

Minutes of a meeting of the **Cabinet** held on **Tuesday 9 November 2021** at **6.00 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present

Councillors

Chair John Griffiths (Leader of the Council)

Vice Chair (Deputy Leader of the Council)

Sara Mildmay-White

Carol Bull

Andy Drummond

By invitation

[INSERT NAME]

[INSERT NAME]

In attendance

[INSERT NAME]

[INSERT NAME]

[INSERT NAME]

[INSERT NAME]

Robert Everitt

Susan Glossop

Joanna Rayner

(Chair of the Overview and Scrutiny Committee)

(Chair of the Performance and Audit Scrutiny Committee)

283. Welcome and meeting facilitation

The Chair formally opened the meeting and welcomed all persons present within the Conference Chamber and explained that when meeting in person, the Council continued to consider the most recent Government guidance in relation to the safe use of Council buildings to host meetings.

284. Apologies for absence

Apologies for absence were received from Councillor Sarah Broughton.

285. Minutes

The minutes of the meeting held on 21 September 2021 were confirmed as a correct record and signed by the Chair.

286. **Declarations of interest**

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

287. **Open forum**

The following non-Cabinet member spoke under this item:

1. **Councillor Ian Shipp (Agenda Item 8: Report number CAB/WS/21/047) Land to the West of Mildenhall: Draft Masterplan**

Councillor Ian Shipp addressed the Cabinet in relation to the above report. Councillor Shipp, who represented the Mildenhall Kingsway and Market Ward, explained the concerns regarding the West Mildenhall Masterplan, of both Mildenhall Town Council and the local residents, regarding the highway related impacts of the development, along with the lack of feasible transport and access to the site. Suffolk County Council and their consultants had presented a number of options to mitigate the transport issues, however, he was not convinced of the viability of these options and whether a suitable solution could be achieved. Reference was also made to the proposed relief road, which was merely an extension to the existing busy road.

Councillor Shipp also stated that it was important that the consultation also took account of the views of those who lived within the local villages around Mildenhall, who would also be affected by this development. He also wanted to ensure that the consultation was undertaken within the local community, to ensure that every opportunity was provided for local people to be able to engage with the consultation.

Therefore, Councillor Shipp requested that the Cabinet acknowledged the concerns raised and ensured that the Masterplan was 'fit-for-purpose'.

Councillor David Roach, Portfolio Holder for Planning, responded to the comments made and acknowledged the concerns raised. He stated that it was important that the consultation obtained as many views from local residents as possible, so that the best outcome could be achieved. The local Mildenhall Ward Members would also continue to be engaged in the process.

The Chair also thanked Councillor Shipp for his comments and concerns and the Cabinet would be discussing the detail of this report, later on the agenda.

288. **Public participation**

There were no members of the public in attendance on this occasion.

289. **Report of the Anglia Revenues and Benefits Partnership Joint Committee: 21 September 2021**

(Report number CAB/WS/21/045)

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 21 September 2021:

1. Performance Reports.
2. Welfare Reform Update.
3. ARP Financial Performance 2021 to 2022.
4. Forthcoming Issues.

On behalf of Councillor Sarah Broughton, Councillor Sara Mildmay-White, Portfolio Holder for Housing and Substitute Member on the ARP Joint Committee, also drew relevant issues to the attention of the Cabinet.

290. **Report of the Performance and Audit Scrutiny Committee: 30 September 2021**

(Report number CAB/WS/21/046)

The Cabinet received and noted this report, which informed Members of the following substantive items discussed by the Performance and Audit Scrutiny Committee at their meeting held on 30 September 2021:

1. Local Government and Social Care Ombudsman: Annual Report 2020 – 2021.
2. Regulation of Investigatory Powers Act 2000 – Annual Report and Review of RIPA Guidance.
3. Delivering a Sustainable Medium-Term Budget.
4. Work Programme Update.

Councillor Ian Houlder, Chair of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of Cabinet.

291. **Land to the West of Mildenhall: Draft Masterplan**

(Report number CAB/WS/21/047)

Councillor David Roach, Portfolio Holder for Planning presented this report which explained that the site was allocated in the Site Allocations Local Plan (SALP) 2019 Development Plan document, which had allocated 97 hectares of land for a mixed use development to include 1300 dwellings with a local centre, a minimum of five hectares of employment land, a 10 hectare Suitable Alternative Natural Green Space (SANG), school, leisure facilities and public services. The public services and leisure facilities element of the scheme had been delivered by the Mildenhall Hub. This Hub included provision for secondary education.

Suffolk County Council (SCC) were the majority landowner for the remainder of the allocated site and, whilst formal agreement had not been reached with the third party owners, they were aware that SCC had begun the process of preparing a Masterplan to inform the future development. In 2019/2020, Suffolk County Council commissioned a series of assessments and reports to inform the early stages of the Masterplan process and held a public consultation on this preliminary information from 4 January 2021 to 15 February 2021.

Suffolk County Council collated the feedback from the consultation and categorised it into several key areas, including site and land use, density, character and design of residential areas, transport movement and connectivity, green infrastructure and climate change. Suffolk County Council also engaged with West Suffolk Council Officers, along with statutory bodies in order to develop a series of Masterplan framework plans addressing land use, landscape, ecology, drainage and connectivity and movement.

It has been established at the Local Plan stage that there was no requirement for a bypass to the west of Mildenhall to cater for the growth allocated within the Plan. However, Suffolk County Council had acknowledged the need for detailed Highway information at this Masterplan stage in order to set out deliverable highway mitigation measures. Suffolk County Council had agreed the scope of the Transport Assessment with the Local Highway Authority and were undertaking the necessary work to inform this. Such work would not normally be carried out at the Masterplan stage as it was required to inform the outline planning application stage, which followed the adoption of a Masterplan.

Suffolk County Council had submitted this draft Masterplan to West Suffolk Council with the intention to commence a public consultation in mid-November 2021. Officers had reviewed the document in detail and were satisfied that it was in an appropriate form for public consultation and that this was the appropriate time to invite the local community and statutory bodies and organisations to comment on the proposals within the document.

The relevant Ward Members had been regularly briefed on the progress of the draft Masterplan and on the outcome of discussions between Officers at Suffolk County Council and West Suffolk Council. Following on from the statement which had been made by Councillor Ian Shipp, earlier in the meeting, the Cabinet acknowledged that the local Members remained concerned about any potential highway related impacts of the proposed development. Therefore, it was important for the local community to engage with this Masterplan consultation, so that all issues could be raised and properly considered, prior to its adoption.

Approval of the draft Masterplan, subject to a public consultation, would allow Suffolk County Council to seek the views of the community on the content of the document and make any necessary amendments and revisions to the document that may be required, in order to progress towards the adoption of the Masterplan by West Suffolk Council. Once, adopted, the Masterplan would assist the Council to shape the nature and content of future planning applications for this allocated site.

The proposed Masterplan document for public consultation was attached as Appendix A to Report number CAB/WS/21/047.

Resolved:

That the West Mildenhall Draft Masterplan be approved for public consultation by the developer team, as set out in Appendix A to Report number CAB/WS/21/047.

292. West Suffolk Gambling Act 2005: Statement of Policy 2022 to 2025

(Report number CAB/WS/21/048)

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment presented this report which explained that the West Suffolk Statement of Gambling Policy set out how the Council, in its role as Licensing Authority, would carry out its functions under the Gambling Act 2005. It recognised the importance of responsible gambling within the entertainment industry, while seeking to balance this with the key objectives of the Act. The objectives were:

- Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling was conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The objective of the Statement of Policy was to provide a vision for the local area and a statement of intent that guided practice. Licensing authorities must have regard to their Statement when carrying out their licensing functions. The Statement cannot create new requirements for applicants outside of the Act and cannot override the right of any person to make an application, make representations or seek a review of a licence under the Act. However, it could invite people and operators to consider local issues and set out how they could contribute towards positively addressing them.

The revised Policy had been subject to consultation (which had been undertaken between 16 August 2021 and 20 September 2021), contained minor changes and the consultation had broadly supported these changes. Pre-consultation, the only change to the Policy was centred around the statutory reduction of maximum stakes for Fixed Odds Betting Terminals (FOBTs) which was reduced from £100 to £2 and had been enacted into law in April 2019. Following consultation with stakeholders, one additional alteration was made to update the HN Revenues and Customs contact details.

Following the consultation, the Council had updated its Local Area Profile (LAP) (as set out in Appendix C). A LAP was an assessment of the key characteristics of West Suffolk in the context of gambling-related harm. The information obtained for the assessment helped to provide a better understanding of the types of people that were at risk of being vulnerable to gambling-related harm; where they were located and any current or emerging problems that might increase that risk. The local area profile would help set out the Council's expectations of operators of gambling premises.

Some or many of these matters would have been considered and addressed by existing premises.

A Statement of Policy typically ran for a period of three years, although there was nothing to prevent the authority from updating more frequently if it wished to. The current Policy expired on 31 January 2022 and a revised version had been consulted on with statutory consultees. This would then require review in 2024, for re-adoption by January 2025.

**Recommended to Council:
(14 December 2021)**

That:

1. The revised Gambling Act 2005: West Suffolk Statement of Policy for the period 2022 to 2025, as contained in Appendix B to Report number CAB/WS/21/048, be agreed.
2. The revised West Suffolk Local Area Profile (LAP), as contained in Appendix C to Report number CAB/WS/21/048, be agreed.

293. Animal Welfare Licensing Policy Statement

(Report number CAB/WS/21/049)

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment explained that the new Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018 came into force in October 2018 to update old and out-of-date legislation. Licensable activities covered by the new Regulations included:

- Keeping and training of animals for exhibition – previously a County Council function and included bird of prey displays, animals that have any handling by the public, and non-riding pony parties
- Hiring of horses – riding schools and donkey rides
- Selling of pet animals – pet shops and increasingly includes online sales
- Breeding of dogs – the total number of litters in a year was reduced and sales of high value litters included
- Boarding kennels for dogs
- Home boarding for dogs
- Day care for dogs
- Boarding for cats

The Department for the Environment, Food and Rural Affairs (DEFRA) had issued national guidance for the above activities, as well as procedural guidance for Local Authorities responsible for enforcing the above Regulations. The new Animal Welfare Policy Statement (as set out in Appendix B) had been drafted to recognise and bring together the new 2018 Regulations, the Council's continued duty under the Dangerous Wild Animals Act and the Zoo Licensing Act, as well as the animal licensing process. Currently there was no national scheme of licensing caring for pets in the owner's property or dog walking and these, therefore, fell outside of the scope of this Policy.

There was a statutory duty to undertake a consultation to gauge impact and opinion amongst stakeholders and this had been held between 19 July 2021 and 31 August 2021. The responses received to the consultation were set out in Appendix A to the report.

The Policy Statement summarised West Suffolk Council's approach to licensing animal businesses and activities through animal welfare licences, dangerous wild animal licences and zoo licences. It set out how the Council exercised its functions in relation to animal-related licensing matters under the Dangerous Wild Animals Act 1976, the Zoo Licensing Act 1981, the Animal Welfare Act 2006 and the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

This included dealing with applications for new licences and issues relating to licensed premises., including, but not limited to:

- animal boarding establishments for dogs and cats
- dog breeding
- pet Shops
- riding establishments
- keeping or training animals for exhibition
- dangerous wild animals
- zoos

Resolved:

That the adoption and implementation of the Animal Welfare Licensing Policy Statement, as set out in Appendix B to Report number CAB/WS/21/049, be agreed.

294. Council Tax Base for Tax Setting Purposes 2022 to 2023

(Report number CAB/WS/21/050)

The Cabinet received this report which explained that 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.

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 was then used to work out the Council Tax for properties in each of the other bands.

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').

The key assumptions, as outlined within the report, had been set at a time when the impact of COVID-19 recovery and the end of the furlough scheme, were difficult to predict. At this stage, very early data (taken from the first two weeks of October) was not indicating any spike in the Local Council Tax Reduction Scheme numbers and therefore, minimal allowance had been made for any increase in claimant numbers.

Paragraph 2.6 of Report Number CAB/WS/21/050 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 57,406.34. The tax base figure was analysed further across individual town and parish councils to form their tax base figures for the 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.

**Recommended to Council:
(14 December 2021)**

That:

1. The tax base for 2022 to 2023, for the whole of West Suffolk is 57,406.34 equivalent band D dwellings, and for each of the predecessor areas be: Forest Heath 19,455.81 and St Edmundsbury 37,950.53, as detailed in paragraph 2.6 of Report number CAB/WS/21/050.
2. The tax base for 2022 to 2023 for the different parts of its area, as defined by parish or special expense area boundaries, be as shown in Appendix 3 of Report number CAB/WS/21/050.
3. The Director (Resources and Property) 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 or any data updates relating to significant claimant increases, as detailed in paragraph 2.5 of Report number CAB/WS/21/050.

295. Decisions Plan: 1 November 2021 to 31 May 2022

(Report number CAB/WS/21/051)

The Cabinet considered this report which was the Cabinet Decisions Plan covering the period 1 November 2021 to 31 May 2022.

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

296. Proposed Incubation Units: Suffolk Business Park, Bury St Edmunds

(Report number CAB/WS/21/052)

Councillor Susan Glossop, Portfolio Holder for Growth presented this report which explained that the West Suffolk Strategic Framework 2020 to 2024 set

out three strategic priorities, including the Council's commitment to focus its energies and resources on the "*Growth in West Suffolk's economy for the benefit of all our residents and UK plc*". This proposed project was a key example of how the Council could support and invest in its communities and businesses as it provided incubation space for new and developing companies that would not otherwise be provided.

The purpose of this report was to seek authority for the development of 40,000 sq. ft of start-up/incubation space, as phase one, for companies mainly in the advanced manufacturing and engineering (AME) sector and its supply chain. The costs of borrowing to fund this development through prudential borrowing, would be covered by the business rates that were forecasted to be retained locally, as a result of the Enterprise Zone at Suffolk Park, Bury St Edmunds.

A full Business Case for Phase One was attached as Appendix A (this included Exempt Appendix 2) and this in turn was supported by a Risk Register (Appendix 1) and a high-level Project Plan (Appendix 3). Additional Business Case(s) would be required to bring forward Phase Two.

The Phase One Business Case set out the strategic, economic, commercial, financial and management cases for this development. It set out the project objectives and concluded that the case was made for the proposal to be supported and delivered in line with the high-level programme. The project required the allocation of approximately £12.1m of capital funding which was assumed to be funded through prudential borrowing from the Public Works Loan Board (PWLB). The Financial Case explained the assumptions that had been made to determine the capital cost, revenue implications, cash flow projections and the unique arrangement for financing the debt over 17 years, along with some retention of the Business Rates received from the Enterprise Zone on Suffolk Business Park which would be used to pay for the costs of borrowing, with support from the LEP and Suffolk County Council.

This project provided the opportunity to deliver on the Council's original vision for the employment allocation at Suffolk Business Park. It built on the commitment shown by the Council, New Anglia LEP and Suffolk County Council to funding/developing the Eastern Relief Road (now Rougham Tower Avenue) and also reflected the intent behind establishing the Enterprise Zone on Suffolk Park. The intention was that, once built, the Centre would be run by a leading provider of business support to the Advanced Manufacturing and Engineering sector (AME). This would be a first for West Suffolk and a significant achievement. The aim was to provide space for start-up or growing businesses in a supported/flexible environment, with access to high quality business advice and networking opportunities.

**Recommended to Council:
(14 December 2021)**

That:

1. The Business Case attached as Appendix A to Report number CAB/WS/21/052, be approved and the project objectives be endorsed.

2. The purchase of 6.8 acres of net developable land to enable the project to be delivered, be approved.
3. The development of 40,000 sq. ft employment space (phase one) on Zone 3 of Suffolk Business Park in accordance with the details contained in the Business Case, be approved.
4. A £12.1m capital budget for phase 1 only, funded through the Investing in our Growth Fund through Prudential borrowing with the revenue impact in line with the Financial Case section of Appendix A to Report number CAB/WS/21/052, be approved.
5. Officers to proceed in line with the Council's agreed Scheme of Delegation. However, where necessary, agreement be sought for delegation to the Director (Resources and Property) and the Director (Planning and Growth), in consultation with the Portfolio Holder for Resources and Property and with the Portfolio Holder for Growth, to make changes to the proposal to reflect the need for the project to evolve as time moves forward and to enable the project to be delivered in accordance with the Finance Case and the Programme.
6. The Council's Section 151 Officer to make the necessary changes to the Council's prudential indicators, as a result of recommendation 4. above.

297. **Exclusion of press and public**

See Minute number 298. below.

298. **Exempt Appendix 2: Proposed Incubation Units: Suffolk Business Park, Bury St Edmunds (paragraph 3)**

(Report number CAB/WS/21/052)

The Cabinet considered the exempt Appendix 2 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 6.40 pm

Signed by:

Chair
