

Minutes of a meeting of the **Cabinet** held on **Tuesday 8 November 2022** at **6.00 pm** in the **Conference Room, Mildenhall Hub**, Sheldrick Way, Mildenhall IP28 7EY

Present **Councillors**

Chair John Griffiths (Leader of the Council)

Vice Chairs Sarah Broughton and Joanna Rayner
(Deputy Leaders of the Council)

Carol Bull
Andy Drummond
Robert Everitt

Susan Glossop
Sara Mildmay-White
David Roach
Peter Stevens

In attendance

Councillor Richard Alecock

Ward Member: Mildenhall Great Heath

Councillor Brian Harvey
Councillor Andy Neal

Ward Member: Manor
Ward Member: Mildenhall Queensway

Councillor Victor Lukaniuk
Councillor David Palmer
Councillor Ian Shipp

Ward Member: Brandon Central
Ward Member: Brandon West
Ward Member: Mildenhall Kingsway & Market

Councillor Phil Wittam

Ward Member: Brandon East

403. **Apologies for absence**

No apologies for absence were received.

404. **Minutes**

The minutes of the meeting held on 18 October 2022 were confirmed as a correct record and signed by the Chair.

405. **Declarations of interest**

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

406. **Open forum**

The following non-Cabinet members spoke under this item on the relevant agenda items, as indicated in the order shown below. A summary of the issues raised collectively on each agenda item has been recorded:

A. Agenda item 6 – Report number CAB/WS/22/056: Land to the West of Mildenhall: Masterplan

- 1. Councillor Ian Shipp, ward member for Mildenhall Kingsway & Market**
- 2. Councillor Andy Neal, ward member for Mildenhall Queensway**
- 3. Councillor Brian Harvey, ward member for Manor**

Concern was expressed regarding the potential impact of the forthcoming development on transport and the highway network and whether sufficient measures would be put in place to manage traffic flow. The data used to assess the potential impact was felt to be inaccurate and out-of-date.

The need for more housing in Mildenhall was acknowledged; however, this needed to be achieved in a phased, sustainable and workable manner which ensured there was less reliance on car usage.

It was felt that the development of the land designated for employment use should be delivered in the relatively early phases in case viability issues were experienced in later years which may impact deliverability.

Councillor Harvey specifically expressed his concern regarding the impact of the development on the rural villages in the vicinity of Mildenhall. He felt that an increase in traffic had already negatively impacted on the surrounding rural village road network and this would be exacerbated by the development.

B. Agenda item 7 – Report number CAB/WS/22/057: Sunnica Energy Farm Nationally Significant Infrastructure Project (NSIP): Written Representation

- 1. Councillor Brian Harvey, ward member for Manor**

Councillor Harvey expressed his full support for the Council's proposed Written Representation in relation to the above scheme for submission to the Examining Authority. He specifically drew Cabinet's attention to the proposed development's impact on the rural road network particularly around the transportation of construction materials; the lack of detail in the application; and the significant amount of time and resource that had been spent on responding to the proposals to date.

C. Agenda item 8 – Report number CAB/WS/22/058: Street Lighting

- 1. Councillor Andy Neal, ward member for Mildenhall Queensway**
- 2. Councillor David Palmer, ward member for Brandon West**
- 3. Councillor Phil Wittam, ward member for Brandon East**
- 4. Councillor Victor Lukaniuk, ward member for Brandon Central**

Concern was expressed that Report number: CAB/WS/22/058 presented to Cabinet that evening did not offer an immediate solution to the perceived disparity between funding the street lighting service by council taxpayers of the former Forest Heath District and St Edmundsbury Borough Councils. Whilst the findings of the street lighting audit were acknowledged and officers thanked for their work to date, there was a resistance to believe that a resolution would be agreed on this matter, even in 2023 as part of the wider planned review of the Council's relationship with town and parish councils, as had been recommended.

A number of options for seeking a swifter resolution to achieving the desired parity on this matter were offered.

Matters affecting the prosperity of Brandon in general were also raised, to which the Leader responded accordingly.

The Chair thanked the non-Cabinet members for attending the meeting and invited them to hear the debate on the respective items at the relevant point in the agenda. The specific issues raised would be addressed at that point accordingly.

407. **Public participation**

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

1. **Councillor Russell Leaman, Deputy Mayor of Mildenhall High Town Council** made a statement in connection with Agenda item 6: Report number CAB/WS/22/056, Land to the West of Mildenhall: Masterplan.

Councillor Leaman expressed issues of concern raised by the High Town Council in respect of the proposed masterplan. Specific reference was given to the potential major impact the proposed development would have on the existing road network in and around Mildenhall. Having undertaken their own traffic survey, the High Town Council considered the detail provided in the masterplan appeared to be woefully short of an acceptable solution. In particular, the impact of the proposed development on traffic flow in the town centre was considered to be significantly detrimental.

In response, Councillor David Roach, Portfolio Holder for Planning, stated that the Council was aware of the issues raised by the High Town Council. The masterplan, if adopted as planning guidance, provided an overview of the development required on this strategic site and the level of detail regarding highway improvements would come forward as the planning process progressed. Engagement would continue with Suffolk County Council as the majority landowner for the site, the Highway Authority, the High Town Council and local ward members to ensure an acceptable solution was in place at the relevant time.

2. **Nick Wright**, speaking on behalf of '**Say No to Sunnica Action Group**' made a statement in connection with Agenda item 7: Report number CAB/WS/22/057, Sunnica Energy Farm Nationally Significant Infrastructure Project (NSIP): Written Representation.

Mr Wright stated that he was a local farmer and whilst not against solar farms in general, the Action Group objected to size and scale of this development. He welcomed the proposed Written Representation attached as Appendix 1 to Report number: CAB/WS/22/057 and hoped Cabinet would support its submission to the Examining Authority.

In response, Councillor John Griffiths, Leader of the Council, stated that the Council shared the Action Group's concerns and thanked Mr Wright for the Group's engagement with the process. Councillor David Roach, Portfolio Holder for Planning, concurred that the Council was not against the provision of solar farms; however, this proposal appeared to be too vast and would be situated in an inappropriate location. The Council had other concerns, as set out in the proposed Written Representation.

The Chair thanked the members of the public for attending the meeting and invited them to hear the debate on the items at the relevant point in the agenda.

408. **Land to the West of Mildenhall: Masterplan (Report number: CAB/WS/22/056)**

(In the interests of openness and transparency, Councillors Andy Drummond, Robert Everitt and David Roach declared that they were all members of Suffolk County Council. All three members remained in the meeting and voted on the item.)

The Cabinet considered this report, which sought approval for the West Mildenhall Masterplan to be adopted as planning guidance.

Policy SA4(a) of the Site Allocations Local Plan (SALP) 2019 document set out that 97 hectares of land was allocated for a mixed-use development at Land to the West of Mildenhall to include 1,300 dwellings with a local centre, a minimum of five hectares of employment land, a ten hectare SANG (Suitable Alternative Natural Greenspace), school, leisure facilities and public services. Approximately 19.2 hectares of the site allocation had already been developed as the Mildenhall Hub, a public service, educational and leisure facility that opened in summer 2021.

While the principle of development was established at the point at which this site was allocated for development in the adopted SALP (2019), the purpose of a masterplan, which had been out for consultation, was to put in place a framework against which future planning applications could be assessed and provide a clear vision as to the nature of the development that would come forward to fulfil the policy allocation.

Councillor David Roach, Portfolio Holder for Planning, drew relevant issues to the attention of Cabinet, including that following a review of the consultation responses and updated masterplan, officers had identified three key areas where further engagement with Suffolk County Council (SCC), as the majority landowner, was necessary. These related to land ownership, the timing of the delivery of the five hectares of employment land required by the policy

allocation; the highway impacts of the future development and the need for highway mitigation measures to be implemented.

With regards to transport, further detailed assessments would be forthcoming at the outline planning application stage and would be comprehensively considered at that time. With regards to the phasing of the employment land, it was considered, that the Memorandum of Cooperation (MoC) in place, as referred to in paragraph 2.15 of the report, was an acceptable compromise and provided sufficient commitment from SCC to bring forward the employment land as soon as possible.

A detailed discussion was held and the challenges associated with implementing sufficient highway improvements in Mildenhall and across West Suffolk were recognised; however, every effort would be made to ensure appropriate road infrastructure was in place to satisfactorily manage traffic flow at the appropriate time as planning applications came forward. Emphasis was placed on the fact that in order to ensure that a comprehensive and policy compliant development came forward on this allocated site it was necessary for a masterplan to be adopted as planning guidance. Delivery would be phased and further detail would come forward at the relevant planning application stage.

Having considered the views and actions of officers in respect of addressing the above issues, as detailed in Report number: CAB/WS/22/056, and the views of the local ward members and stakeholders, the Cabinet considered the document provided a sound framework against which future planning applications could be assessed and supported the adoption of the masterplan as planning guidance.

Resolved:

That the West Mildenhall Masterplan, as contained in Appendix A to Report number: CAB/WS/22/056, be adopted as planning guidance.

409. Sunnica Energy Farm Nationally Significant Infrastructure Project (NSIP): Written Representation (Report number: CAB/WS/22/057)

The Cabinet considered this report, which sought endorsement of the Council's Written Representation in connection with the Sunnica Energy Farm Nationally Significant Infrastructure Project (NSIP) proposals, and for it to be submitted to the Examining Authority by the required deadline of 11 November 2022.

Sunnica Energy Farm was a proposed 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, which would either involve an extension to the Burwell National Grid Substation or the installation of the necessary equipment within the solar panel sites to enable the generated power to be transported to the grid.

The scheme was defined as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 as it was an onshore generating station in England exceeding 50 megawatts. Consent for an NSIP took the form of a Development Consent Order. The application would be determined by the Secretary of State for Business, Energy, and Industrial Strategy (BEIS). The Council was a statutory consultee in the consenting process and a number of stages needed to be followed. The Council was now required to submit its Written Representation (WR).

A WR was the most appropriate document for a local authority to set out its view on the application, i.e. whether or not it supported the application and its reasons.

Section 2.3 of Report number: CAB/WS/22/057 summarised the views and concerns of the Council in response to the proposals with the full WR attached as Appendix 1.

Councillor David Roach, Portfolio Holder for Planning, drew relevant issues to the attention of Cabinet, including placing his thanks on record to officers involved throughout the process, to local ward members and to other councillors, stakeholders and members of the public that had engaged at the various stages.

These sentiments were echoed by fellow Cabinet members, which included thanking Councillor Roach for his valued contributions as well.

The Cabinet endorsed the view that a Development Consent Order should not be granted in respect of the application for the development in its current form for the reasons provided in its WR. Such reasons included (but not limited to) the visual impact on the landscape, the significant loss of agricultural land and the impact on biodiversity. Whilst not against the generation of energy from solar farms, it was felt that this could be achieved through provision of separate smaller schemes in more carefully considered appropriate locations.

Resolved:

That:

1. The Written Representation in connection with the Sunnica Energy Farm Nationally Significant Infrastructure Project (NSIP) proposals to be submitted to the Examining Authority (attached as Appendix 1 to Report number: CAB/WS/22/057), be endorsed.
2. The Director (Planning and Growth), in consultation with the Portfolio Holder for Planning, be authorised to make amendments to the Written Representation prior to its submission.

(Due to ensuring the Written Representation was submitted by the required deadline of 11 November 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).

410. Street Lighting (Report number: CAB/WS/22/058)

The Cabinet considered this report, which at the request of Cabinet in June 2022, presented the findings of an audit of street lighting at district-level, including all parish and town council lighting undertaken over the summer of 2022. Following this work, Cabinet was now asked to consider and approve recommendations to take the matter forward.

The report provided background and context to the undertaking of the audit of street lighting in the district. Section 2.2 of report provided more detail on the responses that had been received from the 16 town and parish councils that had responded to the survey.

It was not possible to infer the views of the 65 parish and town councils that did not respond, and there would be other chances to follow this topic up in the future. This overall level of response was perhaps unsurprising because, as explained in the report to Cabinet in June 2022, parishes and town councils in the former St Edmundsbury area generally did not, for historical reasons, own any lights. Hence the different categorisations of engagement. However, of the 16 parish and town councils that did take part in the audit, the majority had indicated that they were satisfied with their current streetlights i.e. number, location, hours of operation, etc.

Councillor Carol Bull, Portfolio Holder for Governance, drew relevant issues to the attention of Cabinet, including that she and other Cabinet members had listened to the views of the local ward members that had made statements on this matter during Agenda item 4, Open Forum (see minute 406. above) and was mindful of the depth of feeling regarding the perceived disparity between the former Forest Heath and St Edmundsbury street light ownership. Councillor Bull added that the situation was complex with regards to street light ownership and further work needed to be done to ensure a fair and consistent approach was in place across the entire district.

Upon invitation by the Chair, the Strategic Director informed that subject to approval of the recommendations, a meeting with the Brandon Town Clerk and a Suffolk County Council highways engineer had been arranged for the following day to take this matter forward and meetings would be arranged with other town and parish councils in due course in order to achieve a mutually agreeable solution to this issue for all.

The Cabinet agreed that this matter was not without its complications; however, it was considered prudent and acceptable to return to the issue of light ownership as a part of the wider planned review of its relationship with town and parish councils in 2023 across the entire district, ensuring it linked to more holistic discussions around the management of the urban realm.

Resolved:

That:

1. The results of the street lighting audit, be acknowledged.
2. The issue of streetlight ownership be returned to as a part of the wider planned review of its relationship with town and parish councils in 2023, linking it to more holistic discussions around the management of the urban realm.
3. The information gathered from the audit be shared with Suffolk County Council and officers be authorised to support parish and town councils in that dialogue.

411. UK Shared Prosperity Fund and Rural England Prosperity Fund (Report number: CAB/WS/22/059)

The Cabinet considered this report, which sought approval for the implementation arrangements for the UK Shared Prosperity Fund (UKSPF); and for the Rural England Prosperity Fund (REPF) investment allocations and associated matters.

On 26 July 2022, the Council approved and submitted its UK Shared Prosperity Fund (UKSPF) investment plan to the Department for Levelling Up, Housing and Communities. The investment plan set out how West Suffolk proposed to spend its £1,943,467 against a selection of the Government's 41 'interventions'. Appendix A attached to the report, provided detail for implementing each intervention in 2022-2023 and 2023-2024. The range of proposed mechanisms and recipients represented a good spread across different sectors, localities and organisation types, all with the aim of building capacity and supporting the Council's growth and families and communities objectives, particularly in the face of current economic challenges.

The Department for Environment, Food and Rural Affairs had since announced a further fund, known as the Rural England Prosperity Fund (REPF), or 'Rural Fund' as a top-up to UKSPF (covering the priorities of Communities and Place and Supporting Local Business only). West Suffolk's allocation was £753,701 (over the two years) and the capital funding could be used everywhere in the district outside Bury St Edmunds.

In a similar way to the UKSPF, the Council needed to submit to Government a plan for how the £753,701 would be allocated against a set of 'interventions' and these were set out in Appendix B. The proposed allocations aimed to support West Suffolk's rural areas by building capacity and supporting the local economy and communities, in order to meet the Government's objectives contained in section 1.6 of the report.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet including reiterating how both of these funds offered significant opportunities to further invest in the local area to continue to support growth, enhance local places, bolster the support for the most vulnerable in the communities and offer opportunities to local residents to develop new skills.

As the other portfolio holder leading on this matter, Councillor Sarah Broughton, Portfolio Holder for Resources and Property, was delighted to second the motion moved by Councillor Griffiths. Given the tight time constraints imposed by Government, she felt the Council was maximising the opportunities the funds offered to make a real difference to the local economy and communities, supporting businesses and residents during a very challenging time.

Upon invitation by the Chair, the Chief Executive explained the role of the Local Partnership Group in the process, which consisted of several representatives from partners and organisations across the district. The establishment of the Group was a requirement of the UKSPF prospectus and would oversee the implementation of the UKSPF and REPF. The Group had held its first meeting on 7 November 2022, and representatives of the approach undertaken to date to manage the implementation of both funds had been supported.

In response to a question, the Cabinet was informed that a communications plan was in place. Once the funding had been received, plans were in place to move forward with the proposed implementation arrangements as soon as practicable.

Resolved:

That:

1. the implementation arrangements for the UK Shared Prosperity Fund (UKSPF) Investment Plan (at Appendix A to Report number: CAB/WS/22/059), be approved, subject to funding being received from Government.
2. The West Suffolk Rural England Prosperity Fund (REPF) investment allocations (at Appendix B to Report number: CAB/WS/22/059), be approved for submission to the Department for Environment, Food and Rural Affairs (Defra).
3. It be agreed for officers to complete the full REPF Defra investment plan addendum template in line with the details contained in Report number: CAB/WS/22/059.
4. Delegated authority be granted to the Chief Executive, in consultation with the Leader of the Council, to make changes to the UKSPF implementation plans and the REPF investment plan addendum allocations, following input from the Local Partnership Group.
5. Delegated authority be granted to the Portfolio Holder for Resources and Property to implement the approved REPF investment plan addendum once funding has been received from Defra, including implementing minor variations in the funding amounts for each intervention, in order to respond to changing circumstances over the lifetime of the Fund.

412. **West Suffolk Statement of Licensing Policy (Report number: CAB/WS/22/060)**

The Cabinet considered this report, which was recommending to Council, approval of a revised West Suffolk Statement of Licensing Policy to cover the period 2022 to 2027.

The Licensing Act 2003 required a licensing authority to prepare and publish a statement of its licensing policy at least every five years. The policy must be kept under review during the five-year period and the licensing authority may make any revisions as it considered appropriate, such as those relating to feedback from the local community on whether the licensing objectives were being met, so it continued to be relevant and fit for purpose throughout the relevant time period.

As set out in section 2 of the report, the proposed substantive changes to the Statement were minimal and they were primarily dictated by changes in guidance and legislation.

Members noted that there was a statutory duty to undertake a consultation to gauge impact and opinion among key stakeholders. This was held between 21 June and 22 July 2022. Further details of the consultation and the three responses received were set out in section 4 and 5, and Appendix A attached to the report. No comments received resulted in necessary changes to the Statement of Licensing Policy.

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment, drew relevant issues to the attention of Cabinet, including placing his thanks on record to the officers involved in producing the revised Statement of Licensing Policy.

Having noted the outcomes of the consultation on the proposed revised policy, the Cabinet considered it acceptable to recommend adoption of the document to Council.

Recommended to Council (13 December 2022):

That the revised West Suffolk Statement of Licensing Policy 2022 to 2027, as contained in Appendix B to Report number: CAB/WS/22/060, be adopted.

413. **Decisions Plan: 1 November 2022 to 31 May 2023**

The Cabinet considered this report which was the Cabinet Decisions Plan covering the period 1 November 2022 to 31 May 2023.

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

The meeting concluded at 7.14 pm

Signed by:

Chair
