

West Suffolk Council

Cabinet Decisions Notice

(Published: Thursday 17 March 2022)

The following decisions were taken by the Cabinet on Tuesday 15 March 2022 and, if not called in by councillors, will come into operation on Friday 25 March 2022. 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 Director (Human Resources, Governance and Regulatory) (e-mail: democratic.services@westsuffolk.gov.uk) **by 5.00 pm on Thursday 24 March 2022**. 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.

Agenda item and report number	Declarations of interest	Decision(s) (including recommendations to Council)	Reason(s) for decision(s)	Other options considered and reasons for rejection	Contacts
Item 6 CAB/WS/22/012	None	<p>Sunnica Energy Farm Nationally Significant Infrastructure Project: Draft Relevant Representation</p> <p>Resolved:</p> <p>That:</p> <ol style="list-style-type: none"> The draft Relevant Representation, attached as Appendix A to Report number: CAB/WS/22/012, be endorsed and submitted to the Planning Inspectorate under s56 of the Planning 	<p>Sunnica Energy Farm was a scheme for the installation of solar photovoltaic (PV) generating panels and on-site battery energy storage systems (BESS) 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>The draft Relevant Representation set out that the Council did not support the proposal as it stood and that development consent should not be granted for the proposal as submitted. The document set out where additional assessment work</p>	<p>Portfolio holder: David Roach 01440 768966</p> <p>Officer: Julie Baird Director (Planning and Growth) 01284 757613</p>

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		<p>Act 2008.</p> <p>2. The Director (Planning and Growth), in consultation with the Portfolio Holder for Planning, be authorised to make amendments to the draft Relevant Representation, prior to its submission to the Planning Inspectorate.</p> <p>3. Delegated authority be granted to the Director (Planning and Growth), in consultation with the Portfolio Holder for Planning, to fully engage with the Pre-examination and Examination stages of the Development Consent Order process in relation to the Sunnica proposals, in order to pursue the concerns identified in the Relevant Representation.</p> <p><i>(Due to ensuring the representation was submitted by the required deadline of 17</i></p>	<p>The application was now in the pre-examination phase. As required by s56 of the Planning Act 2008, Sunnica had notified the Council, as a person identified as falling within the categories of persons that must be notified that the application had been accepted for examination. The s56 Notice set out the period in which relevant representations were invited to be made to the Planning Inspectorate. This period ran from 3 February 2022 to 17 March 2022. The four affected Councils (West Suffolk Council, East Cambridgeshire District Council, Suffolk County Council, Cambridgeshire County Council) would submit a relevant representation on an individual basis to ensure that the Examining Authority was fully informed of the matters of concern to the Council and its communities</p>	<p>and/or clarifications were required and, at this stage, the Council was not stating whether it supported or objected to the proposal overall.</p> <p>The examination process was designed to thoroughly test the key issues that had arisen and it was possible that further clarification and mitigation proposals may emerge and which could be addressed accordingly by the Council, in its written and oral submissions.</p>	

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		<p><i>March 2022, with the agreement of the Chair of the Overview and Scrutiny (O&S) Committee, the call-in procedure for this item had been suspended. The Chair of the O&S Committee was satisfied that the decision proposed was reasonable in all the circumstances and to it being treated as a matter of urgency).</i></p>	<p>and interests that the Council represented.</p> <p>Appendix A to Report Number CAB/WS/22/012 set out the concerns of this Council and stated that the Council did not support the proposal as it stood and considered that development consent should not be granted for the proposal, as submitted. Key concerns remained in a number of areas in relation to the likely environmental impacts, the quality of assessment of these impacts and the lack of mitigation in a number of topic areas.</p>		
<p>Item 7 CAB/WS/22/013</p>	<p>None</p>	<p>Former St Felix School Site, Newmarket - Development Brief</p> <p>Resolved:</p> <p>That:</p> <p>1. The landowner to begin a</p>	<p>Suffolk County Council, as landowners of the St Felix site, had prepared a draft Development Brief (as set out in Appendices A to C of Report number CAB/WS/22/013) that sought to provide planning and</p>	<p>Although the draft Development Brief was broadly consistent with the adopted Local Plan allocation for the development of the site, the</p>	<p>Portfolio holder: David Roach 01440 768966</p>

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		<p>six-week formal public consultation process on the draft St Felix Development Brief.</p> <p>2. The possible future options for a sports facility (as set out in Part 2 of the Development Brief) be noted.</p>	<p>design guidance for the development of the former St Felix Middle School, which was allocated in the West Suffolk Site Allocations Local Plan (SALP) for residential development (Policy SA6d).</p> <p>The Development Brief provided a design framework aligned with the adopted Local Plan and would guide the preparation and determination of future planning applications for this site. However, this document was not designed to be prescriptive. It was intended to guide the effective delivery of SALP Policy SA6d.</p> <p>It was also noted that an element of the draft Development Brief relocated the existing tennis courts within the sites and this was considered to be contrary to the requirements of the policy allocation SA6(d).</p>	<p>relocation of the tennis courts itself was not in accordance with Local Plan Policy SA6(d). As explained at paragraph 2.8 of Report Number CAB/WS/22/013, the landowner's rationale for this had merit and had the support of Officers. An alternative option for the development of this site would be to retain the tennis courts in their current location. Without additional land being developed within the existing open space area for the tennis courts, it was likely that the</p>	<p>Officer: Gary Hancox Principal Planning Officer 07867 976817</p>

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			<p>Provided that the relocated tennis courts resulted in an improved facility, then Officers agreed that there was merit in this approach.</p> <p>Once approved and adopted as informal Planning Guidance, the Development Brief would constitute a material consideration in the determination of future planning applications and should also be read in conjunction with the policies of the adopted West Suffolk Local Plan.</p> <p>The purpose of this report was to recommend that the draft Development Brief now proceeded to a six-week period of public consultation.</p>	<p>number of dwellings deliverable on site would be significantly reduced.</p> <p>Should Members ultimately resolve to adopt the final Development Brief as planning guidance, that decision would not preclude alternative development options being considered in the future.</p>	

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<p>Item 8</p> <p>CAB/WS/22/014 (with Exempt Appendices 1 and 2)</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 Appendices to Report number CAB/WS/22/014, be approved, as follows:</p> <ol style="list-style-type: none"> 1. Exempt Appendix 1: Council Tax totalling £21,160.82. 2. Exempt Appendix 2: Housing Benefit Overpayment totalling £15,028.93. 	<p>The detailed reasons for the decisions to write-off these amounts, were included in Exempt Appendices 1 and 2 to Report number CAB/WS/22/014.</p>	<p>There was an extensive and supportive recovery process prior to the engagement of an enforcement agency. The Council currently used the services of the ARP Enforcement Agency to assist in the collection of business rates and Council Tax and also had on-line tracing facilities. Although this service was suspended during the lockdown and up to more recently, enforcement was now reinstated in line with government guidance. It was not considered</p>	<p>Portfolio holder: Sarah Broughton 07929 305787</p> <p>Officer: Rachael Mann Director (Resources and Property) 01638 719245</p>

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				<p>appropriate to pass the debts onto another agency.</p> <p>It should be noted that in the event that a written-off debt became recoverable, the amount was written back on and enforcement procedures were re-established. This might happen, for example, if someone had gone away with no trace, and then they were unexpectedly 'found' again, through whatever route.</p>	

Jennifer Eves
 Director (Human Resources, Governance and Regulatory)
 17 March 2022