

West Suffolk Council

Cabinet Decisions Notice

(Published: Thursday 12 November 2020)

The following decisions were taken by the Cabinet on Tuesday 10 November 2020 and, if not called in by councillors, will come into operation on Friday 20 November 2020. This procedure does not however, apply to decisions that have been recommended to Council for a final decision (and which are also indicated within the decisions below). An executive decision may be called in, in accordance with the Overview and Scrutiny Committee Procedure Rules contained within Part 4 of the Council’s Constitution, by at least five councillors submitting the required call-in request form to the Assistant Director (HR, Legal and Democratic Services) (e-mail: democratic.services@westsuffolk.gov.uk) **by 5.00 pm on Thursday 19 November 2020**. Should you have a query regarding any of the decisions taken, contact should be made with the named officer in the first instance, the relevant portfolio holder or via Democratic Services, West Suffolk Council, West Suffolk House, Western Way, Bury St Edmunds Suffolk, IP33 3YU, or College Heath Road, Mildenhall, IP28 7EY.

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Item 6 CAB/WS/20/066	None	<p>Sunnica Energy Farm - Response to Statutory Consultation</p> <p>Resolved:</p> <p>That:</p> <ol style="list-style-type: none"> The draft Statutory Consultation response to Sunnica’s Preliminary Environmental Information Report (PEIR), as set out in Appendix A to Report Number CAB/WS/20/066, 	<p>Sunnica Energy Farm was a scheme for the installation of solar photovoltaic (PV) generating panels and on-site energy storage facilities across two sites within Suffolk and Cambridgeshire. The proposal would include the infrastructure associated with the required connection to the national grid, including an extension to the Burwell National Grid Substation.</p>	<p>An alternative option was to vary the draft response (as set out in Appendix A to Report Number CAB/WS/20/066) following feedback from Cabinet.</p>	<p>Portfolio holder: Andy Drummond 07710 027343</p> <p>Officer: David Collinson Assistant Director (Planning and Regulatory Services) 01284 757306</p>

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		<p>being a joint response between West Suffolk Council, Suffolk County Council, East Cambridgeshire District Council and Cambridgeshire County Council under s42 of the Planning Act 2008, be endorsed.</p> <p>2. The Assistant Director (Planning and Regulatory Services), in consultation with the Cabinet Member for Regulatory, be authorised to make amendments to the draft consultation response, prior to its submission to Sunnica Ltd.</p>	<p>During the statutory consultation, which was running from 22 September 2020 to 2 December 2020, Sunnica was seeking views on the proposed solar farm, including the short and long term construction, environmental, operational impacts, as well as impacts from decommissioning. Specifically, the statutory consultation was to provide feedback on the Preliminary Environmental Information Report (PEIR) that had been presented at this stage. The PEIR would incorporate the results of the environmental surveys that had been carried out and would set out Sunnica’s preliminary conclusions on any potential significant effects of the proposal on the environment.</p> <p>Officers were undertaking a detailed review of the PEIR and working collaboratively with Officers at Suffolk</p>		

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			<p>County Council, East Cambridgeshire District Council and Cambridgeshire County Council in order to produce one cross-boundary response to the Statutory Consultation. The draft response was set out in Appendix A to Report Number CAB/WS/20/066. This would continue to be finessed as further reviews of the PEIR were undertaken by technical officers and further dialogue took place between the four affected authorities.</p> <p>It was also noted that Sunnica had now confirmed that the consultation period would be extended to 18 December 2020, due to the latest COVID-19 restrictions. The extension of this consultation period would be publicised by Sunnica in line with their Statement of Community Consultation.</p>		

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Item 7 CAB/WS/20/067	None	<p>West Suffolk Local Council Tax Reduction Scheme (LCTRS) 2021 to 2022</p> <p>Recommended to Council (15 December 2020):</p> <p>That:</p> <ol style="list-style-type: none"> 1. The review of the Local Council Tax Reduction Scheme (LCTRS) for 2020 to 2021, as outlined in Report Number CAB/WS/20/067, be noted; and 2. The retention of the existing Local Council Tax Reduction Scheme (LCTRS) for 2021 to 2022, be agreed. 	<p>Each year the Council was required to review its Local Council Tax Reduction Scheme (LCTRS).</p> <p>The current West Suffolk LCTRS provided a maximum benefit of 91.5 per cent for working age claimants and the Scheme also fully protected war pensioners. The aim in designing the Scheme was to achieve a balance in charging an amount of Council Tax to encourage customers back into work, whilst setting the amount charged at an affordable and recoverable level during the year.</p> <p>It was being recommended to continue with the current 2020 to 2021 Scheme in 2021 to 2022, before undertaking a fuller review early next year that took into account learning from COVID-19. At this point, a range of options may be</p>	<p>It would be possible to amend the scheme, in order to increase the contribution rate to more than 8.5 per cent. However, the possible increase in Council Tax collected for the Council was considered to be less than the additional costs of recovery (additional staff, postage and enquiries to customer services), including the inability to recover the debt in year by deduction from</p>	<p>Portfolio Holder: Sarah Broughton 07929 719245</p> <p>Officers: Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p> <p>Adrian Mills Strategic Manager (Billing and Benefits) Anglian Revenues Partnership 01842 756491 (adrian.mills@angliarevenues.gov.uk)</p>

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			considered for possible consultation.	DWP benefits and as such, this option was not recommended. The impact of COVID-19 must also be taken into account, as we would expect that the impact on household budgets and rising unemployment would affect individuals' ability to pay.	
Item 8 CAB/WS/20/068	None	<p>Council Tax Technical Changes 2021 to 2022</p> <p>Recommended to Council (15 December 2020):</p> <p>That the continuation of the West Suffolk Council Tax Technical Changes Scheme, as</p>	Since April 2013, Councils had the discretion to charge up to 100% for some previously exempt properties, to charge up to 100% in respect of furnished empty properties (usually referred to as holiday homes), to charge up to	The Council could consider not implementing the discounts or additional premiums that have been introduced in	<p>Portfolio holder: Sarah Broughton 07929 305787</p> <p>Officer: Rachael Mann Assistant</p>

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		<p>set out in Section 2 of Report Number CAB/WS/20/068, be approved, and, that the Special Provision Discounts and Premiums continue to apply until such time as any amendments are made.</p>	<p>100% in respect of second homes and to charge up to 50% (100% from April 2019) empty homes premium for properties that had been empty for over 2 years. These discretions, which were provided under sections 11a and 11b of the Local Government Finance Act 1992, were described as the 'Council Tax Technical Changes'.</p> <p>This report provided an overview of the current scheme for West Suffolk Council and was proposing its continuation from April 2021.</p>	<p>legislation. To do so would mean that West Suffolk was out of step with surrounding local authorities. It would also mean that the Council had not taken advantage of a significant policy instrument designed to encourage empty properties to be brought back into use. Given the level of housing need in West Suffolk, this would be a missed opportunity to</p>	<p>Director (Resources and Performance) 01638 719245</p>

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				increase the level of available housing.	
Item 9 CAB/WS/20/069	None	<p>Council Tax Base for Tax Setting Purposes 2021 to 2022</p> <p>Recommended to Council (15 December 2020):</p> <p>That:</p> <ol style="list-style-type: none"> 1. The tax base for 2021 to 2022, for the whole of West Suffolk be 55,339.97 equivalent Band D dwellings, and for each of the predecessor areas be: Forest Heath 18,572.56 and St Edmundsbury 36,767.41, as detailed in paragraph 2.6 of Report Number CAB/WS/20/069. 2. The tax base for 2021 to 2022 for the different parts of its area, as defined by parish or special expense 	<p>The council tax base was the total taxable value at a point in time of all the domestic properties in the Council’s area. It was a yearly calculation and represented the estimated number of chargeable dwellings after allowing for exemptions and discounts, projected changes in the property base and after applying an estimated collection rate.</p> <p>The council tax base was used in the calculation of council tax. Each authority divided the total council tax income it needed to meet its budget requirement by the tax base of its area to arrive at its band D council tax. This is then used to work out the council tax for properties in</p>	<p>The Local Authorities (Calculation of Council Tax Base) Regulations 1992 set out the requirements of the calculation of the council tax base for tax setting purposes. Therefore, there were no alternative options.</p>	<p>Portfolio Holder: Sarah Broughton 07929 305787</p> <p>Officer: Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p>

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		<p>area boundaries, be as shown in Appendix 3 of Report Number CAB/WS/20/069.</p> <p>3. The Assistant Director (Resources and Performance) be given delegated responsibility to make changes to the tax base figures as a result of any Government announcements pertaining to local council tax support as detailed in paragraph 2.5 of Report Number CAB/WS/20/069.</p>	<p>each of the other bands.</p> <p>Orders had been laid allowing West Suffolk to harmonise the council tax of Forest Heath and St Edmundsbury over a period not exceeding seven years. Because of this, it was also necessary to calculate tax base figures for the areas formerly covered by Forest Heath District Council and St Edmundsbury Borough Council (the 'predecessor areas').</p> <p>Paragraph 2.6 of Report Number CAB/WS/20/069 set out the resulting tax base figure for council tax collection purposes for the whole of West Suffolk, expressed in terms of the number of Band D equivalent properties, which was 55,339.97. The tax base figure was analysed further across individual town and parish councils to form their tax base figures for the</p>		

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			purpose of budget setting and determining the parish band D tax levels in each of those areas. The town/parish figures were set out in Appendix 3 to the report.		
Item 11 CAB/WS/20/071	None	<p>Bury St Edmunds Cumulative Impact Assessment Review</p> <p>Resolved:</p> <p>That the Cumulative Impact Assessment in Bury St Edmunds be retained at its current boundaries.</p>	<p>This report set out the evidence and data to support the proposed decision to retain the Cumulative Impact Area in Bury St Edmunds in its current boundaries. This evidence was based upon feedback received from a public consultation and stakeholders, as well as information from Suffolk Constabulary.</p> <p>There was a legislative requirement to review the Assessment every three years, including a full consultation. The current policy had been in place since 2017 and any decision to renew as a Cumulative</p>	<p>The alternative options were:</p> <ul style="list-style-type: none"> - To decide not to review the Cumulative Impact Assessment. - To agree to implement boundary changes to the Cumulative Impact Assessment in the areas highlighted in the public consultation. 	<p>Portfolio Holder: Andy Drummond 01638 751411</p> <p>Officer: Fiona Quinn Service Manager (Environmental Health) 01284 757042</p>

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			Impact Assessment must be taken by the end of 2020 or the existing Cumulative Impact Area would automatically cease.		
Item 12 CAB/WS/20/072 (and Exempt Appendix 1)	None	<p>Abbeycroft COVID-19 Loan Facility</p> <p>Resolved:</p> <p>That:</p> <ol style="list-style-type: none"> 1. The final principles of the terms and conditions of the £1,000,000 loan facility for Abbeycroft Leisure agreed by Cabinet on 21 July 2020 (Report Number CAB/WS/20/051), as set out in Section 2 of Report Number CAB/WS/20/072, be funded through usable capital receipts; and 2. Delegated authority be given to the Council's Section 151 Officer, in consultation with the Portfolio Holders for Resources and Performance 	<p>On 20 March 2020, Abbeycroft closed its leisure centres, in line with Government guidance and all its income ceased (other than the management fee the Council paid and some Council grant funding). Closure of centres and then re-opening in a Covid safe way has had a huge impact on the viability of leisure service and operators across the country.</p> <p>On 21 July 2020, Cabinet approved the creation of a £1,000,000 loan facility that Abbeycroft Leisure could access to support its cash flow position, having regard to the very significant impact Covid had had on its</p>	<p>Whilst the loan facility could provide financial capacity and stability to the delivery of leisure services within West Suffolk through Abbeycroft, alternative options were not drawn out in this report. This decision could be postponed until the grant funding was in place but as there was no certainty over</p>	<p>Portfolio holders: Joanna Rayner 01284 750366</p> <p>Sarah Broughton 07929 305787</p> <p>Officer: Jill Korwin Director 01284 757252</p>

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		<p>and for Leisure, Culture and Community Hubs, and the Director, to agree the final details of the loan based on the principles as agreed above and enter into a loan agreement(s) with Abbeycroft Leisure.</p>	<p>operations. This was set out in Report Number CAB/WS/20/051.</p> <p>However, since that report, Abbeycroft had taken further advice on the sectors' recovery projections and around its own short to medium term financial performance. Abbeycroft's cash flow position and balance sheet position mean that it had to consider very carefully taking on any external debt at this time, including the agreed loan facility from the Council. This report and its exempt Appendix provided the final terms of that loan agreement which were deemed acceptable to both the Council and Abbeycroft's Board of Trustees.</p> <p>At the meeting, the Cabinet also further discussed the following specific areas, in private session, and were</p>	<p>the timing of that, the continued delay could impact on viability further. This position would be kept under review as continued to operate in a COVID world and with social distancing measures in place.</p>	

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			<p>satisfied that these had been satisfactorily addressed:</p> <ul style="list-style-type: none"> - Risks of repayment and the security of the loan. - The Council being able to continue to deliver a leisure service to its residents. - Whether the loan provided adequate support for Abbeycroft's recovery. - Whether it was a good use of public funds. - The rates within the loan agreement. - Compliance with State Aid. 		
<p>Item 13 CAB/WS/20/073 (and Exempt Appendix 1)</p>	<p>None</p>	<p>Revenues Collection Performance and Write-Offs</p> <p>Resolved:</p> <p>That the write-off of the amounts detailed in the Exempt Appendix to Report Number CAB/WS/20/073, be approved, as follows:</p>	<p>The total amounts detailed in the decision were to be written-off. The detailed reasons for the decisions were included in Exempt Appendix 1 to Report Number CAB/WS/20/073.</p>	<p>The Council currently used the services of the ARP Enforcement Agency to assist in the collection of business rates and also had online tracing</p>	<p>Portfolio holder: Sarah Broughton 07929 305787</p> <p>Officer: Rachael Mann Assistant Director (Resources and</p>

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		1. Exempt Appendix 1: Business Rates totalling £24,732.09.		facilities. It was not considered appropriate to pass the debt onto another agency. In the event that a written-off debt became recoverable, the amount would be written back on and enforcement procedures would be re-established.	Performance) 01638 719245

Jennifer Eves
Assistant Director (Human Resources, Legal and Democratic Services)
12 November 2020