

Cabinet



Minutes of a meeting of the **Cabinet** held on **Tuesday 14 March 2023 at 6.00 pm** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

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

Andy Drummond	Sara Mildmay-White
Robert Everitt	David Roach
Susan Glossop	Peter Stevens

449. **Apologies for absence**

Apologies for absence were received from Councillors Carol Bull and John Griffiths.

450. **Minutes**

The minutes of the meeting held on 7 February 2023 were confirmed as a correct record and signed by the Chair.

451. **Declarations of interest**

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

452. **Open forum**

There were no non-Cabinet members in attendance.

453. **Public participation**

No members of the public in attendance had registered to speak; however, at the Chair's discretion, under agenda item 9, a member of the public raised a matter.

The member of the public was advised to speak with officers following the meeting on a proposed way forward to address the matter.

454. **Western Way project (Report number: CAB/WS/23/014)**

The Cabinet considered this report, which provided details on whether the Western Way project was deemed to have passed the first of two gateway

tests. Approval was sought to proceed to second stage tendering, and its final gateway test.

In December 2022, Council approved an updated business case for phase 1 of the Western Way (WW) project in Bury St Edmunds and agreed that Cabinet could deliver the scheme provided it passed two further gateways. Report number: CAB/WS/23/014 covered the first of those two gateways. The second gateway, and the final decision to proceed with the scheme, would not be considered until late summer 2023 at the earliest.

Councillor Joanna Rayner, Portfolio Holder for Leisure, Culture and Community Hubs, drew relevant issues to the attention of Cabinet, including that it was not proposed at this meeting to revisit earlier decisions taken by Council on the project, and neither to discuss phase 2 which as agreed by Council in December 2022, would be an entirely separate project requiring a new business case in 2024 and a new decision by councillors.

Following Council's approval of a new budget framework in December 2022 for the WW project to reflect a new phased delivery, section 2.1.1 of the report provided a summary of the tests that must be met to proceed with the delivery of phase 1 of the scheme. The phase 1 scheme must now:

- a. cost no more than £65 million in total (excluding the £10 million of interim works to the remainder of the WW frame/site as set out in paragraph 2.1.3);
- b. not increase the Council's existing Medium Term Financial Strategy (MTFS) provision of £724,000 for Bury St Edmunds Leisure Centre; and
- c. in relation to other ancillary elements of the new hub, be capable of achieving at least a break-even position over the whole life of the borrowing (40 years).

The remainder of section 2.1 provided details that addressed the above points, culminating in requesting Cabinet to consider as part of gateway 1:

- a. whether the budget approved by Council was still sufficient, that is, whether the financial tests were still being met; and
- b. whether it was reasonable to proceed to second stage tendering and, ideally, to gateway 2.

Detail provided in the report assisted Cabinet in its deliberations on the above matters, which were reiterated by Councillor Rayner at the meeting.

Discussion was held on the proposed provision of the health and wellbeing centre and the level of service it would provide. The benefits of a similar facility at the Mildenhall Hub were recognised. Engagement with the NHS on this matter was continuing.

Members spoke positively on the project and having considered the contents of the report in detail, they concluded that:

- benchmarking suggested the budget was both reasonable and value for money;
- the cost plan was already within three percent of the target budget with lots of options to control it through the mitigation plan;
- the preferred contractor was confident they could hit the budget given their work to date on the project and the working relationships being developed; and
- continuing to prepare a detailed design for the project was a worthwhile investment.

In view of the above, the Cabinet agreed that the Western Way project should proceed to second stage tendering, and its final gateway test, on the basis that all of the financial tests and safeguards required by Council in December 2022 were still capable of being met.

Resolved:

That:

1. subject to completion of heads of terms with Suffolk County Council for their elements of the phase 1 scheme, it be agreed that the Western Way project proceeds to second stage tendering, and its final gateway test, on the basis that all of the financial tests and safeguards required by Council in December 2022 are still capable of being met; and
2. the final budget for the phase 1 Western Way scheme and for interim works to the remainder of the site, including enabling works, remain as agreed by Council in December 2022.

455. Revenues collection performance and write-offs (Report number: CAB/WS/23/015)

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, 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.

Members noted that 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 online tracing facilities. Every effort was made to recover a debt before reaching the point of seeking approval to write it off. In the event that a written-off debt became recoverable, the amount was written back on, and enforcement procedures would be re-established.

Resolved:

That the write-off of the amounts detailed in the exempt appendices to Report number: CAB/WS/23/015, be approved, as follows:

1. Exempt Appendix 1: Council Tax totalling £14,079.44
2. Exempt Appendix 2: NNDR totalling £87,969.26

456. West Suffolk Food Safety and Health and Safety Service plan (Report number: CAB/WS/23/016)

The Cabinet considered this report, which sought approval for the West Suffolk Food Safety and Health and Safety Service plan 2023 to 2024.

The Food Safety and Health and Safety Service plan outlined the Council's commitment to protect public health and safety and the environment, by conducting programmed and reactive interventions, investigations, and research to detect, eliminate and control hazards by applying fair, transparent, and proportionate enforcement.

The plan, which was a statutory requirement set out in the code of practice for food safety, was attached as Appendix A to the report, and was considered in detail by the Cabinet.

Councillor Andy Drummond, Portfolio Holder for Regulatory and Environment, drew relevant issues to the attention of Cabinet, which included summarising progress made against the 2021 to 2022 plan, and the key challenges identified that would affect the implementation of the 2023 to 2024 plan, as set out in sections 2.1 and 3.1 of the report respectively.

The Cabinet supported approval of the plan and acknowledged the extensive amount of work undertaken by officers in this service area.

Resolved:

That the Food Safety and Health and Safety Service plan 2023 to 2024, as contained in Appendix A to Report number: CAB/WS/23/016, be approved.

457. Decisions Plan: 1 March 2023 to 31 May 2023 (Report number: CAB/WS/23/017)

The Cabinet considered this report which was the Cabinet Decisions Plan covering the period 1 March 2023 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.

458. Exclusion of press and public

See minute number 459. below.

459. Exempt appendix: Western Way project (paragraph 3) (Report number: CAB/WS/23/014)

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

460. Exempt appendices: Revenues collection performance and write-offs (paragraphs 1 and 2) (Report number: CAB/WS/23/015)

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 6.20 pm

Signed by:

Chair

