

West Suffolk Council

Cabinet Decisions Notice

(Published: Thursday 21 September 2023)

The following decisions were taken by the Cabinet on Tuesday 19 September 2023 and, if not called in by councillors, will come into operation on Friday 29 September 2023. 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 28 September 2023**. 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 8 CAB/WS/23/037	None	<p>Recommendations of the Performance and Audit Scrutiny Committee: 27 July 2023 - Annual Treasury Management and Financial Resilience Report 2022 to 2023</p> <p>Recommended to Council: (26 September 2023)</p> <p>That the Annual Treasury Management and Financial Resilience Report 2022 to 2023, as contained in Report number</p>	<p>The report is part of the Council’s management and governance arrangements for treasury management activities under the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on treasury management. It provided a comprehensive assessment of treasury activities from 1 April 2022 to 31 March 2023.</p> <p>The Cabinet was required to consider this Treasury</p>	<p>As it was a requirement of the Chartered Institute of Public Finance and Accountancy for Council to approve the Treasury Management Report, no other options have been considered.</p>	<p>Portfolio holder: Diane Hind 01284 706542</p> <p>Chair of Performance and Audit Scrutiny Committee: Peter Armitage</p>

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		FRS/WS/23/003, be approved.	Management Report, prior to seeking its approval by Council.		Officer: Christine Brain Democratic Services Officer (Scrutiny) 01638 719729
Item 9 CAB/WS/23/038	None	<p>Recommendations of the Performance and Audit Scrutiny Committee: 27 July 2023 - Treasury Management Report (June 2023)</p> <p>Recommended to Council: (26 September 2023)</p> <p>That the Treasury Management Report (June 2023), as contained in Report number FRS/WS/23/004, be approved.</p>	<p>The report was part of the Council's management and governance arrangements for Treasury Management activities under the CIPFA Code of Practice on Treasury Management. It provided a comprehensive assessment of activities from 1 April 2023 to 30 June 2023.</p> <p>The Cabinet was required to consider this Treasury Management Report, prior to seeking its approval by Council.</p>	As it was a requirement of the Chartered Institute of Public Finance and Accountancy for Council to approve the Treasury Management Report, no other options have been considered.	<p>Portfolio holder: Diane Hind 01284 706542</p> <p>Chair of Performance and Audit Scrutiny Committee: Peter Armitage</p> <p>Officer: Christine Brain Democratic Services Officer (Scrutiny) 01638 719729</p>

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Item 10 CAB/WS/23/039	None	<p>West Suffolk Environment and Sustainability Working Group 2023 Report</p> <p>Resolved:</p> <p>That:</p> <ol style="list-style-type: none"> 1. The Cabinet confirms its commitment to addressing the Climate and Environment Emergency and, in particular, to reaching net zero by 2030 in respect of Council operations. 2. The review, and implementation, of the action plan as set out in Section 2 of Report number CAB/WS/23/039, with draft plan at Appendix A, be approved. 	<p>In 2019, West Suffolk Council set up an Environment and Climate Change Taskforce and declared both a climate and environmental emergency. That taskforce made recommendations to Cabinet and an action plan was agreed. The Council committed to achieving Net Zero in respect of its own operations by 2030. The action plan was then reviewed annually and reported to Cabinet in July.</p> <p>In June 2023, the Leader of the Council announced a new working group to review the existing action plan, and in particular to consider additional actions the council could take to support and encourage West Suffolk residents and businesses to address the climate and environmental challenge. The terms of reference were agreed by Cabinet on 13 June 2023 (CAB.WS.23.025</p>	<p>The Council could continue to deliver its previous action plan with no changes. However, this would miss opportunities to support businesses and communities with their own environmental improvement and carbon reduction activities.</p> <p>There was no “do nothing” option. The ESWG members were all aware of national and international reports and events, in particular the reports of the Climate Change Committee</p>	<p>Portfolio holder: Gerald Kelly 07968 396389</p> <p>Officer: Jill Korwin Strategic Director 01284 757252</p>

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			<p>Appendix D - West Suffolk Environment and Sustainability Working Group.pdf).</p> <p>The Environment and Sustainability Working Group (ESWG) was set up and was made up of members from all groups. It had reviewed the existing plan, the Council's performance and Annual Environmental Statement, work underway across Suffolk and Report number CAB/WS/23/009 summarised its initial findings, including considerations for 2024-2025 budget planning.</p> <p>The draft 2023 to 2025 Action Plan was attached as Appendix A. In considering the current plan and current challenges, there were a number of specific opportunities the ESGW wanted to highlight, and these had been included within the draft plan.</p>	<p>theccc.org.uk</p>	

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Item 11 CAB/WS/23/040	None	<p>De-carbonisation Initiatives Fund</p> <p>Recommended to Council: (26 September 2023)</p> <p>That:</p> <ol style="list-style-type: none"> 1. A Decarbonisation Initiatives Fund of £1 million be created, funded by the Strategic Priorities and Medium-Term Financial Strategy Reserve. 2. The first call on that fund be a grant scheme for the upgrade of streetlights owned by town and parish councils to light-emitting diode (LED) lanterns on the basis outlined within Report number CAB/WS/23/040. 3. Cabinet be authorised, if applicable, to agree the use of any remaining balance in the Fund for additional decarbonisation initiatives. 4. The Council's Section 151 	<p>This report sought to create a £1 million fund to support third-parties in pursuing de-carbonisation initiatives. It also identified an initial priority area for that spending which could result in a large environmental improvement for the district in keeping with the Council's adopted priorities. Namely, the upgrade of streetlighting owned by town and parish councils.</p>	<p>West Suffolk Council did not have to offer this grant to local councils as it had no statutory obligation to maintain streetlights and was not required to work with other local lighting authorities to review street lighting distribution and operation. So doing nothing is an option. However, the potential environment and cost benefits of LED upgrades would have a significant impact on local communities. Specifically, this</p>	<p>Portfolio holders: Gerald Kelly 07968 396389</p> <p>David Taylor 07583 078524</p> <p>Officer: Alex Wilson Strategic Director 01284 757695</p>

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		<p>Officer be authorised to make the necessary changes to the Council’s prudential indicators.</p>		<p>was a chance to ensure that the technical performance of these important community assets was consistently high across the district, and to make a high-impact investment in decarbonisation</p> <p>There was the option to only offer part or match-funding. A 100% grant was expected to make it easier to get local council sign-up quickly and thereby unlock the benefits. Hence this being recommended. But clearly this resulted in a larger opportunity</p>	

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				<p>cost to WSC in terms of this being the first-call on the £1 million decarbonisation fund.</p> <p>Another option considered was to offer a grant towards replacing the lantern only. Environmentally the benefit was achieved by changing the lantern. However, in some instances this can't take place until the condition of the wider fitting was addressed. As such, the condition of lighting columns and brackets was often a large part of the capital cost quoted for</p>	

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				<p>conversion. For instance, the SCC contractor addressed the whole lighting installation not just the lantern, as part of a single set of works. For this reason, it was recommended that the grant was also available for essential maintenance works to the lighting column provided this was linked to the upgrade of the lantern to LED and a condition survey. If this principle was supported, it would also be more efficient to offer assistance to the town and parish councils in</p>	

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				<p>relation to arranging the condition surveys. Done centrally, this would be at a relatively small marginal cost to WSC as part of the overall grant scheme. Whereas to an individual town or parish council it could be a large one-off cost in relation to their annual budgets and act as a disincentive to take part.</p>	
<p>Item 12 CAB/WS/23/041</p>	<p>None</p>	<p>Western Way Project</p> <p>Recommended to Council: (26 September 2023)</p> <p>That:</p> <p>1. The delivery of the Western Way project in Bury St Edmunds be revised as set</p>	<p>Phase 1 of the current Western Way (WW) project in Bury St Edmunds was approved in principle by Council in December 2022, and its final target budget was approved by Cabinet in March 2023 (approximately £61 million including land</p>	<p>The report explained why these new recommendations were being made as an alternative to the options set out in previous business cases.</p>	<p>Portfolio holders: Cliff Waterman 01284 757001</p> <p>Victor Lukaniuk 07850 984500</p>

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		<p>out in Report number CAB/WS/23/041 and in accordance with the following resolutions.</p> <p>2. Officers be authorised, in consultation with the Portfolio Holders for Leisure and for Resources, to deliver a refurbishment of the existing Bury St Edmunds Leisure Centre provided that the total cost of these works is fully met by the Council's already available budgets for the centre and any new third-party funding that can be obtained, as set out in section 3 of Report number CAB/WS/23/041.</p> <p>3. A budget of £75,000, funded from the Strategic Priorities and Medium-Term Financial Strategy Reserve, be approved to develop an initial business case for alternative options for the Olding Road site.</p>	<p>acquisition costs). However, approval to sign a contract and deliver the first stage of the project was subject to financial tests being met after the final stage of tendering with the preferred contractor, Morgan Sindall, in summer 2023. A business case for phase 2 of the project had not yet been considered by councillors, but a further budget of up to £10 million was approved to address the remainder of the site in the meantime.</p> <p>When the new Cabinet was appointed in May 2023, it announced its intention to review the future of the WW project in the light of changed economic circumstances. This report was the outcome of those deliberations by the Cabinet.</p> <p>After careful consideration, it was proposed by Cabinet to cancel the Western Way</p>	<p>Information on those other options was available via the listed background reports.</p>	<p>Ian Shipp 07368 134769</p> <p>Diane Hind 07890 198957</p> <p>Officer: Alex Wilson Strategic Director 01284 757695</p>

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		<p>4. The existing allocation of up to £1 million from the original West Suffolk Operational Hub project towards remediation of the former council depot be retained on an invest-to-save basis in the Council's Capital Programme to cover the cost of any immediate works to the existing Olding Road site which will add value to this asset and/or reduce holding costs irrespective of which future option for its use is adopted; any expenditure from this allocation to be approved by the Council's section 151 Officer in consultation with the Portfolio Holder for Resources.</p> <p>5. A provision of up to £2.4 million from the Strategic Priorities and Medium-Term Financial Strategy Reserve be approved to fund any abortive costs arising from the new approach to the</p>	<p>project. This would stop all work on a new leisure centre and deferred a decision on the Olding Road site until further reports were received. To ensure the ongoing security of leisure facilities for Bury St Edmunds and a large catchment, it was proposed that essential refurbishment works took place to the current Bury Leisure Centre (BLC) instead. This would guarantee its security as a facility for the medium-term.</p> <p>An Addendum to Report number CAB/WS/23/041 was also circulated to the Cabinet where the Council's three Statutory Officers had carried out a subsequent analysis of the report to ensure that it already contained all of the necessary information on opportunities, risks and financial implications. The Addendum summarised that analysis.</p>		

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		<p>Western Way project.</p> <p>6. The current Section 73 planning application to allow phasing of the original planning consent for Western Way remain on hold until a new decision is reached by Council on the future of the Olding Road site.</p> <p>7. Officers be authorised to appoint a new external project team and contractor(s) to progress the new approach, within the new spending authorities set out above and in accordance with the Council’s Contract Procedure Rules.</p> <p>8. The Council’s Section 151 Officer be authorised to make the necessary changes to the Council’s prudential indicators.</p>			

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Item 13 CAB/WS/23/042	None	<p>Public Space Protection Orders (PSPO) Review of Existing Orders</p> <p>Resolved:</p> <p>That:</p> <ol style="list-style-type: none"> 1. The continuation with the existing PSPOs, as detailed in Appendices A and B to Report number: CAB/WS/23/042, be agreed. 2. Subject to the agreement of the owners, that the following three locations be added as facilities where dogs are to be excluded: <ol style="list-style-type: none"> i. Fornham St Martin play area. ii. Brandon Remembrance Playing Field – skate park area. iii. Brandon Remembrance Playing Field – main football pitch. 	<p>Public Space Protection Orders (PSPOs) were introduced by the Anti-Social Behaviour Crime and Policing Act 2012 as a tool to tackle anti-social and nuisance behaviour which had a detrimental effect on communities. PSPOs replaced the Designated Public Protection Orders (DPPOs) that previously existed. They enabled the Council to prohibit certain behaviours in a defined geographical area and failure to comply with the requirements of an approved PSPO could result in a criminal offence being committed which was punishable with either a fixed penalty notice or a fine.</p> <p>PSPOs expired after three years of implementation and the Council had a duty to conduct a review of all PSPOs within the three-year time frame and determine whether to amend, renew or</p>	<p>The available options with regards for the continuation of the existing PSPOs were detailed within Report number CAB/WS/23/042.</p>	<p>Portfolio holders: Donna Higgins</p> <p>Ian Shipp 07368 134769</p> <p>Officers: Davina Howes Director (Families and Communities) 01284 757070</p> <p>Mark Walsh Director (Operations) 01284 757300</p>

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			<p>discharge the orders.</p> <p>A copy of all the current PSPOs within West Suffolk could be found at Appendix A and maps identifying the geographical areas could be found at Appendix B to Report number CAB/WS/23/042. Given the proposal not to change any of the anti-social behaviour related PSPOs terms and conditions or geographical coverage, these would remain in place for a further three years (subject to any intervening review) until 2026. In terms of the dog fouling PSPOs, these changes were set out in paragraph 3.4.2. of Report number CAB/WS/23/042.</p>		

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<p>Item 14 CAB/WS/23/043</p>	<p>None</p>	<p>Newmarket and Bury St Edmunds Cumulative Impact Report</p> <p>Resolved:</p> <p>That:</p> <ol style="list-style-type: none"> 1. The Cumulative Impact Assessment (CIA) for Bury St Edmunds be not renewed. 2. The Cumulative Impact Assessment (CIA) for Newmarket be not renewed. 3. West Suffolk Council's Statement of Licensing Policy be updated to reflect substantive changes. 	<p>Cumulative impact policies were introduced as a tool for licensing authorities to manage the growth of licensed premises in an area where the number, type and density of premises selling alcohol could lead to nuisance and disorder.</p> <p>The current CIA applying to the centre of Newmarket was designated in 2008 and re-adopted in 2011, 2016, 2018, and 2021. The map set out in paragraph 2.1 of Report number CAB/WS/23/043 outlined the current CIA area. As part of the CIA review, the Licensing Authority had considered the types of premises within the area, or how the area had changed.</p> <p>The current CIA applying to the centre of Bury St Edmunds was designated in 2014 and re-adopted in 2017 and 2020. The map set out in</p>	<p>The alternative options are:</p> <ul style="list-style-type: none"> • To renew the CIA for Newmarket • To renew the CIA for Bury St Edmunds. <p>A decision not to continue with the CIA, should be considered alongside the wider mechanisms that exist for controlling cumulative impact, both within and outside the licensing regime. For example:</p> <ul style="list-style-type: none"> • planning controls • positive measures to create a safe and clean 	<p>Portfolio holder: Gerald Kelly 07968 396389</p> <p>Officer: Jennifer Eves Director (HR, Governance and Regulatory) 01284 757015</p>

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			<p>paragraph 3.1 of Report number CAB/ES/23/043 outlined the current CIA area.</p> <p>A public consultation took place between 9 June to 28 July 2023. An online response form was created and this was published through media, website, social media, councillors, staff and partner organisations. The full analysis can be viewed in Appendix B to Report number CAB/WS/23/043. The full compilation of evidence can be viewed in Appendix A to Report number CAB/WS/23/043.</p> <p>Report number CAB/WS/23/043 had been put before Cabinet for a decision on whether to retain the two CIAs that were currently present within West Suffolk or whether to allow them to lapse.</p>	<p>environment in partnership with local businesses, transport operators and others such as the BIDs.</p> <ul style="list-style-type: none"> • the provision of CCTV, use of taxi ranks. • powers to designate parts of the city as places where alcohol may not be consumed publicly (Public Spaces Protection Orders) • confiscation of alcohol from adults and children in designated areas • police enforcement of the law with 	

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				<p>regard to disorder and anti-social behaviour, including the issuing of fixed penalty notices</p> <ul style="list-style-type: none"> • police powers to close some premises for up to 24 hours on the grounds of disorder, the likelihood of disorder or excessive noise. • the power of police, local businesses, or residents to seek a review of the licence or certificate. • enforcement action against those selling alcohol to people who were drunk. 	

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<p>Item 16</p> <p>CAB/WS/23/045 (with Exempt Appendices)</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 No: CAB/WS/23/045, be approved, as follows:</p> <ol style="list-style-type: none"> 1. Exempt Appendix 1: NNDR totalling £117,777.51. 2. Exempt Appendix 2: Sundry Debt totalling £67,653.53 	<p>The detailed reasons for the decisions to write-off these amounts, were included in the Exempt Appendices to Report number CAB/WS/23/045.</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</p>	<p>Portfolio holder: Diane Hind 07890 198957</p> <p>Officer: Rachael Mann 01638 719245</p>

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				<p>not considered appropriate to pass the debts on to 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)
 21 September 2023