

Minutes of a meeting of the **Council** held on
Thursday 19 September 2019 at **6.30 pm** in the **Conference Chamber,**
West Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chair Brian Harvey
Vice Chair Margaret Marks

Richard Alecock	Susan Glossop	Joanna Rayner
Michael Anderson	John Griffiths	Karen Richardson
Trevor Beckwith	Pat Hanlon	David Roach
Mick Bradshaw	Diane Hind	Richard Rout
Sarah Broughton	Rachel Hood	Marion Rushbrook
Carol Bull	Ian Houlder	Ian Shipp
John Burns	Lisa Ingwall King	David Smith
Mike Chester	Aaron Luccarini	John Smith
Patrick Chung	Victor Lukaniuk	Clive Springett
Max Clarke	Joe Mason	Peter Stevens
Simon Cole	Elaine McManus	Jim Thorndyke
Dawn Dicker	Jim Meikle	Don Waldron
Roger Dicker	Sara Mildmay-White	Cliff Waterman
Robert Everitt	Robin Millar	Ann Williamson
Stephen Frost	Andy Neal	Phil Wittam
David Gathercole	David Nettleton	
	Robert Nobbs	

23. Minutes

The minutes of the meeting held on 16 July 2019 were confirmed as a correct record and signed by the Chair.

24. Chair's Announcements

The Chair reported on the civic engagements and charity activities which he and the Vice-Chair had attended since the last ordinary meeting of Council on 16 July 2019.

Special thanks were conveyed to Councillor Richard Alecock who had attended the West Suffolk Skills Share Fair on behalf of the Chair on 16 August 2019.

25. Apologies for Absence

Apologies for absence were received from Councillors Tony Brown, Simon Brown, Terry Clements, Jason Crooks, Andy Drummond, Mary Evans, Beccy Hopfensperger, Paul Hopfensperger, James Lay, David Palmer, Andrew Smith, Peter Thompson and Frank Warby.

Councillor John Augustine was also unfortunately unable to attend the meeting.

26. Declarations of Interests

Members' declarations of interest are recorded under the item to which the declaration relates.

27. Leader's Statement (Paper No: COU/WS/19/005)

Councillor John Griffiths, Leader of the Council, presented his Leader's Statement as outlined in Paper No: COU/WS/19/005.

The Leader drew attention to a number of items summarised in his Statement, including commending the work of the West Suffolk Rural and Environment and Climate Change Taskforces, both of which had made good progress since their inceptions in May 2019. He also made reference to the proposed approval of the Western Way Development (WWD) business case and the adoption of the Forest Heath Local Plan, both of which were to be considered later on the agenda at this Council meeting.

If approved and subject to planning consent, the WWD was considered to be a nationally ground-breaking step forward in how public and private organisations could successfully work together. At the core of the project was the proposed benefits to the community by providing greater access to services and improved leisure facilities, whilst aiming to achieve better outcomes for health, education and employment.

If the Forest Health Local Plan was adopted, this would provide greater certainty over proposed development across West Suffolk (as the former St Edmundsbury's Local Plan had been adopted some time ago), meaning growth would be managed in an appropriate way, thus assisting with providing guidance for developers as part of the planning process. Adoption would also support the development of the new Local Plan for the whole of the West Suffolk district, the early stages of which had already commenced.

Since the publication of his Statement, Councillor Griffiths was pleased to report that many of West Suffolk's towns, country parks and open spaces had won Anglia in Bloom awards. These accolades positively complemented the Green Flag awards received in the summer 2019 and was testament to all those involved with their upkeep.

The Leader responded to a range of questions relating to:

- (a) the lobbying of West Suffolk's MPs to address and help reduce homelessness. West Suffolk's team were commended for their sterling

work in reducing homelessness and government would continue to be lobbied to seek additional funding to support their efforts; and

- (b) figures quoted in paragraph 8 and 9 the Statement relating to the performance of Toggam Farm Solar Farm were gross figures; however emphasis was placed on recognising that the Council had one of the largest field based solar farms in the country which was not only contributing to a carbon emission reduction for the district but was generating a significant income for the Council.

28. **Public Participation**

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

1. **Richard Hallewell** of a **residence located within the district**, asked a question in connection with whether the Council should agree to the establishment of a Citizens' Assembly so that the creation and implementation of climate related policy should be separated from all political and commercial agendas.

In response, Councillor John Griffiths, Leader of the Council welcomed those seated in the public gallery to the meeting, adding that the Council shared their concerns regarding climate change and the adverse impacts on the environment and biodiversity.

He stated that in order for the Council to make an informed decision on whether to agree to supporting a Citizens' Assembly, he would refer the matter to the Environment and Climate Change Taskforce to consider as part of its remit.

In a supplementary statement, Mr Hallewell stated he would be pleased to work with the Taskforce to provide further information on this matter.

2. **Julia Wakelam** of **Bury St Edmunds**, made a statement in connection with the climate crisis she considered the world was currently facing. Ms Wakelam welcomed the Cabinet's recommendation for the Council to declare a climate emergency and supported the establishment of the Environment and Climate Change Taskforce and its proposal to work with stakeholders. However, Ms Wakelam expressed concern that whilst such commitment had been demonstrated by the Council, it needed to ensure measurable actions emanated from that commitment. She considered that the Council should aim for the district to be carbon neutral by 2030 and provided examples of how this could be achieved. Ms Wakelam referred to the motion put by Councillor Diane Hind to the former St Edmundsbury Borough Council in December 2017 which looked to improving air quality by requesting that anti-idling zones be introduced outside schools etc. She felt that action taken to tackle this specific issue could have been taken more quickly.

In response, Councillor John Griffiths, Leader of the Council, drew attention to the range of actions that had already been taken to address adverse environmental impacts, including actions taken to improve air quality, and the measurable outcomes that had been achieved by taking such action. He acknowledged that more could be done and expected the Environment and

Climate Change Taskforce to look in depth at the various issues that were contributing to climate change and the impact on the environment, and West Suffolk's role to help mitigate the effects.

3. **Robert Possnett** of a **residence located within the district**, asked a question in respect of whether the Council supported the Global Strike that was expected to be held on Friday 20 September 2019.

In response, Councillor John Griffiths, Leader of the Council stated that he was not in a position to have a fully informed view on the matter; however, he supported the initiative to mitigate the effects of climate change that were within the powers of the Council to make a difference.

In response to a supplementary question, Councillor Griffiths stated he was always willing to learn more and looked forward to working with partners on a range of environmental issues.

4. **Mandy Leathers** of a **residence located within the district**, made a statement in connection with the Exponential Climate Change Road Map, which listed 36 potential solutions to halve carbon emissions by 2030. Ms Leathers also made suggestions on how the Council could contribute to making environmental improvements such as introducing more cycle ways and making individuals aware of their own responsibilities for tackling climate change on a day-to-day basis.

In response, Councillor John Griffiths, Leader of the Council stated that all Members would be provided with access to the Exponential Road Map and the Environmental and Climate Change Taskforce would look at the issues raised within it and other areas as part of its work. Work was starting on the early stages of development of the new West Suffolk Local Plan and the provision of additional cycle ways in certain areas would potentially form part of that process.

In a supplementary statement, Ms Leathers acknowledged the work of the Council and hoped all could work together to achieve, what she considered to be, a brighter future for everyone.

29. **Referrals Report of Recommendations from Cabinet (Report No: COU/WS/19/006)**

Council considered the Referrals Report of Recommendations from Cabinet, as contained within Report No: COU/WS/19/006.

(A) Referrals from Cabinet: 23 July 2019

1. Proposal to Establish a West Suffolk Environment and Climate Change Taskforce – Proposed Declaration of a Climate Emergency

At the Annual Meeting of Council held on 22 May 2019, Councillor John Griffiths, Leader of the Council 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.

On 23 July 2019, the Cabinet agreed to establish an Environment and Climate Change Taskforce. Report No: CAB/WS/19/016 contained proposals for the terms of reference for the Environment and Climate Change Taskforce that had been announced at the Annual Meeting. In summary, the Taskforce aimed 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.

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

In addition to the recommendations contained in the report and in recognition of a Climate Emergency being called for the whole of Suffolk, the Cabinet agreed to recommend to West Suffolk Council that it declared a Climate Emergency. Acknowledgement was given at the Cabinet meeting 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.

Councillor John Griffiths drew relevant issues to the attention of Council, including the current work and performance of the Council in this area and how it was within the remit of the Taskforce to make recommendations to Cabinet in respect of how the Council should report, set targets and measure progress on mitigating the effects of climate change and the impact on the environment and biodiversity.

Emphasis was placed on ensuring actions were implemented that emanated from the Council's aspirations. Examples were given where the Council could make a difference.

On the motion of Councillor Griffiths, seconded by Councillor Margaret Marks, it was put to the vote and with the vote being 49 for the motion, none against and one abstention, it was

RESOLVED:

That a Climate Emergency be declared.

(B) Referrals from Cabinet: 10 September 2019

1. Annual Treasury Management Report: 2018/2019 (FHDC)

Councillor Sarah Broughton, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council, including that the report provided the Annual Treasury Management Report for the former Forest Heath District Council for the complete 2018/2019 financial year. Recognition was given to the Financial Resilience Sub-Committee and the Performance and Audit Scrutiny Committee for their work in bringing the recommendation forward for approval.

On the motion of Councillor Broughton, seconded by Councillor John Griffiths, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That the Annual Treasury Management Report for 2018-2019 for the former Forest Heath District Council, being Report No: FRS/WS/19/001, be approved.

2. Annual Treasury Management Report: 2018/2019 (SEBC)

Councillor Sarah Broughton, Portfolio Holder for Resources and Performance, drew relevant issues to the attention of Council, including that the report provided the Annual Treasury Management Report for the former St Edmundsbury Borough Council for the complete 2018/2019 financial year. Recognition was given to the Financial Resilience Sub-Committee and the Performance and Audit Scrutiny Committee for their work in bringing the recommendation forward for approval.

On the motion of Councillor Broughton, seconded by Councillor John Burns, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That the Annual Treasury Management Report for 2018-2019 for the former St Edmundsbury Borough Council, being Report No: FRS/WS/19/002, be approved.

3. Treasury Management Report: June 2019

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

In response to a question, Council was informed that whilst there was a budgetary surplus of £61,190 of interest actually earned during the first quarter of the financial year, this would even out as the year progressed and therefore the surplus would not be lost.

On the motion of Councillor Broughton, seconded by Councillor Joanna Rayner, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That the Treasury Management Report for 2018-2019, being Report No: FRS/WS/19/003, be approved.

Council noted that the remaining referrals from Cabinet, as listed below, were contained elsewhere on the agenda as separate items.

4. Single Issue Review (SIR) of Core Strategy Policy CS7: Planning Inspector's Report and Adoption

5. Site Allocations Local Plan (SALP): Planning Inspector's Report and Adoption
6. Western Way Development: Final Business Case
7. Exempt: Investing in our Commercial Asset Portfolio

30. **Single Issue Review (SIR) of Core Strategy Policy CS7: Planning Inspector's Report and Adoption (Report No: COU/WS/19/007)**

(Councillor Sarah Broughton declared a non pecuniary interest in this item as she was a personal acquaintance of the owner of land at Hatchfield Farm, Newmarket and remained in the meeting for the consideration of the item.)

Council considered this report, which sought approval for the adoption of the Single Issue Review (SIR) of Policy CS7, including both the main and additional modifications.

The preparation of the Forest Heath Core Strategy Single Issue Review (SIR) of Policy CS7 had now reached the end of the plan making process. The Inspector's Report had been received and, subject to incorporating the associated Main Modifications identified by the Inspector, they had concluded that the Local Plan was sound.

The following documents were also attached to this report:

- Appendix A set out the Inspector's Report which found the Local Plan sound and considered it an appropriate basis for the planning for the area of West Suffolk District Council, formally known as Forest Heath. The main modifications were attached to the Inspector's Report.
- Appendix B set out the suggested additional modifications by Officers made to the SIR document to-date.
- Appendix C set out the final version of the SIR of Core Policy Strategy CS7, which included all of the main modifications required by the Planning Inspector and the additional modifications suggested by Officers.
- As a result of the modifications, the Habitats Regulations Assessment (HRA) (Appendix D) and the Sustainability Appraisal (SA) (Appendix E) documents had also been updated.

This Local Plan Single Issue Review set out the overall housing requirement for the area (formally Forest Heath) which was 6,800 homes (340 dwellings per annum) and its broad distribution across the settlements. The Inspector had dealt with concerns arising from the horseracing industry, noise and environmental constraints and had found the document sound and an appropriate basis for planning in the area formally known as Forest Heath. The Inspector's report was very supportive of the work the Council had done and praised the Authority, including on the extensive consultation that was carried out. This was a huge achievement for the Council.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including that adoption of this Local Plan, which would sit beside the former St Edmundsbury Borough Council's adopted Local Plan, would provide certainty in respect of meeting the Council's legal requirements and providing the community, developers and Members certainty of where development could take place. This would help protect the whole of the district and minimise the risk of speculative development. In turn this would support the formulation of a new West Suffolk Local Plan, which was now in the early stages of development.

A detailed discussion was held and the following issues were raised:

- (a) That very few new homes were planned for Brandon over the next 12 years, which meant the town would see very little benefit from s106 monies during that period. It was however, acknowledged that Brandon had its own challenges to overcome, principally due to the significant environmental constraints which presently prevented substantial housing growth in this location. Recognition and commitment was given to exploring the opportunities available to support Brandon.
- (b) The potential effects on the horseracing industry in Newmarket as a result of the adoption of the Forest Heath Local Plan, and how reassurances were sought for the new West Suffolk Council to work with and listen to the concerns of the industry as part of the process for developing the new West Suffolk Local Plan. In response, Councillor Griffiths stated that the concerns of the horseracing industry were understood and acknowledged its important contribution to the environment and local economy. West Suffolk Council would work with it and others to protect the industry whilst delivering homes for the community at a carefully considered rate of growth which was congruous to the size of the town.
- (c) Whether speculative development should necessarily be discouraged as planning applications were considered on their own merits and therefore, if a development was considered inappropriate in a specific location, it would be refused consent. The majority of Members however, recognised that speculative development led to unplanned growth in potentially inappropriate locations. A Local Plan provided a framework to address housing need and infrastructure for provision in the right locations. Demonstration of a five-year land supply was also critical to satisfactorily defend planning appeals.

On the motion of Councillor Griffiths, seconded by Councillor Robin Millar it was put to the vote and with the vote being 43 for the motion, four against and three abstentions, it was

RESOLVED:

That:

- (1) the content of the Inspector's report to the Single Issue Review of Core Strategy Policy CS7 containing Main Modifications (Appendix A to Report No: COU/WS/19/007), be noted;
- (2) the schedule of Additional Modifications (Appendix B to Report No: COU/WS/19/007) to the Single Issue Review of Core Strategy Policy CS7 to make minor updates and corrections, be noted;
- (3) the Single Issue Review (SIR) of Policy CS7 including both main and additional modifications (Appendix C to Report No: COU/WS/19/007), be adopted; and
- (4) the Service Manager (Strategic Planning) be authorised, in consultation with the Leader of the Council, to make minor typographical amendments or updates in preparing the final version of the Plan.

31. **Site Allocations Local Plan (SALP): Planning Inspector's Report and Adoption (Report No: COU/WS/19/008)**

(Councillor Sarah Broughton declared a non pecuniary interest in this item as she was a personal acquaintance of the owner of land at Hatchfield Farm, Newmarket and remained in the meeting for the consideration of the item.)

Council considered this report which sought approval for the adoption of the Site Allocations Local Plan, including both the main and additional modifications.

The preparation of the Forest Heath Site Allocations Local Plan (SALP) had now reached the end of the plan making process. The Inspector's Report had now been received and, subject to incorporating the associated Main Modifications identified by the Inspector, they had concluded that the Local Plan was sound.

The following documents were also attached to this report:

- Appendix A set out the Inspector's Report which found the Local Plan sound and considered it an appropriate basis for the planning for the area formally known as Forest Heath.
- Appendix B set out the additional modifications suggested by Officers to the SALP document.
- Appendix C set out the final version of the SALP, along with a Policies Map Book showing the allocations (Appendix D). These documents included all of the main modifications required by the Planning Inspector and the additional modifications suggested by Officers.
- As a result of the modifications, the Habitat Regulations Assessment (HRA) and the Sustainability Appraisal (SA) documents had also been updated.

The Forest Heath Site Allocations Local Plan contained the site specific housing, employment and other allocations to meet the requirements of the Core Strategy. This Plan would complete the suite of Local Plan documents for the former Forest Heath area and for West Suffolk. The Inspector had dealt with concerns arising from the horseracing industry, noise and environmental constraints and had concluded finding the document sound and an appropriate basis for planning in the area formally known as Forest Heath. The Inspector's report was very supportive of the work that the Council had done and praised the Authority, including on the extensive consultation that was carried out. This was a huge achievement for the Council in order for development to be delivered in a planned way.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including reiterating the issues raised during consideration of Report No: COU/WS/19/007.

The majority of Members recognised the need for adopting the Site Allocations Local Plan and Map Book, which together with the Single Issue Review of Core Strategy Policy CS7 (Report No: COU/WS/19/007), had been found sound by the Planning Inspector. Members of the former Forest Heath area and the team of officers involved with the process were commended for their significant amount of work in reaching this point. Emphasis was then placed by some on urging Members to trust the Examination process. This had involved consideration of extensive evidence presented to the Inspector which had culminated in his decision in finding the Plan sound.

Members also considered that by adopting the Local Plan, it could successfully work with Suffolk Highways, developers and other partners to enable appropriate infrastructure to be delivered ahead of any planned housing, in a considered and timely manner.

Challenges that may lie ahead regarding potential growth in specific locations could be addressed and positive solutions achieved by working collectively with other agencies, partners and the private sector.

On the motion of Councillor Griffiths, seconded by Councillor Robin Millar, it was put to the vote and with the vote being 43 for the motion, three against and four abstentions, it was

RESOLVED:

That:

- (1) the content of the Inspector's report to the Site Allocations Local Plan containing Main Modifications (Appendix A to Report No: COU/WS/19/008), be noted;
- (2) the schedule of Additional Modifications (Appendix B to Report No: COU/WS/19/008) to the Site Allocations Local Plan to make minor updates and corrections, be noted;

- (3) the following documents attached to Report No: COU/WS/19/008, be adopted:
- The Site Allocations Local Plan including both main and additional modifications (Appendix C)
 - Policies Map (Appendix D); and
- (4) the Service Manager (Strategic Planning) be authorised, in consultation with the Leader of the Council, to make minor typographical amendments or updates in preparing the final version of the Plan.

32. **Western Way Development: Final Business Case (Report No: COU/WS/19/009)**

Council considered this report which sought approval for the Final Business Cases for the Western Way Development (WWD), Bury St Edmunds and, as part of the wider scheme, the replacement of the Bury St Edmunds Leisure Centre, allowing the project to be delivered on the basis set out in those Business Cases and the Council's Constitution.

Councillor Joanna Rayner, Portfolio Holder for Leisure, Culture and Community Hubs, drew relevant issues to the attention of Council and particularly wished to thank officers for all the significant work undertaken on the delivery of this project to-date. Councillor Rayner also re-iterated that the Final Business Cases had been written on the basis that, having considered alternative options, Councillors and partners had already agreed, in principle, to redevelop the Western Way site in the manner proposed.

Members noted that although public consultation had already taken place on both the 2016 Masterplan and the future of the leisure centre, a further community consultation on the WWD had been carried out over the Summer and would close at midnight on 10 September 2019. The main purpose of this process was an informal pre-application consultation for any future planning applications, given people the chance to influence the design and transportation aspects of the scheme.

A summary report of the pre-application consultation had been circulated to Members as a late paper (Appendix 4) to Report No: COU/WS/19/009. In addition to over 32 forms completed at a drop-in exhibition on 6 September 2019, 267 people had completed the detailed online questionnaire upon close of the consultation on 10 September 2019. The most prevalent topics were traffic, transport, parking and health and leisure facilities. This feedback would assist in refining the proposals in the next stage of the project, if the Business Case was approved. There were, however, no issues arising in the consultation that would prevent consideration of the Final Business Case, not least as many of the issues raised in the consultation would be thoroughly tested through the formal planning process. A full report on the consultation, with responses to all comments made, would then be included in any later planning application.

The 2018 Outline Business Case had been approved on the basis of Council receiving an external gateway review before making final decisions on the project. This was primarily to be focused on the financial and delivery vehicle

aspects of the project, as these were the new dimensions compared to other hub projects.

As the Final Business Case demonstrated, having absolute certainty on the partner requirement would shape how the first phase of the project was tendered and then actually delivered. The proposed design was flexible enough to adapt to however this requirement ended up. Therefore, there was no reason to hold up a planning application. However, the core focus of the gateway review was only ready at this point to be approved in principle and then clarified before the contractual spending decisions were taken. Therefore, it was being proposed that this review was a condition of moving into the procurement phase of the project, rather than the planning phases and that the funding for carrying it out was rolled into the next phase of the project. It was the intention for this review to be presented to Cabinet on 14 January 2020 for sign-off.

A detailed discussion was held and Members expressed their support for this ambitious project, the principle of which had also received support from the New Anglia Local Enterprise Partnership; West Suffolk's local MPs; Central Government agencies and the public and private sector. The overwhelming benefits for residents had been recognised by all and Members looked forward to the project coming to fruition.

Some concern was expressed in respect of increased traffic movements and whether these should be accepted or whether more ambitious, alternative travel arrangements should have been considered. Whilst the Travel Plan would address the reduction in vehicle dependency and ways in which alternatives could be encouraged, suggestions such as constructing an access footbridge or railway halt were not currently viable options within the remit of this specific scheme but could be fed into future strategic transport reviews.

Councillor Rayner also responded to other questions raised in connection with: the proposed future investment in Brandon Leisure Centre; that very few comments had been made in the consultation in support of a park and ride scheme; and that provision of a car park to serve the new adjacent sixth form college was not part of this scheme and was granted under its own planning consent.

On the motion of Councillor Rayner, seconded by Councillor John Griffiths, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That:

As detailed in Report No: COU/WS/19/009 and its attachments, that:

- (1) the Final Business Cases for the Western Way Development (WWD), Bury St Edmunds and, as part of that wider scheme, the replacement of the Bury St Edmunds Leisure Centre be approved, allowing the project to be delivered on the basis set out in those Business Cases and the Council's Constitution;

- (2) subject to the updates in this Final Business Case, the Strategic Case for the WWD contained in the 2018 Outline Business Case be reconfirmed;
- (3) taking into account the outcome of the pre-application consultation, planning consent be sought by the Council and its partners for the WWD as described in the Final Business Case;
- (4) provision of £300,000 be made from the Strategic Priorities and MTFS Reserve to fund the planning consent stage (i.e. (3) above);
- (5) before any work commences on the tender pack(s) for any individual component of the scheme:
 - (a) as set out in Paragraph 5.9.6 (a) of Part E of this Final Business case, the project must undergo a gateway review with an independent external expert to the satisfaction of the Council's Monitoring and Section 151 Officers and the Cabinet;
 - (b) any public sector partners wishing to take part in phase 1 of the project will be required to enter into formal agreements to confirm the basis on which they will occupy the WWD and, in relation to their part(s) of the tender pack(s), to indemnify the Council for their share of its abortive costs if they subsequently withdraw or substantially reduce their requirements. With the Council, therefore, only holding the investment risk of its own elements of the project (e.g. the commercial offices) which will be underwritten by revenue balances or reserves; and
 - (c) taking into account (a) and (b) above, the Cabinet will have adjusted the final phase 1 scheme so that it continues to meet the objectives set out in this Final Business Case, including the budgetary limits set out in (7) and (8) below;
- (6) if the Council is to be involved directly in their delivery, a separate final business case will be required for the projects to provide student accommodation for West Suffolk College and/or a pre-school as part of the WWD;
- (7) excluding the costs and income relating to the leisure centre, pre-school building and student accommodation, the Council's capital expenditure, through its capital programme, on the WWD be capped at a maximum of £112 million, funded at this stage by borrowing, subject to the Council's Section 151 Officer being satisfied at all times that, under the adopted principles set out in the Outline and Final Business Cases, the WWD is capable of achieving at least a break-even position on this expenditure over the whole life of the project allowing for the management of cash flow risk;
- (8) the Council's capital expenditure, through its capital programme, for the replacement of the Bury St Edmunds Leisure Centre be set at £27.9m, funded at this stage by borrowing, allowing this element of

the project to be delivered on the basis set out in the Outline and Final Business Cases and in accordance with the Council's Constitution;

- (9) the Council's Section 151 Officer make the necessary changes to the Council's prudential indicators to reflect the direct cost to the Council of funding the project budgets set out in (7) and (8) above;
- (10) provision be made from 2023/24 onwards for the revenue implications of the replacement of the leisure centre as set out in section 5.3.3 of Part E (Financial Case), with this funding being identified in the Council's Medium Term Financial Strategy as part of the 2020/21 budget process;
- (11) subject to consultation with the relevant Portfolio Holders and, if appropriate, the Council's Monitoring Officer, the Council's Section 151 Officer determine the most beneficial and economic funding method for the project, including entering into agreements with third-party investors if required; and
- (12) funding bids be made to regional and national funding bodies to offset the project funding and cash flow risks and support delivery of the actual scheme.

33. **Electoral Review of Suffolk County Council (Report No: COU/WS/19/010)**

Council considered this report which sought approval for the proposed approach to consultation for the Electoral Review of Suffolk County Council.

The Local Government Boundary Commission for England (LGBCE) was carrying out an electoral review of Suffolk County Council, which would run from 2019 to 2020, in time for implementation at the next County elections in 2021. Other than supplying data in its electoral registration function to allow the Commission to prepare forecasts, West Suffolk Council had no direct role in the review and was simply a third party consultee.

Members noted how the review and consultation would be conducted, together with the proposed approach for responding to the consultation.

Councillor Carol Bull, Portfolio Holder for Governance, drew relevant issues to the attention of Council, including that as with the recent parliamentary boundary review (and the approach taken by the former St Edmundsbury Borough and Forest Heath District Councils to that review), it was proposed that West Suffolk Council would not submit any formal 'corporate' response to the LGBCE consultation, other than the Electoral Registration Officer highlighting any technical errors in the proposals under their statutory role.

Instead, it was proposed that individual councillors, local political parties/groups and any other interested parties such as Parish / Town Councils be encouraged to respond to the Commission direct during each round of consultation. The Commission was always clear that a well-argued representation containing detailed factual information, and local insight, carried the most weight with them, *irrespective of who provided it*. In that

context, a well prepared response from an individual elector would carry as much weight as one from this council. Furthermore, unless there was complete unanimity, any formal response from this council would have to highlight any varying councillor viewpoints, in any event. So the effect with the Commission would be largely the same as those councillors responding directly.

This approach was also consistent with the approach taken by Suffolk County Council to participating in the 2018 electoral review for the new West Suffolk Council.

Members noted the proposed timeline for the review and how they would be notified of the various stages of the consultation, including being provided with guidance on how to take part, should they wish to do so.

Some concern was expressed that West Suffolk Council was missing an opportunity to show its support for a desired amount of Suffolk County Councillors, particularly within Bury St Edmunds' town divisions where there may be some changes to the boundaries should the initial proposals be implemented. Some concern was also expressed regarding the LGBCE's processes and accuracy of data used when referring to the Electoral Review recently carried out for the creation of West Suffolk Council.

The majority of Members were however, satisfied with the proposed approach as summarised above.

On the motion of Councillor Bull, seconded by Councillor John Griffiths, it was put to the vote and with the vote being 46 for the motion, two against and two abstentions, it was

RESOLVED:

That the proposal set out in Report No: COU/WS/19/010, with regards to the approach to consultation for the Electoral Review of Suffolk County Council, be approved.

34. Review of Political Balance and Appointment to Politically Balanced Bodies

Council considered a narrative item, which sought approval for appropriate arrangements following the resignation of Councillor Frank Warby from the Spectrum Group.

Group leaders had indicated they were supportive of the proposal to allocate Councillor Warby a seat on the Licensing and Regulatory Committee, currently allocated to the Spectrum Group. The Monitoring Officer had reviewed the political balance and was satisfied that this proposal was compliant with the requirements of the Local Government and Housing Act 1989.

As such, Council was requested to consider whether Councillor Frank Warby should be allocated a seat on the Licensing and Regulatory Committee and reduce the allocation of the Spectrum Group on the Licensing and Regulatory

Committee from three seats to two seats. The allocation of seats to Substitute Members on the Committee currently remained unchanged.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council.

On the motion of Councillor Griffiths, seconded by Councillor David Nettleton, it was put to the vote and with the vote being 48 for the motion, none against and two abstentions, it was

RESOLVED:

That Councillor Frank Warby be allocated a seat on the Licensing and Regulatory Committee and the allocation of seats to the Spectrum Group on the Licensing and Regulatory Committee be reduced from three seats to two seats.

35. The Gershom Parkington Memorial Trust

(Councillor Diane Hind declared a non pecuniary interest in this item as she was the Council's nominated representative in an observer capacity on the Gershom Parkington Memorial Trust, and was also treasurer of the Friends of Moyse's Hall museum. She remained in the meeting for the consideration of the item.)

Council considered a narrative item, which sought approval for the termination of the Gershom Parkington Memorial Trust.

The Gershom Parkington Memorial Trust was set up by St Edmundsbury Borough Council in 1983 to support the Council's clock collection, the bulk of which was the Gershom Parkington clock collection. It was a separate charity to the main Gershom Parkington bequest, also managed by the Council. The Borough Council made an initial donation of £500. This sum was supplemented with other small donations in the following years.

Councillor Joanna Rayner, Portfolio Holder for Leisure, Culture and Community Hubs, drew relevant issues to the attention of Council, including providing background, purpose and remit of the Memorial Trust.

Members noted that the charity had been dormant for over 20 years, with accrued funds of around £11,500 by 2015. At that time, it was re-activated to consider two specific funding requests, each of £5,000, as summarised in the narrative item. Both requests were approved, leaving a balance of funds of just under £2,000 by summer 2019.

Given the small amount of funding remaining, and there being no plans for more fund-raising, the trustees met earlier in the summer to discuss their future options. It was agreed that the charity had served its purpose, and could close. In keeping with Charity Commission guidance, it was also agreed to pass the remaining funds to another local charity, the Friends of Moyse's Hall (on the basis that the clock collection was now on display at the museum). The Friends would be asked to ring-fence the money to supporting the clock collection and ensure that the funds were spent as soon as possible.

In making their decision, the trustees also wanted to highlight the continuing legacy of Frederic Gershom Parkington and had asked that the transfer of funds be publicised.

Council supported the proposed approach.

On the motion of Councillor Rayner, seconded by Councillor David Nettleton, it was put to the vote and with the vote being unanimous, it was

RESOLVED:

That the resolution of the Gershom Parkington Memorial Trust at its meeting on 31 July 2019 be endorsed and, in accordance with that resolution, the Charity be terminated and its remaining funds be redistributed by the Council to the Friends of Moyse's Hall on condition they are spent in a timely manner, consistent with the charitable objects of the Memorial Trust.

36. Motion on Notice (Paper No: COU/WS/19/011)

Councillor Lisa Ingwall King had given notice of a motion for consideration by Council. This was attached to the agenda as Paper No: COU/WS/19/011.

Councillor Ingwall King was duly invited to put her motion adding that it was commendable that Council had resolved to declare a Climate Emergency and that Cabinet had established an Environment and Climate Change Taskforce to look at the impacts of adverse environmental factors and climate change in detail.

Councillor Ingwall King wished to highlight the challenges further, encouraging Council to commit to the additional declaration of an Environment Emergency as set out in her motion. She referred to scientific data and evidence that had indicated how the picture was apparently bleak on a global level and how specifically, the potential adverse impacts consumption was having on the environment in the United Kingdom was becoming increasingly concerning.

Emphasis was placed on how Members could directly make a difference, particularly in respect of ensuring environmental issues were a significant feature in shaping the emerging three revised key policy documents, namely the West Suffolk Strategic Framework, Medium Term Financial Strategy and West Suffolk Local Plan.

Councillor David Nettleton was duly invited to second the motion. He acknowledged that in accordance with the Constitution, consideration of the motion may involve some expenditure and would therefore be required to be referred to the appropriate forum for debate.

The Chair agreed and stated his intention to refer this matter to the appropriate forum, without debate, as if carried, the motion was likely to have budgetary implications. The appropriate forum was Cabinet, specifically, the Cabinet's Environment and Climate Change Taskforce. It was expected that final, meaningful, purposeful recommendations emanating from

the Taskforce would be presented to Cabinet for approval and subsequent action in 2020.

The Chair referred the motion to Cabinet for further consideration, without debate, and moved to the next agenda item.

37. Any Other Urgent Business

There were no matters of urgent business considered on this occasion.

(Councillor Max Clarke left the meeting at the conclusion of this item.)

38. Exclusion of Press and Public

As the next item on the agenda was exempt, on the motion of Councillor John Griffiths, seconded by Councillor Sara Mildmay-White, and duly carried, it was

RESOLVED:

That the press and public be excluded during the consideration of the following item because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against the item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

39. Exempt: Referrals Report of Recommendations from Cabinet (para 3) (Exempt Report No: COU/WS/19/012)

(Councillor Aaron Luccarini declared a pecuniary interest in this item as his wife was employed by the principal tenant that occupied the property under consideration. He moved to the public gallery and therefore did not vote on this item.)

Council considered this exempt report, the contents of which had been recommended by Cabinet for approval. Members were advised of the opportunity to acquire a commercial property investment. It was considered that this purchase offered the opportunity to protect jobs with a major employer, provide an addition to the Council's commercial asset portfolio to generate revenue income and provided strategic opportunities. The overall investment would also be in line with the Council's principles of its Investing in Growth Strategy.

Councillor Susan Glossop, Portfolio Holder for Growth, drew relevant issues to the attention of Council and duly responded to questions raised.

The majority of Members recognised the benefits of making the proposed acquisition and supported the recommendations.

On the motion of Councillor Glossop, seconded by Councillor John Burns, it was put to the vote and with the vote being 44 for the motion, four against and no abstentions, it was

RESOLVED:

That the recommendations contained in Exempt Report No: COU/WS/19/012, be approved.

(This decision and associated papers will be available in the public domain in due course)

The meeting concluded at 9.07 pm

Signed by:

Chair
