

Minutes of a meeting of the **Cabinet** held on **Tuesday 19 July 2022** at **6.00 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair John Griffiths (Leader of the Council)

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

Carol Bull
Andy Drummond
Robert Everitt

Susan Glossop
David Roach
Peter Stevens

By invitation

Ian Shipp

(Chair of the Overview and Scrutiny
Committee)

373. Apologies for absence

Apologies for absence were received from Councillor Sara Mildmay-White.

374. Minutes

The minutes of the meeting held on 21 June 2022 were confirmed as a correct record and signed by the Chair.

375. Declarations of interest

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

376. Open forum

No non-Cabinet members in attendance wished to speak under this item.

377. Public participation

The following members of the public, which were representatives of the taxi industry in Newmarket, spoke under this agenda item in connection with Agenda Item 8 'West Suffolk Council Taxi and Private Hire Conditions Policy Handbook - review summary':

1. **Bogdan Dupir**
2. **Annalisa Hirst-Astle**
3. **Adrian Pop**

All three persons expressed concern regarding the proposed changes to the Taxi and Private Hire Conditions Policy Handbook, with particular reference made to the provision of wheelchair access vehicles (WAVs). It was felt that the needs of all their customers were satisfactorily met, regardless of the whether passengers had disabilities or not, and therefore they felt it was not necessary to make provision for WAVs, which were traditionally more expensive to buy than a non-adapted vehicle. In addition, concern was expressed that there remained too many requirements within the proposed Policy Handbook and these were stifling the success of the hackney carriage vehicle trade.

In response, Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment, stated that following an extensive review and having considered feedback received from a variety of consultees including the taxi industry, disability groups, wheelchair users and other stakeholders and interested parties during the consultation, it had been ascertained that by merging Zones A and B into a single zone, there was sufficient provision for WAVs across the district to meet current demand. It had also been recognised that the requirement for pursuing a policy of 100 percent WAVs (as per the current policy) would not cater for the needs of all disabled passengers or people with mobility issues, and therefore it was being proposed to remove this requirement in the short-term, to allow time to plan for future electric and WAV requirements and determine what policy levers would help best achieve this. This would include a further unmet demand survey being undertaken by 2025.

Overall, the consultation findings supported the changes to the Policy Handbook, as proposed, and were considered to be reasonable and proportionate for the benefit of both the taxi trade and customers. While the merging of the zones would be a permanent change, the changes to remove the requirement for WAVs and that which related to the age limit of the vehicle were interim measures to allow more time for the Council to further consider and develop plans to achieve an accessible, safe, green and thriving fleet.

(At this point, the Chair changed the order of the agenda so that Item 8, 'West Suffolk Council Taxi and Private Hire Conditions Policy Handbook - review summary', would be the next item of business to be considered.)

378. West Suffolk Council Taxi and Private Hire Conditions Policy Handbook: review summary (Report number: CAB/WS/22/035)

The Cabinet considered this report, which sought approval for a number of changes to the West Suffolk Council Taxi and Private Hire Conditions Policy Handbook.

A comprehensive study of taxi provision in West Suffolk had been undertaken in autumn 2021, which focussed on a number of areas listed in paragraph 1.3 of the report.

The review brought together the perspectives of various stakeholders and the trade, alongside data and other information from a range of case studies and previous reports. In addition, a consultant was commissioned to undertake two specific surveys: one on the taxi zones and the other on wheelchair accessible vehicles, which sought the views of the trade and disabled users. As a result of the feedback from this review, a long-term vision for the trade was developed, which was to achieve a safe, accessible, green, and thriving fleet by 2030, as set out in section 4.2 of the report. To help work towards this vision, three major changes to the taxi policy were proposed, the first one being permanent and the other two offering a short-term approach to allow further work to be undertaken to consider how best to achieve the vision. These were to:

1. merge the two taxi zones into one single zone.
2. remove all wheelchair accessible vehicle (WAV) requirements for hackney carriage vehicle (HCV) licensees.
3. set the maximum age limit for a vehicle at 15 years.

These proposals were subject to public consultation, the results of which showed most people were in favour of the changes. Some other minor amendments to the Policy Handbook would also be implemented under existing delegated authority. These were not subject to consultation.

The report provided extensive details of the rationale behind the proposals, as follows:

- Section 2: West Suffolk Council Hackney Carriage and Private Hire Conditions Policy Handbook: descriptions and requirements
- Section 3: Summary of findings from review, autumn 2021
- Section 4: Future vision for the taxi trade in West Suffolk
- Section 5: Proposed changes to the policy
- Section 6: Consultation on the three proposals
- Section 7: Summary of consultation feedback
- Section 8: Discussion of consultation findings
- Section 9: Alternative options that had been considered
- Section 10: Conclusions and next steps

Appendix A: Taxi and private hire vehicle policy - review of taxi zones and WAVs (the full report to complement section 3).

Appendix B: West Suffolk Council taxi policy review: consultation survey summary (full results to complement section 7).

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment, drew relevant issues to the attention of Cabinet, including that while the merging of the zones would be a permanent change, the other changes were interim measures as summarised above. This would include re-assessing the level of WAV provision and determining how this could be achieved, as well as ensuring that the Council was compliant with its legal responsibility to ensure the needs and safety of the travelling public was met. This would necessitate ongoing engagement with all stakeholders about when and how to introduce relevant policy levers to achieve the 2030 vision summarised above. Further

details of how the approach would be monitored and the proposed ongoing engagement to be undertaken with stakeholders was detailed in section 10.

If approved, an implementation plan would commence, which aimed to see the changes being put into place from autumn 2022.

The Cabinet supported the proposals and felt it was a sensible and pragmatic approach to achieving the vision of a safe, accessible, green, and thriving fleet by 2030. Having considered the outcomes of the consultation and the ongoing monitoring and engagement measures being put in place moving forward, it was agreed that the revised Policy Handbook would provide a complete package to benefit the taxi trade and customers alike.

Resolved:

That, as detailed in Report number: CAB/WS/22/035, the following changes to the West Suffolk Council Taxi and Private Hire Conditions Policy Handbook be approved:

1. merge the two taxi zones into one single zone
2. remove all wheelchair accessible vehicle (WAV) requirements for hackney carriage vehicle (HCV) licensees
3. set maximum age limit for a vehicle at 15 years

379. Report of the Overview and Scrutiny Committee: 16 June 2022 (Report number: CAB/WS/22/033)

The Cabinet received and noted this report, which informed members of the following substantive items considered by the Overview and Scrutiny Committee on 16 June 2022:

1. West Suffolk Community Safety Partnership monitoring report (April 2021 to March 2022)
2. West Suffolk Markets Review Working Group – recommendations report
3. Suffolk County Council Health Scrutiny Committee – 6 April 2022
4. Appointment to outside scrutiny bodies (2022 to 2023)
5. Cabinet Decisions Plan: 1 June 2022 to 31 May 2023
6. Work programme update 2022

Councillor Ian Shipp, Chair of the Overview and Scrutiny Committee, drew relevant issues to the attention of Cabinet.

380. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 21 June 2022 (Report number: CAB/WS/22/034)

The Cabinet received and noted this report, which informed members of the following substantive items considered by the Anglia and Revenues and Benefits Joint Committee on 21 June 2022:

1. ARP Service Delivery Plan and Risk Register
2. ARP Four Year Business Plan
3. Performance report: April 2022
4. Welfare reform update

5. ARP actual 2021 to 2022 financial performance
6. New enforcement agency partner
7. Forthcoming issues

Councillor Sarah Broughton, Portfolio Holder for Resources and Property, drew relevant issues to the attention of Cabinet, including placing her thanks on record to officers of ARP for their outstanding efforts in successfully dealing with the extraordinary challenges placed upon them over the last few years.

381. Former St Felix School Site, Newmarket: development brief (Report number: CAB/WS/22/036)

The Cabinet considered this report, which sought approval for a new development brief for the former St Felix school site in Newmarket.

Suffolk County Council (SCC) as landowners of the former St Felix school site had prepared a development brief that sought to provide planning and 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).

The development brief provided a design framework aligned with the adopted Local Plan and the Newmarket Neighbourhood Plan and would guide the preparation and determination of future planning applications for this site. The document was intended to guide the effective delivery of SALP Policy SA6d.

The draft development brief was comprised of two parts. Part 1 provided guidance relating to the proposals seeking to deliver the Local Plan policy requirements for the site and these were summarised in paragraph 2.3 of the report. Part 2 illustrated the opportunity for optional future sports facilities – this fell outside of the policy requirements and did not form part of the brief to be adopted for planning guidance.

Paragraph 2.4 summarised the key elements of the development brief, which included the proposed delivery of 45 dwellings (with electric vehicle charging points) of which 30 percent would be affordable; a mixture of housing types; 50 percent open space provision; relocation and upgrading of the existing tennis courts to a location that was more aligned with the policy objectives for the site; and general aesthetic and pedestrian access improvements.

The rationale for proposing to move the existing tennis courts, which in itself was not in accordance with Local Plan Policy SA6(d), was explained in section 3 of the report.

On 15 March 2022, Cabinet agreed that consultation could be undertaken on the draft development brief, and this took place between 30 March and 11 May 2022. A summary of the feedback received during the consultation was contained in section 4, with officers' responses to the issues raised from paragraphs 4.8 to 4.15 and the changes proposed to the draft as a result of the consultation contained in paragraphs 4.17 to 4.19.

Councillor David Roach, Portfolio Holder for Planning, drew relevant issues to the attention of Cabinet, including that the development of this site was an exciting prospect which would potentially act as a catalyst for bringing forward future projects in Newmarket.

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment and one of the ward members for Newmarket, expressed his enthusiasm for the proposal with particular recognition given to the proposed associated sports hub (which formed Part 2 of the development brief as outlined above).

Councillor Jo Rayner, Portfolio Holder for Leisure, Culture and Community Hubs shared the positive views of her Cabinet colleagues and looked forward to the proposals coming to fruition. She added that she had received an email from a member of the public who had expressed concern regarding the proposed residential development outlined in the brief might jeopardise plans for the proposed associated sports hub. If the new sports hub did not proceed, concern was raised that this may have a detrimental impact on the future of Newmarket Cricket Club.

Councillor Rayner briefly referred to the concern expressed in respect of the principle of residential development on this site and how similar concerns had been raised during the public consultation. These had been addressed in section 4 of the Cabinet report.

She then added that although it did not form part of the decision being sought at this meeting, which was to adopt the development brief as planning guidance, Part 2 of the brief indicated SCC's aspirations to continue to work with stakeholders including West Suffolk Council and Newmarket Town Council, to provide a sports hub on the playing fields to the rear. Work was being progressed with SCC on a design for a sports hall to replace the facilities lost at the former Scaltback school and consultants were being instructed to engage with clubs to ensure use of all the green space across George Lambton Playing Fields and the remaining land at St Felix was optimised. In addition, following a specific concern regarding how the new location of the tennis courts could potentially preclude the development of a sports hub facing towards George Lambton Playing Fields, Councillor Rayner explained that an alternative illustrative layout was contained in the development brief, which showed how a hub could be accommodated on the playing field as well as the relocated tennis courts.

Having taken into account the outcomes of the public consultation, the Cabinet agreed that the development brief satisfactorily provided a design framework aligned with the adopted Local Plan and the Newmarket Neighbourhood Plan and would guide the preparation and determination of future planning applications for this site.

Resolved:

That the development brief for the former St Felix school site, Newmarket, as contained in Appendix A to Report number: CAB/WS/22/036, be adopted as informal planning guidance.

382. **Markets Review Working Group: action plan (Report number: CAB/WS/22/037)**

The Cabinet considered this report, which sought approval for the final recommendations that resulted from the review of West Suffolk Council markets.

The purpose behind the Markets Review was to look at the strategic role of West Suffolk Council, aligning the operation of the markets to the Council's strategic vision and supporting their development to meet the corporate priorities.

The Markets Review Working Group (MRWG), which had been appointed by the Overview and Scrutiny Committee had made its recommendations to the Committee, who in turn recommended they be approved by Cabinet.

Councillor Ian Shipp, Chair of the Overview and Scrutiny Committee, summarised the outcomes of the review to Cabinet and drew attention to the recommendations at Appendix A. These were set out in a form of an action plan, which provided the opportunity to address each recommendation in turn and enabled progress to be monitored. It was noted that the MRWG had not reached any conclusions that would suggest a fundamental changes in the way the markets in West Suffolk were configured or operated.

Councillor Shipp added that whilst it was recognised that market traders had and were still experiencing challenging times; however, it was felt that these were no more significant than those being faced by other high street traders.

Councillor Susan Glossop, Portfolio Holder for Growth, acknowledged the outcomes of the review and stated that some of the work emanating from the recommendations had already begun. She placed her thanks on record to officers involved with the operation and promotion of the markets.

Councillor Peter Stevens, Portfolio Holder for Operations, also acknowledged the findings of the review and placed his thanks on record to the Operations' waste management teams responsible for ensuring the streets remained clear of waste and debris in the areas operated by the markets.

Councillor Robert Everitt, Portfolio Holder for Families and Communities, congratulated regional winners taking part in the National Market Traders Federation's (NMTF) national Young Trader of the Year competition. Hosted in Bury St Edmunds for the first ever East of England finals, the winners would now go on to represent the eastern region in the national finals later in July 2022.

Resolved:

That the proposed recommendations emanating from the Markets Review, as contained in Appendix A to Report number: CAB/WS/22/037, be approved.

(Councillor Ian Shipp left the meeting at the conclusion of this item.)

383. UK Shared Prosperity Fund: investment plan allocations (Report number: CAB/WS/22/038)

The Cabinet considered this report, which sought to recommend to Council, approval of the West Suffolk UK Shared Prosperity Fund investment plan allocations.

The £2.6 billion UK Shared Prosperity Fund (UKSPF) was part of measures for implementing the Government's Levelling Up White Paper and was the successor to EU Structural Funds covering the period 2022 to 2025.

The vision for the fund was that 'it will lead to visible, tangible improvements to the places where people work and live, alongside investment in human capital, giving communities up and down the UK more reasons to be proud of their area.'

The report set out the requirements of the UK Shared Prosperity Fund and how West Suffolk Council's respective funding allocation must be spent on specific 'interventions' listed by the Department for Levelling Up, Housing and Communities (DLUHC) under three main investment priorities, as listed in paragraph 1.5 of the report. In order to access the total funding allocation of £1,943,467 (spread over three years as set out in paragraph 1.9), the investment plan was required to be submitted to the DLUHC by 1 August 2022.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet, including that the Council's approach would see this funding supporting a range of initiatives to help:

- the local economy, in particularly in the district's high streets and rural areas
- residents gain new skills and better job prospects
- community projects and groups that would make a real difference to the prosperity and wellbeing of people in their area, including tackling the cost of living crisis

Reaching this point involved a large amount of work in order to meet the Government's criteria, especially in terms of engagement with stakeholders. Councillor Griffiths thanked those that had replied and engaged in this process, which had been invaluable in shaping the report presented. Engagement would continue as work progressed into more detailed delivery.

It was noted that once the funding had been split across three years and the range of priorities, the amounts were in some cases quite modest, and it would therefore be impossible to fund every initiative that was put forward during the engagement stage.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property, seconded the motion and demonstrated her support for the proposed investment plan allocations. Any new funding from Government was welcomed and this would go some way to support the Council's own strategic priorities; however, it was also recognised that this funding would form only part of much larger existing Council investments and would sit alongside funding streams already in place.

The Cabinet expressed their support for the proposed investment plan allocations, which following completion of the outcomes and outputs of the funding allocations set out in Appendix B, would be presented to Council on 26 July 2022 for approval. To ensure the process could continue in a timely manner, the Cabinet also agreed that certain matters should be resolved under delegated authority.

Recommended to Extraordinary Council (26 July 2022):

That:

1. The West Suffolk UK Shared Prosperity Fund investment allocations (at Appendix B to Report number: CAB/WS/22/038) be recommended to Council for approval, for submission to the Department for Levelling Up, Housing and Communities (DLUHC). Note: Appendix B did not include outcomes and outputs for the funding allocations – these will follow in the report for Council on 26 July 2022.
2. Officers be requested to complete the full DLUHC investment plan template in line with the details contained in this report, CAB/WS/22/038.
3. Delegated authority be granted to the Chief Executive, to make minor adjustments to the investment plan allocations before submission to Government, in consultation with the Leader of the Council.
4. Delegated authority be granted to the Portfolio Holder for Resources and Property to implement the approved investment plan once funding has been received from DLUHC, including implementing minor variations in the funding amounts for each intervention, in order to respond to changing circumstances over the lifetime of the Fund.

384. Draft West Suffolk Annual Report 2021 to 2022 (Report number: CAB/WS/22/039 and addendum)

The Cabinet considered this report, which sought approval for the draft West Suffolk Annual Report 2021 to 2022.

The draft West Suffolk Annual Report highlighted the key activities and developments that had been achieved over the financial year 2021 to 2022, with regard to the priorities set out in the West Suffolk Strategic Framework 2020-2024.

The report also included the Council's activities to support local communities and businesses as West Suffolk responded to and recovered from the impacts of COVID-19.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet, including that on 14 July 2022, the Overview and Scrutiny Committee considered the draft Annual Report and made a number

of suggestions to amend the document. These were circulated as an addendum to the report as the Committee had met following the distribution and publication of the agenda and papers for this meeting.

The amendments, together with the draft Annual Report itself was supported by the Cabinet. Members recognised that it was good practice for local authorities to produce an Annual Report alongside the Statement of Accounts as it was a way of keeping residents informed about the Council's activities and how they contributed to the wider strategic priorities for the West Suffolk area.

In response to a question, the Cabinet was informed that once finalised into a presentable format, the Annual Report, and a summary, would be published on the Council's website and would also be circulated to ward members; town and parish councils; and other community associations and groups.

Resolved:

That, subject to the inclusion of the amendments suggested by the Overview and Scrutiny Committee, as set out in the addendum to Report number: CAB/WS/22/039, the draft West Suffolk Annual Report 2021 to 2022, as contained in Appendix A to Report number: CAB/WS/22/039, be approved.

385. Environment and Climate Change Action Plans: 2022 Update (Report number: CAB/WS/22/040)

The Cabinet considered this report, which presented the Environment and Climate Change Action Plans: 2022 update.

This was the second annual report on progress in implementing the agreed actions approved by Cabinet in July 2020 following its declaration of a climate and environment emergency. It summarised some of the wider developments that impacted upon the Council's work in lowering carbon emissions and improving environmental impacts across the organisation and detailed how the Council was adapting its approach to mitigate against some of these external factors, as reflected in the actions taken.

Councillor John Griffiths, Leader of the Council, drew relevant issues to the attention of Cabinet, including highlighting the following specific areas:

- the impact of COVID-19 lockdowns and the energy crisis on the actions
- the actions against the burgeoning cost of living crisis. This included improvements to 200 homes and other actions that would help alleviate hardship for those most vulnerable during the crisis
- the creation of the £9 million West Suffolk Decarbonisation Budget was key to support efforts to become a net zero organisation
- the Suffolk-wide context and the Suffolk Climate Emergency Plan – which was allowing the Council to work at scale with Suffolk partners. Membership of UK100 was also key – this was a national network for highly ambitious elected leaders who were committed to cleaner, more powerful communities. Membership further validated West Suffolk's commitment to climate challenges and provided an opportunity for

collective advocacy to Government, together with practical benefits of access to studies, peer support and networks.

Attention was also drawn to the potential new actions for inclusion in the Action Plan, as contained in section 2.14 of the report. These had arisen where new opportunities or areas for development had been identified.

The full Environmental Statement, which was an annual summary of the Council's performance in regard to addressing impacts on the environment and climate change was also included at Appendix B (a summary of this statement is included in the West Suffolk Annual Report 2021 to 2022 (Report number: CAB/WS/22/039)).

Councillor Griffiths placed his thanks on record to officers, and to partners across Suffolk, for their continuing efforts in helping to deliver the ambitious action plan to achieve carbon net zero by 2030.

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment, then spoke in support of the action plan and how it was important that West Suffolk celebrated its achievements to date and led the way in trying to influence others to follow their lead.

A discussion was held on getting a balance between supporting those that were significantly affected by the cost of living crisis and achieving the net carbon zero target by 2030. Recognition was however, given to the fact that collaborative working and accessing Government funding created many opportunities to support those in need while still benefitting the environment, such as the retro-fitting insulation programme and engaging local businesses in the Solar for Business scheme.

Particularly acknowledging the impact of external global developments, the Cabinet considered good progress had been made in delivering its ambitious action plan to achieve carbon net zero by 2030 and supported approval of the recommendations proposed.

Resolved that, as detailed in Report number: CAB/WS/22/040:

1. Having reviewed and not made any recommendations for any change to the actions and activities, as set out in Appendix A, progress against the Environment and Climate Change action plans, be noted.
2. The new actions to be added to the plan, as set out in section 2.14, be agreed.
3. The Environmental Statement for the Council's 2021 to 2022 performance, included as Appendix B, be approved.

386. **Sunnica Energy Farm Nationally Significant Infrastructure Project: delegation of submission of the Council's Written Representation (Report number: CAB/WS/22/041)**

The Cabinet received and noted this report, which provided an update on the current position regarding the proposed Sunnica Energy Farm Nationally Significant Project (NSIP).

Members noted the background and context to the proposal. The Examining Authority had issued its Draft Examination Timetable which stated that the Council's Written Representation (WR) was to be submitted by 30 August 2022. The WR was the most appropriate document for a local authority (separate from the Local Planning Authority) to set out its view on the application, that is, whether or not it supported the application and its reasons.

In addition to this, the Council was currently in the process of preparing the Local Impact Report (a technical report giving details of the likely impact of the proposed development on the district). The Local Impact Report was due for submission to the Examining Authority by 17 August 2022 and Cabinet had previously agreed that this decision would be taken by the Portfolio Holder for Planning, in consultation with the Director (Planning and Growth) and local ward members. The WR would draw upon the conclusions set out in the Local Impact Report and would allow the Council to form a view on whether it supported the application.

Unfortunately, Cabinet was unable to meet ahead of the submission deadline for the WR of 30 August 2022. It was therefore considered appropriate and to ensure the deadline was met, that the preparation and submission of the Council's Written Representation to the Examining Authority should be delegated to the Portfolio Holder for Planning, in consultation with members of Cabinet, the local ward members, the Chair of the Overview and Scrutiny Committee and the Director (Planning and Growth).

This was in accordance with the Constitution, as set out in paragraph 2.4 of the report, and no separate decision for enabling this delegation was required by Cabinet, hence the noting of this report only.

Councillor David Roach, Portfolio Holder for Planning, drew relevant issues to the attention of Cabinet, including placing his thanks on record to relevant officers and to ward members for their sterling work to date on this matter.

The Cabinet duly noted the report and agreed it was a sensible approach.

Therefore:

In respect of the Sunnica Energy Farm Nationally Significant Infrastructure Project, it be noted that the preparation and submission of the Council's Written Representation is delegated to the Portfolio Holder for Planning, in consultation with members of Cabinet, local ward members, the Chair of the Overview and Scrutiny Committee and the Director (Planning and Growth), to allow for submission to the Examining Authority by the deadline of 30 August 2022.

387. Decisions Plan: 1 July 2022 to 31 May 2023

The Cabinet considered this report which was the Cabinet Decisions Plan covering the period 1 July 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 7.20 pm

Signed by:

Chair
