RESOLVED:

That the write-off of the amounts detailed in the Exempt Appendices to Report No: CAB/WS/19/018 be approved, as follows:

- (1) Exempt Appendix 1: Council Tax totalling £6,812.30
- (2) Exempt Appendix 2: Business Rates totalling £88,915.73

30. **Exclusion of Press and Public**

See minutes 31. and 32. below.

31. **Exempt Appendices: Revenues Collection Performance and Write-Offs (paras 1 and 2) (Exempt Appendices 1 and 2 to Report No: CAB/WS/19/018)**

The Cabinet 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.

32. **Exempt Appendix: Newmarket Leisure Centre Investment (para 3) (Exempt Appendix E to Report No: CAB/WS/19/015)**

The Cabinet considered the Exempt Appendix 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 7.22 pm

Signed by:

Chair
