

Council



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Council** held on
Tuesday 30 October 2018 at 7.00 pm at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Mayor Margaret Marks
Deputy Mayor Patrick Chung

Terry Clements	Beccy Hopfensperger	David Roach
Carol Bull	Paul Hopfensperger	Richard Rout
John Burns	Ian Houlder	Andrew Smith
Mike Chester	Elaine McManus	Andrew Speed
Max Clarke	Sara Mildmay-White	Clive Springett
Mary Evans	David Nettleton	Peter Stevens
Robert Everitt	Robin Pilley	Peter Thompson
Susan Glossop	Clive Pollington	Jim Thorndyke
John Griffiths	Alaric Pugh	Julia Wakelam
Diane Hind	Karen Richardson	Patricia Warby

393. **Prayers**

The Mayor's Chaplain, The Reverend Canon, Ian Finn, Rector of St Mary's Church, Haverhill opened the meeting with prayers.

394. **Minutes**

The minutes of the meeting held on 25 September 2018 were confirmed as a correct record and signed by the Mayor.

395. **Mayor's announcements**

The Mayor reported on the civic engagements and charity activities which she, and the Deputy Mayor and Mayoress had attended since the last ordinary meeting of Council on 25 September 2018.

396. **Apologies for Absence**

Apologies for absence were received from Councillors Trevor Beckwith, Simon Brown, Tony Brown, Jason Crooks, Paula Fox, Wayne Hailstone, Jane Midwood, Joanna Rayner, Barry Robbins, Sarah Stamp and Frank Warby.

Councillor Anthony Williams was also unable to attend the meeting.

397. Declarations of Interests

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

398. Leader's Statement (Paper No: COU/SE/18/020)

Councillor John Griffiths, Leader of the Council, presented his Leader's Statement as contained in Paper No: COU/SE/18/020.

The Leader responded to a range of questions relating to:

- (a) **The rise in tourism in West Suffolk:** that in Bury St Edmunds in particular, the Council would need to find solutions to mitigate the impact of the rise in tourism which had placed a greater demand on parking and increased traffic generation. It was however, applauded that despite in times of austerity, the Council had continued to invest in leisure and cultural services, and this had contributed to the rise in tourism figures;
- (b) **Housing Provision in West Suffolk:** It was suggested that investment in social housing should be back on the Council's agenda. This was agreed in principle and the Council very much wished to progress investment in housing provision, and the recent highly successful Housing Conference confirmed the Council's commitment to supporting housing delivery in West Suffolk. Affordable and social housing was an important part of this, and the Council was working in partnership with Housing Associations to bring forward proposals;
- (c) **Local Government Boundary Commission for England (LGBCE)'s Boundary Review of the district wards for the new West Suffolk Council:** Particular reference was given to the new warding arrangements for Abbeygate and Minden Wards in Bury St Edmunds; and the town wards in Haverhill.

Written replies would be provided to questions relating to monies allocated to private landlords from council taxpayers, and in connection with the statements made under (c) above. The responses would be circulated to all Members for their perusal.

399. Public Participation

The following question was put and answered during this item:

Mr Cliff Waterman, of Bury St Edmunds asked a question in connection with Chancellor Philip Hammond's Budget announcement regarding the Government's proposal to increase funding for the Housing Infrastructure Fund and whether the Council had previously received funding from the first round of this Fund. If so, Mr Waterman wished to know the quantity of additional homes built as a result; and the amount of funding the Council

would bid for in the second round and the number of homes that could be expected to be built during the second time around.

In response, Councillor Sara Mildmay-White, Portfolio Holder for Housing, stated that no money had been granted in the first round of bidding for the Housing Infrastructure Fund as the Council did not at that time, have schemes that met the Fund's criteria. Work would be undertaken with Suffolk County Council to ascertain whether the criteria would be met to enable bidding to take place during future rounds. Funding had however, been granted from the Ministry for Housing, Communities and Local Government's Land Release Fund, which contributed towards the provision of 79 homes for the St Olaves Road scheme in Bury St Edmunds.

The Council actively sought to apply for funding for housing schemes where possible.

Mr Waterman asked a supplementary question, which was in connection with the reasons for not meeting the criteria during the first round of bidding to the Housing Infrastructure Fund. In response, Councillor Mildmay-White, stated that the Council did not have a so-called 'oven-ready' scheme. The Government required quick results and no scheme was ready at that time to present to them, which was one of the reasons for applying to an alternative funding source for the St Olaves Road scheme.

No further questions were asked by members of the public present.

400. **Referrals Report of Recommendations from Joint Executive (Cabinet) Committee (Report No: COU/SE/18/021)**

Council considered the Referrals Report of Recommendations from the Joint Executive (Cabinet) Committee contained within Report No: COU/SE/18/021.

(A) Referral from Joint Executive (Cabinet) Committee: 2 October 2018

1. West Suffolk Gambling Act 2005: Statement of Policy 2019-2022

Approval was sought for the adoption of a revised joint West Suffolk Councils' Statement of Policy in accordance with the Gambling Act 2005.

The current West Suffolk policy expired on 30 January 2019 and a revised version had been consulted on with statutory consultees. This would then require review in 2021 for re-adoption by January 2022.

Councillor Susan Glossop, Portfolio Holder for Planning and Growth, drew relevant issues to the attention of Council, including that the Joint Executive (Cabinet) Committee had recommended some changes to the revised policy as set out in paragraphs 1.3 and 1.4 of Report No: COU/SE/18/021, and therefore these proposed amendments had been incorporated into the documents and attached as Appendices 1 and 2 to the Council report for Council's consideration and adoption.

Forest Heath District Council was due to consider the same referral report at its meeting on 21 November 2018.

On the motion of Councillor Susan Glossop, seconded by Councillor Sara Mildmay-White, and duly carried, it was

RESOLVED:

That the revised West Suffolk Gambling Act 2005: Statement of Policy for the period 2019-2022, as contained in Appendices 1 and 2 to Report: No: COU/SE/18/021, be adopted.

401. Western Way Development, Bury St Edmunds: Outline Business Case (Report No: COU/SE/18/022)

Council considered Report No: COU/SE/18/022, which sought approval for the adoption of the Outline Business Case, a budget for the next stage of the project and authority for some associated immediate actions for the Western Way Development in Bury St Edmunds, including an outline business case for the replacement of the Bury St Edmunds Leisure Centre.

The following documents were attached to the report:

- Main Outline Business Case for the Western Way Development and its five appendices:
 - Appendix 1: Bury St Edmunds Leisure Centre outline business case
 - Appendix 2: Organisational Overview
 - Appendix 3: Benefits Appraisal
 - Appendix 4: Zoning Diagrams
 - Appendix 5: Plans and Visualisations

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including that the proposed Western Way Development was a nationally ground-breaking investment in public services, skills and jobs. As an outline business case, it did not contain detailed plans and figures and the intention at this meeting was to support the concept, and test whether there was sufficient confidence in the scheme to progress to the next stage.

Reference was particularly given to:

- (a) the fact that should the recommendations contained in Report No: COU/SE/18/022 be approved, a final business case was anticipated to be presented to West Suffolk Council in 2019 with, subject to approval of the final business case, a planning application being submitted later that year, with a view to phase one being completed by 2023;
- (b) the aspirations of the revised masterplan for the site that was adopted in 2016;

- (c) the concept drawings and use of the existing frame and concrete pad of the depot/DHL distribution building, which would provide an affordable and flexible model for the emerging final uses of the site under either the proposed baseline model or the target model detailed in the Outline Business Case;
- (d) the case for investment (working with partners and external funders) in better facilities, better public services, new jobs and student accommodation and that in order to deliver the wider benefits, the final business case would need to propose the delivery of a break-even scheme for the Council in terms of whole-life costing;
- (e) that, whilst the Outline Business Case addressed the project in estates terms, other savings and benefits were likely to emanate from how the development would improve people's lives;
- (f) the opportunity to replace, update and relocate the Bury St Edmunds Leisure Centre to an alternative position within the Western Way Development site (as set out in Appendix 1);
- (g) the allocation of a total budget of £1.5 million to enable the preparation of the final business case, which would be subject to external funding partner contributions being obtained, with the Council contributing up to a maximum of £900,000 as developer and landowner (which would be transferable if the final business case was not adopted);
- (h) the proposal to work with County Highways to produce a new transport assessment, which would address proposals to mitigate increased traffic generation in the locality. This would be presented to Members at the final business case stage and would detail the expected impact and provide an analysis of the highway network, public transport, walking and cycling, hours of opening and parking to achieve an acceptable solution. Recommendations (6) and (7) sought to address the need to tackle transport and parking issues at this outline business case stage; and
- (i) the proposal to appoint an independent expert to appraise the final business case before Members received it in 2019.

A detailed discussion was held with Members commending the aspiration and ambition of the proposed project, including the potential to replace the leisure centre. The proposal for the traffic assessment to be presented to Members was welcomed at the final business case stage, and it was reiterated that, through working closely with County Highways, appropriate investment in infrastructure improvements and traffic mitigation measures needed to remain a priority.

Other issues raised included exploring alternative means or providing incentives for accessing the proposed development other than by the petrol/diesel fuelled car; whether a precise commitment had been made for a GP surgery to be located at the site; and potential options for improving the existing facilities of the leisure centre. Specific questions raised by

Councillors Diane Hind and Julia Wakelam would be provided by written reply and circulated to all Members for their perusal.

On the motion of Councillor John Griffiths, seconded by Councillor Susan Glossop, and duly carried it was

RESOLVED: That

- (1) the Outline Business Cases for the Western Way Development, Bury St Edmunds and, as part of that scheme, the replacement of the Bury St Edmunds Leisure Centre, as contained in the attachment and its five appendices to Report No: COU/SE/18/022, be approved;
- (2) subject to match-funding being received from partners and the Business Rates Pilot Place Fund, further project funding to allow the preparation of Final Business Cases of up to £1,500,000 be approved on the basis set out in Section 2 of Part F of the main Outline Business Case; the Council's own direct contribution of up to £900,000 to be funded from the Strategic Priorities and MTFS Reserve;
- (3) funding bids be made to regional and national funding schemes to offset the project funding and support delivery of the actual scheme;
- (4) the Council's Section 151 Officer makes the necessary changes to the Council's prudential indicators to reflect the direct cost to the Council of funding the project budget;
- (5) an external expert adviser be appointed to carry out an independent gateway review of the Final Business Case for the Western Way Development before it is presented to Council;
- (6) subject to planning consent being received by the ESFA, the Council approves the principle of funding the marginal cost of upgrading the Beetons Way/Western Way junction so that it can meet the requirements of the Western Way Development as well as the Abbeygate Sixth Form; officers being authorised to approve these works and meet any capital expenditure from within the project funding approved under (2) above; and
- (7) the officers be authorised to enter into leases with third parties for temporary off-site parking options within one mile of the site to facilitate the delivery of the project, on the basis set out in section 2.5 of Part G of the main Outline Business Case; any cost incurred before approval of the Final Business Case also being met from within the approved project budget.

402. Questions to Committee Chairmen

Council considered a narrative item, which sought questions of Committee Chairmen on business transacted by their committees since the last ordinary meeting of Council on 25 September 2018, as outlined below:

Committee	Chairman	Dates of meetings
Performance and Audit Scrutiny Committee	Cllr Sarah Broughton	27 September 2018
Development Control Committee	Cllr Jim Thorndyke	4 October 2018

No questions were asked of the above Chairmen.

403. Urgent Questions on Notice

No urgent questions had been received.

404. Exclusion of Press and Public

As the next item on the agenda was exempt, it was proposed, seconded and

RESOLVED:

That the press and public be excluded during the consideration of the following item because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against the item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

405. Exempt: Investing in our Commercial Asset Portfolio (para 3) (Exempt Report No: COU/SE/18/023)

Council considered Exempt Report No: COU/SE/18/023, which sought approval for a potential investment in the Council's commercial asset portfolio.

The Council had the opportunity to purchase property in Bury St Edmunds as a commercial investment. If it were to proceed, the purchase would be made from the Council's Investing in Growth fund and would provide a revenue return to help meet the Medium Term Financial Strategy (MTFS) targets for 2018/19.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Council, including providing background to the proposal; the details of the Council's provisional offer; the financial case for making the investment; and the potential wider place-shaping and strategic value.

Councillor Griffiths then moved approval of the recommendations set out in the exempt report, which was duly seconded by Councillor Ian Houlder.

At this point, on the motion (non-closure) of Councillor Terry Clements, seconded by Councillor Paul Hopfensperger, and duly carried, it was

RESOLVED:

That standing orders be suspended to allow Members to speak more than once during the debate.

A detailed discussion was held where a number of concerns about the proposal were expressed.

Following due consideration, Councillor Griffiths, as proposer, sought to withdraw the substantive motion. Councillor Houlder agreed to withdraw the seconding of the motion. No further motions were proposed.

With no substantive motion to consider, no vote was taken and the Mayor concluded business.

The Meeting concluded at 9.09 pm

Signed by:

Mayor
