

West Suffolk Council

Cabinet Decisions Notice
(Published: Thursday 12 September 2019)

The following decisions were taken by the Cabinet on **Tuesday 10 September 2019** and, if not called in by Councillors, will come into operation on Friday 20 September 2019. 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 Assistant Director (HR, Legal and Democratic Services) (e-mail: democratic.services@westsuffolk.gov.uk) **by 5.00 pm on Thursday 19 September 2019.**

Should you have a query regarding any of the decisions taken, contact should be made with the named officer in the first instance, either on the telephone number listed against their name, or via email using the format firstname.surname@westsuffolk.gov.uk. Alternatively, you may also contact the relevant Portfolio Holder on the telephone number listed against their name, or via email using the format firstname.surname@westsuffolk.gov.uk Contact may also be made via Democratic Services, West Suffolk Council, West Suffolk House, Western Way, Bury St Edmunds Suffolk, IP33 3YU, or College Heath Road, Mildenhall, IP28 7EY

Agenda Item and Report No.	Declarations of Interest/ Dispensations Granted	Decision(s) (including recommendations to Council)	Reason(s) for Decision(s)	Other Options Considered and Reasons for Rejection	Contacts
Item No. 6 CAB/WS/19/021	None	<p><u>Recommendations of the Performance and Audit Scrutiny Committee - 25 July 2019: Annual Treasury Management Report 2018-2019 (FHDC)</u></p> <p><u>RECOMMENDED TO COUNCIL:</u> (19 September 2019)</p> <p>That the Annual Treasury Management Report for 2018-2019 for the former Forest Heath District Council, being Report No: FRS/WS/19/001, be approved.</p>	<p>The Cabinet is required to consider the Annual Treasury Management Report for 2018/2019, prior to seeking its approval by Council.</p> <p>The former Forest Heath District Council’s Annual Treasury Management Report for 2018-2019 included tables summarising interest earned and the average rate of return achieved during 2018-2019; investment activity during the year; investments held as at 31 March 2019; capital borrowing budget 2018-2019 and borrowing and temporary loans.</p> <p>The budget for investment income in 2018-2019 was £224,000 (target average rate of return 0.75%).</p>	<p>As it was a requirement of the Chartered Institute of Public Finance and Accountancy for Council to approve the Annual Treasury Management Report, no other options were considered.</p>	<p><u>Portfolio Holder:</u> Cllr Sarah Broughton 01284 787327</p> <p><u>Officer:</u> Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p>

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			Interest actually earned during the financial year totalled £145,597 (average rate of return of 0.724%), against a budget for the year of £224,000; a budgetary deficit of £78,404.		
Item No. 7 CAB/WS/19/022	None	<p><u>Recommendations of the Performance and Audit Scrutiny Committee - 25 July 2019: Annual Treasury Management Report 2018-2019 (SEBC)</u></p> <p><u>RECOMMENDED TO COUNCIL:</u> (19 September 2019)</p> <p>That the Annual Treasury Management Report for 2018-2019 for the former St Edmundsbury Borough Council, being Report No: FRS/WS/19/002, be approved.</p>	<p>The Cabinet is required to consider the Annual Treasury Management Report for 2018/2019, prior to seeking its approval by Council.</p> <p>The former St Edmundsbury Borough Council's Annual Treasury Management Report for 2018-2019 included tables summarising the interest earned and the average rate of return achieved during 2018-2019; investment activity during the year; investments held as at 31 March 2019 and capital borrowing budget 2018-2019.</p> <p>The budget for investment income in 2018-2019 was £308,000 (target average rate of return 0.70%). Interest actually earned during the financial year totalled £344,766 (average rate of return of 0.751%), against a budget for the year of £308,000; a budgetary surplus of £36,766.</p>	As it was a requirement of the Chartered Institute of Public Finance and Accountancy for Council to approve the Annual Treasury Management Report, no other options were considered.	<p><u>Portfolio Holder:</u> Cllr Sarah Broughton 01284 787327</p> <p><u>Officer:</u> Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p>
Item No. 8 CAB/WS/19/023	None	<p><u>Recommendations of the Performance and Audit Scrutiny Committee - 25 July 2019: Treasury Management Report (June 2019)</u></p>	The Cabinet is required to consider the Treasury Management Report, prior to seeking its approval by Council. This report provided information on the investment	As it was a requirement of the Chartered Institute of Public Finance and Accountancy for	<p><u>Portfolio Holder:</u> Cllr Sarah Broughton 01284 787327</p>

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		<p><u>RECOMMENDED TO COUNCIL:</u> (19 September 2019)</p> <p>That the Treasury Management Report for 2018-2019, being Report No: FRS/WS/19/003, be approved.</p>	<p>activities for the West Suffolk Council for the period 1 April 2019 to 30 June 2019.</p> <p>Following the creation of West Suffolk Council, the total amount invested at 1 April 2019 was £47,750,000 and at 30 June 2019 £46,250,000. Various deposit accounts were closed in the lead up to the year end in order to wind up both Forest Heath District Council and St Edmundsbury Borough Council. These balances were held in the current account until the first trading day of West Suffolk Council when new deposit accounts could be opened.</p> <p>The 2019-2020 Annual Treasury Management and Investment Strategy sets out the Council's projections for the current financial year. The budget for investment income in 2019-2020 was £142,141 which was based on a 0.90% target interest rate of return on investments.</p>	<p>Council to approve the Treasury Management Report, no other options were considered.</p>	<p><u>Officer:</u> Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p>
<p>Item No. 9 CAB/WS/19/024</p>	<p>Cllr Sarah Broughton declared a non pecuniary interest as she was a personal acquaintance of the owner of land at</p>	<p><u>Single Issue Review (SIR) of Core Strategy Policy CS7: Planning Inspector's Report and Adoption</u></p> <p><u>RECOMMENDED TO COUNCIL:</u> (19 September 2019)</p> <p>That:- (1) The content of the Inspector's</p>	<p>The preparation of the Forest Heath Core Strategy Single Issue Review (SIR) of Policy CS7 had now reached the end of the plan making process. The Inspector's Report had been received and, subject to incorporating the associated Main Modifications identified by the Inspector, they concluded that the</p>	<p>There were two options available to the Council now that the Inspector's Report had been received:</p> <p>- To adopt the SIR of Core Strategy</p>	<p><u>Portfolio Holder:</u> Cllr John Griffiths 07958 700434</p> <p><u>Officer:</u> Marie Smith Service Manager (Strategic Planning) 01638 719260</p>

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	Hatchfield Farm, Newmarket	<p>report to the Single Issue Review of Core Strategy Policy CS7 containing Main Modifications (Appendix A to Report No: CAB/WS/19/024) be noted;</p> <p>(2) The schedule of Additional Modifications (Appendix B to Report No: CAB/WS/19/024) to the Single Issue Review of Core Strategy Policy CS7 to make minor updates and corrections, be noted;</p> <p>(3) The Single Issue Review (SIR) of Policy CS7 including both main and additional modifications (Appendix C to Report No: CAB/WS/19/024) be adopted;</p> <p>(4) The Service Manager for Strategic Planning, in consultation with the Leader of the Council, be authorised to make minor typographical amendments or updates in preparing the final version of the Plan.</p>	<p>Local Plan was sound.</p> <p>Appendix A set out the Inspector's Report which found the Local Plan sound and considered it an appropriate basis for the planning for the area of West Suffolk District Council, formally known as Forest Heath. The main modifications were attached to the Inspector's Report.</p> <p>Appendix B set out the suggested additional modifications by Officers made to the SIR document to-date.</p> <p>Appendix C set out the final version of the SIR of Core Policy Strategy CS7, which included all of the main modifications required by the Planning Inspector and the additional modifications suggested by Officers.</p> <p>As a result of the modifications, the Habitats Regulations Assessment (HRA) (Appendix D) and the Sustainability Appraisal (SA) (Appendix E) documents had also been updated.</p>	<p>Policy CS7, as amended by the main modifications suggested by the Inspector.</p> <p>- To not adopt the SIR of Core Strategy Policy CS7.</p>	
Item No. 10 CAB/WS/19/025	Cllr Sarah Broughton declared a non pecuniary interest as she was a personal acquaintance of	<p><u>Site Allocations Local Plan (SALP): Planning Inspector's Report and Adoption</u></p> <p><u>RECOMMENDED TO COUNCIL:</u> (19 September 2019)</p>	The preparation of the Forest Heath Site Allocations Local Plan (SALP) had now reached the end of the plan making process. The Inspectors' Report had now been received and, subject to incorporating the associated Main	There were two options available to the Council now that the Inspector's report had been received:	<p><u>Portfolio Holder:</u> Cllr John Griffiths 07958 700434</p> <p><u>Officer:</u> Marie Smith Service Manager</p>

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	the owner of land at Hatchfield Farm, Newmarket	<p>That:-</p> <p>(1) The content of the Inspector's report to the Site Allocations Local Plan containing Main Modifications (Appendix A to Report No: CAB/WS/19/025) be noted; and</p> <p>(2) The schedule of Additional Modifications (Appendix B to Report No: CAB/WS/19/025) to the Site Allocations Local Plan to make minor updates and corrections be noted; and</p> <p>(3) The following documents be adopted:</p> <ul style="list-style-type: none"> • The Site Allocations Local Plan including both main and additional modifications (Appendix C to Report No: CAB/WS/19/025). • The Policies Map (Appendix D to Report No: CAB/WS/19/025). <p>(4) The Service Manager for Strategic Planning, in consultation with the Leader of the Council, be authorised to make minor typographical amendments or updates in preparing the final version of the Plan.</p>	<p>Modifications identified by the Inspectors, they concluded that the Local Plan was sound.</p> <p>Appendix A set out the Inspectors' Report which found the Local Plan sound and considered it an appropriate basis for the planning for the area formally known as Forest Heath.</p> <p>Appendix B set out the additional modifications suggested by Officers to the SALP document.</p> <p>Appendix C set out the final version of the SALP, along with a Policies Map Book showing the allocations (Appendix D). These documents included all of the main modifications required by the Planning Inspector and the additional modifications suggested by Officers.</p> <p>As a result of the modifications, the Habitat Regulations Assessment (HRA) and the Sustainability Appraisal (SA) documents had also been updated.</p>	<ul style="list-style-type: none"> - To adopt the Site Allocations Local Plan as amended by the main modifications suggested by the Inspector; or - To not adopt the Site Allocations Local Plan 	(Strategic Planning) 01638 719260
Item No. 11 CAB/WS/19/026	None	<p><u>Western Way Development: Final Business Case</u></p> <p><u>RECOMMENDED TO COUNCIL:</u> (19 September 2019) That, subject to no further significant</p>	The Cabinet was being asked to recommend to Council, approval of the Final Business Cases for the Western Way Development (WWD), Bury St Edmunds and, as part of the wider scheme, the replacement	The Final Business Cases have been developed after consideration of all available options.	<u>Portfolio Holder:</u> Cllr Jo Rayner 01284 750366

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		<p>concerns or matters arising from the outcome of the public consultation:</p> <ol style="list-style-type: none"> (1) The Final Business Cases for the Western Way Development (WWD), Bury St Edmunds and, as part of that wider scheme, the replacement of the Bury St Edmunds Leisure Centre be approved, allowing the project to be delivered on the basis set out in those Business Cases and the Council's Constitution; (2) Subject to the updates in this Final Business Case, the Strategic Case for the WWD contained in the 2018 Outline Business Case be reconfirmed; (3) Taking into account the outcome of the pre-application consultation, planning consent be sought by the Council and its partners for the WWD as described in the Final Business Case; (4) Provision of £300,000 be made from the Strategic Priorities and MTFS Reserve to fund the planning consent stage (i.e. (3) above); (5) Before any work commences on the tender pack(s) for any individual component of the scheme: <ol style="list-style-type: none"> (a) As set out in Paragraph 5.9.6 	<p>of the Bury St Edmunds Leisure Centre, allowing the project to be delivered on the basis set out in those Business Cases and the Council's Constitution.</p>		<p><u>Officer:</u> Alex Wilson Director 01284 757695</p>

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		<p>(a) of Part E of this Final Business case, the project must undergo a gateway review with an independent external expert to the satisfaction of the Council's Monitoring and Section 151 Officers and the Cabinet;</p> <p>(b) Any public sector partners wishing to take part in phase 1 of the project will be required to enter into formal agreements to confirm the basis on which they will occupy the WWD and, in relation to their part(s) of the tender pack(s), to indemnify the Council for their share of its abortive costs if they subsequently withdraw or substantially reduce their requirements. With the Council, therefore, only holding the investment risk of its own elements of the project (e.g. the commercial offices) which will be underwritten by revenue balances or reserves; and</p> <p>(c) Taking into account (a) and (b) above, the Cabinet will have adjusted the final phase 1 scheme so that it continues to meet the objectives set out in this Final Business Case, including the budgetary limits</p>			

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		<p style="text-align: center;">set out in (7) and (8) below;</p> <p>(6) If the Council is to be involved directly in their delivery, a separate final business case will be required for the projects to provide student accommodation for West Suffolk College and/or a pre-school as part of the WWD;</p> <p>(7) Excluding the costs and income relating to the leisure centre, pre-school building and student accommodation, the Council's capital expenditure, through its capital programme, on the WWD be capped at a maximum of £112 million, funded at this stage by borrowing, subject to the Council's Section 151 Officer being satisfied at all times that, under the adopted principles set out in the Outline and Final Business Cases, the WWD is capable of achieving at least a break-even position on this expenditure over the whole life of the project allowing for the management of cash flow risk;</p> <p>(8) The Council's capital expenditure, through its capital programme, for the replacement of the Bury St Edmunds Leisure Centre be set at £27.9m, funded at this stage by borrowing, allowing this element of the project to be delivered on the basis set out in the Outline and Final Business Cases and in</p>			

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		<p>accordance with the Council's Constitution;</p> <p>(9) The Council's Section 151 Officer make the necessary changes to the Council's prudential indicators to reflect the direct cost to the Council of funding the project budgets set out in (7) and (8) above;</p> <p>(10) Provision be made from 2023/24 onwards for the revenue implications of the replacement of the leisure centre as set out in section 5.3.3 of Part E (Financial Case), with this funding being identified in the Council's Medium Term Financial Strategy as part of the 2020/21 budget process;</p> <p>(11) Subject to consultation with the relevant Portfolio Holders and, if appropriate, the Council's Monitoring Officer, the Council's Section 151 Officer determine the most beneficial and economic funding method for the project, including entering into agreements with third-party investors if required; and</p> <p>(12) Funding bids be made to regional and national funding bodies to offset the project funding and cash flow risks and support delivery of the actual scheme.</p>			

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Item No. 12 CAB/WS/19/027	None	<p><u>Recommendation of the Grants to External Organisations Review Group</u></p> <p><u>RESOLVED:</u></p> <p>That:-</p> <p>(1) A West Suffolk Grant Working Party be established to consider Community Chest grant applications for 2020/21 and make recommendations to Cabinet on the allocation of funding.</p> <p>(2) The Grants to External Organisations Review Group, including all current Members, be constituted to form the West Suffolk Grant Working Party, with each Group Leader invited to nominate one substitute Member from amongst their Members to the West Suffolk Grant Working Party; and</p> <p>(3) Progress of the Grants to External Organisations Review Group be noted.</p>	<p>In June 2019, the Cabinet agreed to establish a group to carry out a review of West Suffolk Council's Grants to External Organisations. The aim of the review was to ensure that locality budgets, grants and reliefs made from 1 April 219 were aligned to the Council's strategic objectives and offered value for money.</p> <p>In November 2018, the Shadow Executive (Cabinet) agreed for a full review of the Community Chest Grant Scheme be undertaken in Summer 2019, which was now being included as part of the Review of Grants to External Organisations. It was also proposed that the 2020/2021 grants continue on the basis of the current schemes and that consideration be given as to whether decisions be made by the Portfolio Holder or a West Suffolk Grants Working Party and the Cabinet.</p> <p>In line with this proposal, the Review Group was recommending that this year, a West Suffolk Grant Working party be established to advise Cabinet on the 2020/2021 round of Community Chest funding. Furthermore, it was also being recommended that the West Suffolk Grant Working Party be constituted as the Members of the Grants to</p>	<p>Without a Grant Working Party an alternative mechanism would be needed to approve the Community Chest Grant awards for 2020/2021. This could take the form of a Portfolio Holder or Officer-led process, or consideration by Cabinet. These options were not considered to be proportionate either in terms of the level of accountability involved, or the time needed to consider a large number of applications, respectively.</p>	<p><u>Portfolio Holder:</u> Cllr Robert Everitt 01284 769000</p> <p><u>Officer:</u> Davina Howes Assistant Director (Families and Communities) 01284 757070</p>

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			<p>External Organisations Review Group. The Group would need to meet in September and November 2019 with a view to making their recommendations to Cabinet in November 2019.</p> <p>In future meetings, the Grants to External Organisations Review Group would then assess the arrangements for supporting community organisations for 2021/2022 onwards and for the other existing grant decisions which sat outside of the Community Chest for 2020/2021.</p>		
<p>Item No. 16 CAB/WS/19/030 (Exemption removed)</p>	<p>None</p>	<p><u>Investing in our Commercial Asset Portfolio (para 3)</u></p> <p><u>RECOMMENDED TO COUNCIL:</u> (19 September 2019)</p> <p>(1) the purchase of the freehold interest of Provincial House, 30-38 High Street, Haverhill for £3,500,000 (three million and five hundred thousand pounds), excluding VAT, fees and Stamp Duty Land Tax, to be funded from the Investing in Growth fund, be approved;</p> <p>(2) a capital budget of £3,699,500 (three million, six hundred and ninety-nine thousand, five hundred pounds) be established and made available to facilitate</p>	<p>The Cabinet considers the Council should be recommended to take the opportunity to acquire a four storey mixed use building known as Provincial House, 30-38 High Street, Haverhill. This offers the opportunity to protect jobs with a major employer (AXA Insurance) in the town; provide an addition to the Council's commercial asset portfolio to generate revenue income; and provide a strategic opportunity linked to the delivery of the Haverhill Masterplan.</p>	<p>The Council could choose not to make the investment; however, this may result in a missed opportunity for the reasons given.</p> <p>In addition, at any point during the life of the investment the building could be sold. In the long term, value could be added by obtaining outline planning consent for alternatives uses.</p>	<p><u>Portfolio Holder:</u> Cllr Susan Glossop 01284 728377</p> <p><u>Officer:</u> Julie Baird Assistant Director (Growth) 01284 757613</p>

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		<p>the purchase, including fees and Stamp Duty Land Tax, to be funded from the Investing in Growth fund;</p> <p>(3) a capital budget of £145,000 be established to fund the cost of landlord works, as detailed in 5.4 of Report No: CAB/WS/19/030, funded from the lease surrender premium;</p> <p>(4) a revenue budget of £230,000 be established, for the period of 3 years, to cover the holding costs of the vacant elements of the building, as detailed in 5.9 of Report No: CAB/WS/19/030, to be funded from the lease surrender premium;</p> <p>(5) the RIBA stage one feasibility costs of £20,000 be funded, as detailed in 6.3 of Report No: CAB/WS/19/030, from the Strategic Priorities and Medium Term Financial Strategy Reserve; and</p> <p>(6) should the purchase be made, the Council's Section 151 Officer will make the necessary changes to the Council's prudential indicators as a result of Recommendations (2) and (3) above.</p>			

Jennifer Eves Assistant Director (Human Resources, Legal and Democratic Services) 12 September 2019