

Confirmed



Minutes of a Meeting of the **Cabinet** held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 5 September 2023** at **6.30pm**.

Members of the Cabinet present:

Councillor Paul Ashton, Councillor David Beavan, Councillor Tom Daly, Councillor Katie Graham, Councillor Toby Hammond, Councillor Vince Langdon-Morris, Councillor Mike Ninnmey, Councillor Rachel Smith-Lyte, Councillor Caroline Topping, Councillor Kay Yule

Other Members present:

Councillor Paul Ashdown, Councillor Dan Clery, Councillor Deborah Dean, Councillor Julia Ewart, Councillor Louise Gooch, Councillor Craig Rivett, Councillor Myles Scrancher

Officers present:

Chris Bally (Chief Executive), Chris Bing (Head of Legal and Democratic Services), Kate Blakemore (Strategic Director), Madeline Fallon (Senior Coastal Advisor), Lorraine Fitch (Democratic Services Manager), Laura Hack (Public Realm Contracts Manager), Mark Harvey (Building Control Partnership Manager), Andy Jarvis (Strategic Director), Nick Khan (Strategic Director), Bridget Law (Strategic Lead - Housing Investment), Matt Makin (Democratic Services Officer (Regulatory)), Andrea McMillan (Planning Manager (Policy, Delivery and Specialist Services)), Adam Nicholls (Principal Planner (Policy and Delivery)), Hannah Panting (Port Health Operations Manager), Nicola Parrish (Infrastructure Delivery Manager), Ben Porter (Funding Manager), Fiona Quinn (Head of Environmental Services and Port Health), Isabel Rolfe (GLI Political Group Support Officer), Alli Stone (Democratic Services Officer (Governance)), Anthony Taylor (Senior Planner (Policy and Delivery)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure))

1 Apologies for Absence

Apologies for absence were received from Councillor Sarah Whitelock, Assistant Member for Energy and Climate Change.

2 Declarations of Interest

No declarations of interest were made.

3 Announcements

Leader of the Council

Councillor Topping announced that, using her delegated authority, she had made the following changes to outside bodies appointments relating to executive functions:

- Councillor Tom Daly had been appointed to the Local Government Association, Special Interest Group Nuclear Legacy Advisory Forum (NuLeAF) with effect from 1 August 2023, replacing Councillor Toby Hammond.
- Councillor Dan Clery had been appointed to the A47 Alliance, East West Rail and the Greater Anglia Integrated Transport Forum with effect from 20 August 2023, replacing Councillor Toby Hammond.
- Councillor Jan Candy had been appointed to the Landguard and Felixstowe Conservation Trust, with effect from 29 August 2023, replacing Councillor Toby Hammond.
- Councillor Seamus Bennett had been appointed to the Everyone Active Partnership Board and Places Leisure Partnership Board with effect from 29 August 2023, replacing Councillor Paul Ashton.

Councillor Topping announced that at the Cabinet meeting on 6 June 2023, East Suffolk Services Limited (ESSL) was included, in error, within the list of outside bodies to which councillors were to be appointed; she advised that, therefore, the nomination of Councillor Paul Ashton to the Board of ESSL would not be implemented. The Cabinet was advised that the Board of ESSL comprises the Council's Strategic Directors – Andy Jarvis and Nick Khan, the Managing Director of ESSL, Casandra Clements, and Tim Sadler as a Non-Executive Director.

Cabinet Members

Councillor Ashton announced that officers had completed a desktop survey of all property and non-property assets regarding reinforced autoclaved aerated concrete (RAAC) and it appeared there was none within the Council's estate. Councillor Ashton advised that further investigations, including site visits, would be taking place to fully confirm this over the next few weeks.

4 Minutes

On the proposition of Councillor Hammond, seconded by Councillor Ashton, it was by a unanimous vote

RESOLVED

That the minutes of the meeting held on 11 July 2023 be agreed as a correct record and signed by the Chair.

5 Roman Coin Hoard and Pot Disposal

The Cabinet received report **ES/1630** of the Cabinet Member with responsibility for Corporate Services - Digital, Customer Services, HR and Assets, which sought approval to donate a Roman Coin Hoard and Pot to the Wickham Market Archive Centre.

Councillor Ashton introduced the report and explained that the hoard had been discovered in Wickham Market during development in 1984 and was the property of the Council, valued at £3,400. The Cabinet was advised that the Council did not have the expertise or facilities to display the hoard and there was a cost to revalue the hoard every three years.

Councillor Ashton noted that the hoard was currently held and displayed by the Suffolk County Council Archaeology Service, who had expressed interest in taking possession of the collection; he added that the Wickham Market Archive Centre had recently been formed and having consulted Wickham Market Parish Council it had expressed a wish that the hoard was given to the new centre.

The Leader thanked officers for arranging for the hoard to be on display at the meeting.

Councillor Ashton moved the recommendations in the report, which were seconded by Councillor Graham.

There being no questions or comments from Cabinet Members, the Leader invited questions and comments from other Members present. Councillor Rivett considered the proposals the right thing to do and was pleased to hear that the hoard had been on display; he queried how the proposed caveat would be secured, should the Wickham Market Archive Centre cease to exist.

Councillor Ashton invited the Public Realm Contracts Manager to answer Councillor Rivett's question; she advised that the same conversation had been had with the Suffolk County Council Archaeological Service and she had provided them with a copy of the report. The Public Realm Contracts Manager suggested that Wickham Market Parish Council be tasked to ensure the hoard is passed to the service should the Wickham Market Archive Centre cease to exist. The Head of Legal and Democratic Services added that underwriting the commitment via legal agreement could be explored and the Leader asked for this, and communication to Wickham Market Parish Council, be undertaken.

There being no debate on the proposals, the Leader proceeded to the vote and it was unanimously

RESOLVED

That the Hoard be donated to the Wickham Market Archive Centre, which will ensure that it is kept in the district, with a caveat that if the organisation ceases, it is then donated to the County Archaeological Service.

6 Report of CIL Spending and the Infrastructure Funding Statement 2022-23

The Cabinet received report **ES/1637** of the Cabinet Member with responsibility for Planning and Coastal Management, which sought approval of the Infrastructure Funding Statement 2022-23, the allocation of District CIL funding towards the infrastructure projects and the changes to the CIL Spending Strategy.

Councillor Yule introduced the report and noted she would be adding an additional recommendation that the report be passed to the Full Council for information, in order to facilitate increased knowledge on the rolling out of CIL to all councillors and that additional training to be given. Councillor Yule advised that Member training would be rolled out in the autumn to enable councillors to better interpret the CIL funding available in their ward and to propagate the knowledge of CIL across the Council.

Councillor Yule stated the importance of CIL in delivering much-needed infrastructure and gave thanks to the CIL Spending Working Group for its intense work following the May 2023 elections, as well as thanking the officers for their support to the group.

The Leader invited questions from the Cabinet. Councillor Yule confirmed to Councillor Langdon-Morris that potential clawback of CIL, where it had not been spent, would be discussed by the CIL Working Group during the next round of funding; Councillor Yule confirmed she would be discussing the issue with officers to see how it could be addressed.

The Leader invited questions and comments from other Members present. Councillor Ashdown queried if the proposed training could be incorporated into training for town and parish councils; Councillor Yule confirmed that further CIL training would be made available for these councils.

Councillor Gooch highlighted the Lowestoft Waste Transfer Station and Recycling Centre improvements and asked how the district CIL allocation fitted with the approval granted by Suffolk County Council. The Infrastructure Delivery Manager, at the invitation of Councillor Yule, replied that when planning permission was granted Suffolk County Council would have provided an estimate of the district CIL needed, which was then revised when the calculation for the CIL application was completed, given the time lapse between planning permission being granted and development commencing. The Cabinet was assured that officers undertook due diligence when district CIL was applied for, to ensure that infrastructure projects were not premature and being delivered too far in advance of permitted development.

Councillor Gooch asked if there were any plans for a "reuse" shop as part of the improvements; the Infrastructure Delivery Manager noted the recent changes in legislation and understood that Suffolk County Council was waiting for further information before finalising the project.

There being no further questions, Councillor Yule moved the recommendations in the report, along with an additional recommendation that the report be passed to the Full Council for information, in order to facilitate increased knowledge on the rolling out of CIL to all councillors and that additional training to be given, which were seconded by Councillor Ashton.

The Leader invited the Cabinet to debate the proposals. Councillor Ashton commended Councillor Yule and the officers for bringing forward such a large piece of work and considered it important for all councillors to have this information to better support their towns and parishes.

There being no further debate the Leader proceeded to the vote and it was unanimously

RESOLVED

1. That the Infrastructure Funding Statement 2022-23 at Appendix A to the report be approved, for publication by 31 December 2023, subject to further minor financial, typographical, and presentational amendments confirmed through the Cabinet Member with responsibility for Planning and Coastal Management.
2. That the allocation of District CIL funding towards the infrastructure projects, as outlined in Appendix B to the report, be approved, and those Local CIL Fund projects approved by the CIL Spending Working Group in June 2023 be noted.
3. That the changes to the CIL Spending Strategy, as outlined in Appendix C to the report, be approved.
4. That the report be passed to the Full Council for information, in order to facilitate increased knowledge on the rolling out of CIL to all councillors and that additional training to be given.

7 Coastal Adaptation Supplementary Planning Document

The Cabinet received report **ES/1633** of the Cabinet Member with responsibility for Planning and Coastal Management, which sought the adoption of the Coastal Adaptation Supplementary Planning Document (SPD).

Councillor Yule introduced the report and summarised the purpose of the SPD.

The Leader invited questions to Councillor Yule. Councillor Ninnmey asked how coastal protection could be related to rivers, noting the significant number of river breaches that occurred during the 1953 floods. Councillor Yule invited officers to address the query and the Principal Planner (Policy and Delivery) explained that whilst flood risk in coastal areas does affect estuaries and rivers, the SPD specifically dealt with adaptation to coastal erosion rather than directly addressing flood risk. The Cabinet was advised that a number of estuary management plans were in place and that the Council worked with partners on flood issues, closely monitoring the situation in relation to rivers and estuaries.

Councillor Langdon-Morris asked if the Council would liaise with Suffolk County Council on coastal resilience, particularly to educate town and parish councils on their role in emergency responses to coastal incidents, and if it would explore coastal resilience through biological mechanisms. Councillor Yule responded that it would be important to involve Coastal Partnership East in briefing the Cabinet on coastal resilience, referring to the briefing the previous Council had received on work in Hemsby, Norfolk, at its meeting in March 2023.

Councillor Daly asked if the SPD took into account Nationally Significant Infrastructure Projects (NSIPs) such as the Sizewell C Nuclear Power Station and the impact of offshore energy coming onshore. The Principal Planner, at the invitation of Councillor

Yule, explained how NSIPs were approved by the Secretary of State as opposed to the Council as the local planning authority and highlighted that the Local Plan and accompanying SPDs would be taken into account as part of that process.

The Cabinet was informed that SPDs were not planning policies but were documents providing support and guidance to the policies of the Council's local plans. The Principal Planner advised that the SPD did not directly address NSIPs. The Principal Planner also outlined the shoreline management plans in place to dictate strategy, which would cover the areas of coastline impacted by projects such as Sizewell C and offshore energy solutions.

Councillor Yule moved the recommendations in the report, which were seconded by Councillor Hammond.

There being no questions or debate, the Leader proceeded to the vote and it was unanimously

RESOLVED

1. That the Coastal Adaptation Supplementary Planning Document be adopted.
2. That the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, be authorised to make any presentational or typographical amendments to the Coastal Adaptation Supplementary Planning Document prior to it being published.

8 Exempt/Confidential Items

On the proposition of Councillor Ashton, seconded by Councillor Smith-Lyte, it was by a unanimous vote

RESOLVED

That under Section 100A(4) of the Local Government Act 1972 (as amended) the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 4 of Part 1 of Schedule 12A of the Act.

9 Exempt Minutes

- Information relating to any individual.
- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

10 Withdrawal of East Suffolk Council from the Building Control Partnership with Ipswich Borough Council

- Information relating to any individual.
- Information that is likely to reveal the identity of an individual.

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

11 Kirkley Waterfront

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

12 Letting of 5-6 Newcombe Road, Lowestoft

- Information relating to any individual.
- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

13 Port Health and Implementation of Border Target Operating Model Requirements

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The meeting concluded at 8.02pm.

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Chair