

Minutes of a meeting of the **Cabinet** held on **Tuesday 18 October 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 Chair Sarah Broughton (Deputy Leader of the Council)
Joanna Rayner (Deputy Leader of the Council)

Carol Bull
Andy Drummond
Robert Everitt
Susan Glossop

Sara Mildmay-White
David Roach
Peter Stevens

By invitation

Stephen Frost

(Vice Chair of the Overview and Scrutiny Committee)

Ian Houlder

(Chair of the Performance and Audit Scrutiny Committee)

In attendance

Beccy Hopfensperger

388. **Apologies for absence**

No apologies for absence were received.

389. **Minutes**

The minutes of the meeting held on 19 July 2022 were confirmed as a correct record and signed by the Chair.

390. **Declarations of interest**

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

391. **Open forum**

The following non-Cabinet member spoke under this item:

1. Councillor Beccy Hopfensperger (Ward Member for The Fornhams & Great Barton)
(Agenda Item 11 - Report number CAB/WS/22/053): Land at School Road (The Triangle), Great Barton: Draft Development Brief)

Councillor Hopfensperger, in her capacity as local Ward Member for The Fornhams & Great Barton, addressed the Cabinet and explained that she had attended a meeting of Great Barton Parish Council on the evening of 17 October 2022. At that meeting, there was an over-riding concern that the proposed housing density of 184-191 dwellings, as contained within the draft Development Brief, was contrary to the number contained within the Great Barton Neighbourhood Plan, of 150 dwellings. At the Parish Council meeting, it was also considered that the Development Brief did not contain sufficient evidence to support this additional increased density and, therefore, wished to see this further evidence to ensure that this supported the decision made by the Planning Inspector.

The Chair thanked Councillor Hopfensperger for addressing the Cabinet and noted the points which had been raised.

392. Public participation

The following members of the public spoke under this agenda item in connection with Agenda Item 11 – Report number CAB/WS/22/053: Land at School Road (The Triangle), Great Barton: Draft Development Brief:

1. Councillor Maggie Dunn (Chair, Great Barton Parish Council)

Councillor Dunn addressed the Cabinet and referred to the history of the site in question, including the allocation within the Council's Rural Vision 2031 document of 40 dwellings. The Parish Council were raising a number of concerns with regards to the content of this draft Development Brief, as it was considered that it did not deliver what was contained within the Great Barton Neighbourhood Plan for the development of this site, particularly with regards to the increased dwelling density and the reduction in land for community uses.

2. Elaine Read (Local Resident of Great Barton)

Elaine Read addressed the Cabinet in her capacity as a local resident of Great Barton resident and explained that she had only become aware of this issue when it had been reported in the local press and also discussed at the Great Barton Parish Council meeting on the evening on 17 October 2022. She also made reference to the site allocation within the Council's Rural Vision 2031 document of 40 dwellings. She wished to ask the Cabinet why the Development Brief was proposing an increased housing density of up to 191 dwellings, when the Great Barton Neighbourhood Plan only had 150 dwellings allocated to this particular site.

In response, Councillor David Roach, Portfolio Holder for Planning acknowledged the concerns raised and further explained that the purpose of this report was to obtain agreement to undertake a consultation exercise within the local community with regards to the content of this draft Development Brief. Councillor Roach acknowledged the concerns

raised around the increased site density and explained that the Planning Inspector had concluded that a higher quantum of development could come forward if it was demonstrated to be acceptable within a Development Brief. The final version of the Great Barton Neighbourhood Plan had been worded in such a way that it allowed for a higher amount of residential development, if a Development Brief demonstrated that a greater amount of development was acceptable.

Councillor Roach acknowledged that the draft Development brief had delivered all the aspirations of the Great Barton Neighbourhood Plan, except for the 2 hectares of community use space and a community building. However, the draft Brief did demonstrate 1.71 hectares of community use space. Additionally, the development would also deliver a serviced plot for a community building that could be delivered by other funding in the future.

In conclusion, Councillor Roach also wished to stress that the Development Brief, as set out within the agenda papers for approval this evening, was not the final version and that the comments/responses received from the consultation would assist with the formation of the final version of the Brief for adoption.

The Chair thanked the members of the public for addressing the Cabinet and noted the points which had been raised.

At this point in the meeting, the Chair changed the order of the agenda so that Item 11 (Land at School Road (The Triangle), Great Barton: Draft Development Brief) would be the next item of business to be considered.

393. Land at School Road (The Triangle), Great Barton: draft development brief (Report number CAB/WS/22/053)

The Cabinet received this report which sought approval for the draft Development Brief to go out to public consultation by the Development Team. This was expected to be a six week consultation and would engage the public using a range of methods, including face-to-face techniques.

The Portfolio Holder for Planning explained that this site was allocated in the Rural Vision 2031 document under Policy RV18, which was adopted in September 2014. Since the adoption of the document, a Neighbourhood Plan (GBNP) had been prepared and adopted. Within this Development Plan document, the site was allocated again with the GBNP adding another layer of detail on how the site should come forward. It was noted that the submission version of the GBNP sought to limit the amount of development on the site to 150 dwellings. However, the Inspector had rejected this approach and the final wording in the Plan set out that a higher quantum of development could come forward if that was demonstrated to be acceptable in a Development Brief (DB).

West Suffolk Council owned a smaller rectangular parcel of the site on the western boundary. Suffolk County Council were the majority landowner for the remainder of the land within the allocation and the land to which the draft Development Brief related.

The proposals for the site were set out in Section 2 of Report number CAB/WS/22/053. It was noted that one of the main benefits of the development delivering a higher number than 150 dwellings was that the development would be able to deliver the community facilities, which included a MUGA, a new car park, extensive landscaping and land to allow the primary school to expand, which included what the Great Barton Neighbourhood Plan was seeking to be delivered by this development.

Officers were satisfied that the higher density development was acceptable because it delivered the smaller types of units that the local housing need had identified, the scheme would deliver the maximum amount of non-residential uses that the GBNP sought and that the development would still be a well landscaped, vibrant, well designed scheme.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property and also the local Ward Member for The Fornhams and Great Barton, acknowledged the concerns raised by the Parish Council and local residents with regards to this draft Development Brief, which was proposing a higher density to the number of dwellings than was set out in the Great Barton Neighbourhood Plan. Therefore, it would be important to ensure that the consultation was extremely clear around what the Development Brief wanted to achieve, which currently appeared to be in conflict with the Neighbourhood Plan. Councillor Broughton also referred to the Inspector's decision with regards to the number of dwellings to be on this site and stated that this could be open to interpretation. The Portfolio Holder for Planning responded to the points raised by Councillor Broughton and confirmed that these would be taken on board as part of the consultation process, particularly around the issue of site viability, density and community use land.

The Cabinet acknowledged the concerns which had been raised this evening by all parties present. It was noted that if approval was given to consult, then an Engagement and Consultation Strategy would be agreed with the Development Team and the local population, as well as statutory bodies and consultees, in accordance with the Statement of Community Involvement (SCI).

Resolved:

That the Land at School Road (The Triangle), Great Barton Draft Development Brief, as contained in Appendix A to Report number CAB/WS/22/052, be approved for public consultation by the Development Team.

394. Report of the Overview and Scrutiny Committee: 14 July 2022 (Report number CAB/WS/22/048)

The Cabinet received and noted this report, which informed members of the following substantive items considered by the Overview and Scrutiny Committee on 14 July 2022:

1. Draft West Suffolk Annual Report (2021 to 2022)
2. Cabinet Decisions Plan: 1 July 2022 to 31 May 2023
3. Work Programme Update 2022

Councillor Stephen Frost, Vice Chair of the Overview and Scrutiny Committee was in attendance to present this item, on behalf of the Chair, Councillor Ian Shipp. Councillor Frost also drew relevant issues to the attention of Cabinet.

395. Report of the Performance and Audit Scrutiny Committee: 28 July 2022 (Report number CAB/WS/22/049)

The Cabinet received and noted this report, which informed members of the following substantive items considered by the Performance and Audit Scrutiny Committee on 28 July 2022:

1. Annual Financial Resilience Management Report 2021 to 2022
2. Treasury Management Report (June 2022)
3. Work Programme Update 2022 to 2023
4. 2022 to 2023 Performance Report (Quarter 1)

Councillor Ian Houlder, Chair of the Performance and Audit Scrutiny Committee, also drew relevant issues to the attention of Cabinet.

396. Report of the Performance and Audit Scrutiny Committee: 29 September 2022 (Report number CAB/WS/22/050)

The Cabinet received and noted this report, which informed members of the following substantive items considered by the Performance and Audit Scrutiny Committee on 29 September 2022:

1. Ernst and Young – External Audit Plan and Fees 2021 to 2022.
2. Local Government and Social Care Ombudsman: Annual Report 2020-2021.
3. Regulation of Investigatory Powers Act 2000 – Annual Report and Review of the RIPA Guidance.
4. Delivering a Sustainable Medium-Term Budget.
5. Appointment to Sub-Committee Vacancies.
6. Work Programme Update.

Councillor Ian Houlder, Chair of the Performance and Audit Scrutiny Committee, also drew relevant issues to the attention of Cabinet.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property, also took the opportunity to thank Councillor Houlder and the Committee for the work that they undertook.

397. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 20 September 2022 (Report number CAB/WS/22/051)

The Cabinet received and noted this report which informed members of the following substantive items considered by the Anglia Revenues and Benefits Partnership Joint Committee on 20 September 2022:

1. Performance Report: July 2022.
2. Welfare Reform Update.
3. ARP Forecast Financial Performance.
4. Council Tax Energy Rebate Scheme Update.

5. Forthcoming Issues.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property, also drew relevant issues to the attention of Cabinet. Councillor Broughton also took the opportunity to thank the Anglia Revenues and Benefits Partnership Team for all of the work that they undertook to help to support residents within the local community.

398. **West Suffolk Council Taxi Fees and Charges (Report number CAB/WS/22/052)**

The Cabinet considered this report, which sought approval for the adoption of a new scale of fees for the granting of taxi licences for implementation from 3 April 2023.

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment explained that West Suffolk Council, as the licensing authority, was responsible for processing and issuing licences for private hire and hackney carriage vehicles, as well as combined driver's licences. The fees for the former Forest Heath and St Edmundsbury Councils were different and had been aligned as part of the West Suffolk single council work in 2019. However, it was noted that that the fees had not been formally reviewed since 2015-2016.

The Council's priority was to ensure that licence applications were proceeded in time and that appropriate checks were carried out to protect passenger safety. Thereby, maintaining public confidence in the taxi service.

The Council also needed to demonstrate that the fees it charged for such licences had been set in accordance with the law and best practice. This was to recover allowable costs in administering the various licensing regimes for which the Council was responsible. The Council could not make a profit from licence fees. However, the reconciliation of any surplus or deficit would take place over a three year cycle.

Therefore, the aim of this review was to ensure that the Council recovered the costs associated with the grant of any vehicle licences or combined driver's licences. This included the costs of issue and administration, as well as monitoring of compliance with conditions in line with legislation and best practice.

Consultation with the taxi trade had taken place between 22 June and 1 August 2022. The purpose of the consultation was an opportunity for the trade to inspect the fees and raise objections, if they considered that these did not comply with legislative requirements or to raise objections if there were incorrect calculations and charges.

The consultation had yielded four responses, all from members of the taxi trade. All responses were opposed to the proposed changes. All respondents had described the issues faced by the taxi industry in recent years and the issue with increased prices caused by inflation. Most mentioned a need for increased fares to compensate (which had been dealt with separately).

However, none of the respondents had raised any objections that met the required criteria for further consideration.

Therefore, having undertaken the review, which had been unpinned by a comprehensive methodology, as set out in Appendix A to Report number CAB/WS/22/052, the Cabinet supported the introduction of the new scale of fees as proposed, to be effective from 3 April 2023. The Cabinet also noted that, moving forward, it was the intention was to review these fees on a three year basis, in line with the West Suffolk Fees and Charges Policy.

In response to a question raised by a Cabinet member, the Director (HR, Governance and Regulatory Services) explained that future options would be developed with regards to the use of electric vehicles within the taxi fleet.

The Portfolio Holder for Regulatory and Environment also wished to thank the Director (HR, Governance and Regulatory Services) and her Team for the work which had been undertaken on this comprehensive review.

Resolved:

That the new scale of fees for the granting of taxi licences for implementation from 3 April 2023, be approved.

399. Decisions Plan: 1 October 2022 to 31 May 2023 (Report number CAB/WS/22/054)

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

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

400. Revenues Collection Performance and Write-offs (Report number CAB/WS/22/055)

The Cabinet considered this report, which provided the collection data in respect of Council Tax and National Non-Domestic Rates (NNDR) and sought approval for the write-off of the amounts contained in the exempt Appendices attached to the report.

Councillor Sarah Broughton, Portfolio Holder for Resources and Property, also drew relevant issues to the attention of the Cabinet, including the current performance of both Council Tax and Business Rates collection, as set out in Section 2 of the report.

Resolved:

That the write-off of the amounts detailed in the Exempt Appendices to Report number CAB/WS/22/055, be approved, as follows:

1. Exempt Appendix 1: Council Tax totalling £17,333.70.
2. Exempt Appendix 2: Business rates totalling £23,747.71.

3. Exempt Appendix 3: Housing benefit overpayment totalling £6,940.00.

401. **Exclusion of press and public**

See minute number 402. below.

402. **Exempt appendices: Revenues collection performance and write offs (paragraphs 1 and 2) (Report number CAB/WS/22/055)**

The Cabinet considered the exempt Appendices to this report. However, no reference was made to specific detail and, therefore, this item was not held in private session.

The meeting concluded at 6.40 pm

Signed by:

Chair
