

**Unconfirmed**



Minutes of a Meeting of the **Cabinet** held in the Conference Room, Riverside, on **Tuesday, 07 May 2024 at 6:00 PM**

**Members of the Cabinet present:**

Councillor Paul Ashton, Councillor David Beavan, Councillor Jan Candy, Councillor Tom Daly, Councillor Toby Hammond, Councillor Vince Langdon-Morris, Councillor Sally Noble, Councillor Sarah Whitelock, Councillor Kay Yule

**Other Members present:**

Councillor Peter Byatt, Councillor Louise Gooch, Councillor Alan Green, Councillor Mark Jepson, Councillor Lee Reeves

**Officers present:** Chris Bally (Chief Executive), Chris Bing (Head of Legal and Democratic Services), Kerry Blair (Head of Operations), Kate Blakemore (Strategic Director), Cassandra Clements (Managing Director ESSL), Tom Darling-Fernley (Customer Experience Development Manager), Lorraine Fitch (Democratic Services Manager), Phil Harris (Strategic Communications and Marketing Manager), Andy Jarvis (Strategic Director), Nick Khan (Strategic Director), Sandra Lewis (Head of Digital, Programme Management and Customer Services), Matt Makin (Democratic Services Officer), Andrea McMillan (Interim Joint Head of Planning), Robert Newell (Finance Director ESSL), Dickon Povey (Principal Planner (Policy and Delivery)), Anthony Taylor (Senior Planner (Policy and Delivery))

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**1 Apologies for Absence**

Apologies for absence were received from the Leader, Councillor Caroline Topping.

**2 Declarations of Interest**

Councillor Jan Candy declared an Other Registerable Interest in Item 10, Spa Beach Huts, Felixstowe, as she was a member of Felixstowe Town Council, She also declared a Disclosable Pecuniary Interest as she held a lease for a beach chalet in Felixstowe. Councillor Candy did not take part in any debate and she did not vote on item 10 of the agenda.

Councillor Mark Jepson declared a personal interest as a beach hut owner in Felixstowe.

### **3 Announcements**

#### Cabinet Members

The Chair, Deputy Leader Councillor Beavan thanked Matt Makin, Democratic Services Officer for his work with East Suffolk Council and wished him well in his new job with Peterborough City Council.

### **4 Minutes**

On the proposition of Councillor Candy, seconded by Councillor Hammond, it was unanimously

#### **RESOLVED**

That the Minutes of the meeting held on 9 April 2024 be agreed as a correct record and signed by the Chair.

### **5 Self-build Housing Supplementary Planning Document**

Councillor Yule, the Cabinet Member with responsibility for Planning and Coastal Management introduced report **ES/1934** which related to the adoption of the Custom and Self-build Housing Supplementary Planning Document (the SPD).

East Suffolk had two Local Plans, the Suffolk Coastal Local Plan and Waveney Local Plan, which contain planning policies that relate to custom and self-build housing.

East Suffolk Council, alongside every other local planning authority, was subject to three legal duties in respect of custom and self-build housing, namely:

To hold a register of those interested in custom and self-build housing.

To have regard to that register when carrying out planning, housing, land disposal and regeneration functions, and

To grant enough planning permissions for custom and self-build housing to meet the demand on the register.

The Custom and Self-build Housing Supplementary Planning Document had been prepared in recognition of these legal duties and to support the implementation of planning policies.

The preparation of the SPD has been undertaken through an officer steering group and had involved officers from Planning Policy and Delivery, Major Sites, Design and Heritage, Infrastructure, Housing and had also been overseen by the Local Plan Working Group.

An initial consultation to inform the scope and content of the SPD was carried out between 1 February and 16 March 2023. In total 40 individuals and organisations responded to the consultation. The responses received to the initial stage of

consultation were used to inform the preparation of the draft SPD which was subsequently subject to a public consultation.

The second consultation was on the Draft SPD, which ran from 6 September until 18 October 2023. In total, 21 individuals and organisations responded to the consultation. Between them they made 71 comments. Various changes have been made to the SPD to address the comments received.

The SPD covers the following topics – Affordable custom and self-build housing, serviced plots, Community Infrastructure Levy, phasing, design codes, plot passports, marketing strategy, model conditions, and model section 106 obligations.

Once adopted the new SPD will form part of a suite of SPDs which are material considerations when determining planning applications.

Councillor Yule referenced the positive response from the Rural Services Network regarding the recently adopted Rural Development Supplementary Planning Document. The Rural Services Network state on their website that “East Suffolk Council’s new SPD is an exceptional example of guiding rural development in a way that balances growth with preservation.”

There were no questions from Cabinet Members

There were no questions from other Members present.

Councillor Yule offered thanks to officers for their work.

On the proposition of Councillor Yule, seconded by Councillor Candy it was unanimously

## **RESOLVED**

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

## **6 Relocating Customer Services to Lowestoft Library**

Councillor Ashton, the Cabinet Member with responsibility for Corporate Services - Digital, Customer Services, HR & Assets, introduced report **ES/1935** which related to the relocation of the of Customer Services to Lowestoft Library.

The decision would support relocation of East Suffolk Council’s front-facing reception and core contact centre from Marina Centre to Lowestoft Library. This was in direct response to the need to vacate the existing facility to enable the Cultural Quarter

development, forming one part of five projects of the Lowestoft Towns Deal. It would secure the provision of a tangible front-facing service option in the town centre.

Councillor Ashton detailed the cost implications of the relocation and refit as outlined in the report. There would be a combination of a lease and licence with Suffolk County Council and Suffolk Libraries which was an independent charity. The new space would require a refit. Office related furniture would be transferred and redeployed to the new location.

There were no questions from Cabinet Members.

Councillor Byatt queried if there was assurance of being able to offer a confidential space for customers should it be required. The Customer Experience Development Manager responded to state the layout of the space was self-contained and there was an intention to improve the offer for customers inclusive of there being confidential space available.

Councillor Byatt queried if the opening hours would be the same. Councillor Ashton responded that there would be consideration for opening hours. The Head of Digital and Programme Management added that there would be an intention for the Customer Service Centre to be open five days a week, which was an increase from the current three-day offer for walk in / face to face contact.

Councillor Ashton added that there would be flexibility in staff provision to respond to both walk in and telephone contact.

On the proposition of Councillor Ashton, seconded by Councillor Hammond, it was unanimously

## **RESOLVED**

1. That the relocation of the Council's public reception and core contact centre from the Marina Centre to within part of Lowestoft Library be approved.
2. That the Council entering (a) a five-year lease with Suffolk County Council for the core contact centre space and (b) and a five-year licence to occupy with Suffolk's Libraries IPS Ltd for the public reception and back-office spaces be approved.
3. That the additional budget in the Capital Programme of £165,000 to support the relocation, and for this to be profiled across 2024-25 and 2025-26 as per paragraph 4.4, be approved.
4. That the use of Customer Services' existing revenue reserves to fund the addition to the capital programme.

## **7 North Falls Offshore Wind Farm – Nationally Significant Infrastructure Project – Application for development consent under the 2008 Planning Act – East Suffolk Council's position and delegation to enable full participation in the process**

Councillor Daly, the Cabinet Member with responsibility for Energy & Climate Change, introduced report **ES/1936** which related to the North Falls Offshore Wind Farm.

East Suffolk Council (ESC) would be directly involved as a statutory consultee on a number of energy related Nationally Significant Infrastructure Projects (NSIPs). The examination process for applications when submitted to the Planning Inspectorate was very tight in terms of timescales for the submission of representations and responses, requiring the Council to have the ability to act very swiftly to enable full engagement in the process and represent the views of the council and local communities.

Councillor Daly guided attendees of the meeting through a presentation which was shared online and for those in the room.

The presentation summarised that:

The extension project to the existing 504MW Greater Gabbard Offshore Wind Farm

The North Falls was located 42km offshore - approximately 90km<sup>2</sup> (illustrated yellow on map).

Northern array abandoned due to offshore site constraints and SLVIA impacts on Suffolk and Essex Coast and Heaths National Landscape (formerly SCHAONB).

There would be up to 71 wind turbines – 397m tall.

Onshore connection was proposed at Lawford in Tendring, Essex.

DCO would include offshore connection options - potentially with the NGET SeaLink subsea cable reinforcement project between Suffolk to Kent – due to connect at Friston, East Suffolk.

The North Falls application for development consent was expected to be submitted in July 2024.

ESC was not the host authority – no NSIP infrastructure proposed in district.

ESC was a statutory consultee with a responsibility to respond to the relevant submissions to represent our view as the Local Authority.

ESC had been engaging in DCO pre-application process for Seascape and Landscape Visual Impacts (SLVIA) anticipated on the Suffolk and Essex Coast and Heaths National Landscape (formerly SCHAONB).

Councillor Langdon-Morris queried if there was infrastructure in place already regarding the options of going onshore at Tendering or at another location.

Councillor Daly responded that the North Shore Coordination Strategy invites applicants such as those discussed to come in on the Offshore Coordination Scheme. Northfalls have shown an interest which is why it had been left open to connect up on the offshore vision.

Councillor Whitelock advocated for the residents of Friston who continue to be negatively impacted by the work and future plans for work in the village and echoed the sense of desperation that residents feel.

Councillor Daly agreed with Councillor Whitelock and confirmed that in meetings they had questioned the need to potentially loop connections along the coastline rather than going directly to the end point.

Councillor Jepson queried what the options were to provide influence.

Councillor Daly stated that the role was within the consultation to advocate for the area and local communities. There was more for some and less for others. Regarding the item in question the emphasis was on minimising the visual impact and making sure the plans were clear and feedback could be provided on issues such as looping connections back into the area and coming onshore.

Councillor Byatt questioned if there was a mathematical grid which stated how far out you have to go and if there was a limit on how large the structures could be constructed in the future.

Councillor Daly responded that the technology supporting the turbines was fascinating and projected that there would come a point where there would be dis-economies of scale. Councillor Daly was not sure where there was a maximum size. Regarding the visual impact, participation in conversations would continue to ensure the Council's voice was heard.

Councillor Candy offered her support and added that her home residence overlooked the offshore wind farms from where she lived and she believed it to be a necessary part of the energy structure for the future.

On the proposition of Councillor Daly, seconded by Councillor Hammond it was unanimously

## **RESOLVED**

That Cabinet:

1. Supported the position to not object to the North Falls project with a radial connection to Essex providing the offshore turbines do not have a significant impact on the Essex and Suffolk Coast and Heaths National Landscape but to also continue to support offshore coordination which reduces/minimises the extent of onshore infrastructure.
2. Delegated powers to the Head of Nationally Significant Infrastructure Planning Projects, in consultation with the specific Cabinet Member(s), to act on behalf of the Council in all activities associated with the examination and post examination/consent phases of the project including the signing of any legal agreements/side agreements/memorandum of understandings.

**8 Five Estuaries Offshore Wind Farm – Nationally Significant Infrastructure Project – Application for development consent under the 2008 Planning Act – East Suffolk Council’s position and delegation to enable full participation in the process**

Councillor Daly, the Cabinet Member with responsibility for Energy and Climate Change, introduced report **ES/1937** which related to the Five Estuaries Offshore Wind Farm.

East Suffolk Council (ESC) would be directly involved as a statutory consultee on a number of energy related Nationally Significant Infrastructure Projects (NSIPs). The examination process for applications when submitted to the Planning Inspectorate was very tight in terms of timescales for the submission of representations and responses, requiring the Council to have the ability to act very swiftly to enable full engagement in the process and represent the views of the council and local communities. In discussions between the Cabinet Member and the officer team, it had been agreed that a practical way forward for a number of these schemes is to present a report for Cabinet’s consideration and agreement in advance of the formal submission to the Planning Inspectorate (PINS) (noted however that Five Estuaries recently submitted their application to PINS on 25th March 2024).

Councillor Daly guided attendees of the meeting through a presentation which was shared online and for those in the room.

The Five Estuaries Offshore Windfarm was an extension project to the existing 353MW Galloper Offshore Wind Farm.

The Five Estuaries was located approximately 37km offshore – split across two arrays covering total 128km<sup>2</sup> with up to 79 wind turbines – 395m tall.

The onshore connection was proposed at Lawford in Tendring, Essex – there was no offshore connection options included in DCO order limits.

DCO application submitted for examination 25th March 2024.

ESC was not the host authority, there was no NSIP infrastructure proposed in district, however Lesser Black-backed Gull habitat compensation proposed at Orford Ness.

ESC was a statutory consultee with a responsibility to respond to the relevant submissions to represent the view of the Local Authority.

ESC had been engaging in DCO pre-application process for Seascape and Landscape Visual Impacts (SLVIA) anticipated on the Suffolk and Essex Coast and Heaths National Landscape (formerly SCHAONB).

ESC also engaging in habitat compensation discussions and had been engaging in the pre application process.

Councillor Langdon-Morris questioned why it seemed so easy for it to come onshore in Essex.

Councillor Daly responded that the other areas would have issue to onshore build.

Councillor Langdon-Morris followed up that regarding previous discussions around Aldeburgh and Southwold and if they were separate companies bringing power on onshore separately and if there was coordination of shared cables available.

Councillor Daly responded that they were engaged with the Offshore Coordination Scheme. There was lack of strategy, overview and central plan at the present time.

Councillor Byatt looking at new super turbines, touched on before and expressed concerns regarding cable capacity and infrastructure. Councillor Byatt queried how much success there had been in engaging with the suppliers to ensure they are looking after the environment as well as meeting the power need.

Councillor Daly stated that the Council was adamant in all responses that there is a desire for more offshore efforts which do not damage the onshore. There had been meetings with EDSO where various models of what offshore coordination could look like had been presented. Some of which were worse than what was in place already. There was engagement with Suffolk County Council colleague and to make the final model as community friendly as possible.

On the proposition of Councillor Daly, seconded by Councillor Hammond, it was unanimously.

## **RESOLVED**

That Cabinet:

1. Supported the position to not object to the Five Estuaries project with a radial connection to Essex, providing the offshore turbines do not have a significant impact on the Essex and Suffolk Coast and Heaths National Landscape but to also continue to support offshore coordination which reduces/minimises the extent of onshore infrastructure.
2. Continued to closely monitor and scrutinise the potential residual seascape visual impacts introduced on the National Landscape. Whilst the project has reduced the proposed maximum wind turbine height to less than 400m tall, the closest wind turbines remain at a distance of 37km offshore which will be visible from the designated landscape.
3. Delegated powers to the Head of Nationally Significant Infrastructure Planning Projects, in Consultation with the specific Cabinet Member(s), to act on behalf of the Council in all activities associated with the examination and post examination/consent phases of the project including the signing of any legal agreements/side agreements/memorandum of understandings.



Councillor Langdon-Morris, Cabinet Member with responsibility for Resources and Value for Money, introduced report **ES/1938** which related to the Reliance and Emergency Fund.

Storm Babet caused widespread flooding and disruption to East Suffolk between Friday 20 October and Sunday 22 October 2023. In response to the incident a Resilience Reserve of £500,000 was established at Full Council on the 21 February 2024. The report presented the terms of reference outlining how the reserve would be used, to be renamed as the Resilience and Emergency Response Fund.

Councillor Byatt queried if the Council could recoup any funds from residents household insurance for the hire of skips. Councillor Byatt also asked if there was any issue with procuring the hire of skips during that time and if there was scope to look at the Council having a fleet of skips for use.

The Head of Operations advised that during the storm clear up ESC was working with East Suffolk Services Limited (ESSL) who did provide skips and resources to assist. There could be an opportunity to reclaim some funding through the Bellwin scheme, which could support Council's additional costs due to the flooding incidents. The Head of Operations concluded that the wider remit was to understand what communities need and to consider how to prevent incidents from occurring.

Councillor Langdon-Morris added that it was important to have the provision to support the existing structures in place and increase the capacity of the Council to be able to respond if required. Councillor Langdon-Morris thanked Officers and the Chief Executive for their work on over the last 6 months.

On the proposition of Councillor Langdon-Morris, seconded by Councillor Noble who echoed support for the proposal. It was unanimously

## **RESOLVED**

1. That the terms of reference for the Resilience and Emergency Response Fund outlined in Appendix A be approved.
2. That the appointment of a new 'Coordinator/Convenor' role and the associated supplementary budget requirement totalling £96,713 for an initial two years starting in 2024/25, to provide a communication, coordinating and enabling role for residents and communities, acting as a point of contact for residents to support them prior to, during and after a climate related emergency be approved.

## **10 Spa Beach Huts, Felixstowe**

Councillor Paul Ashton, Cabinet Member with responsibility for Corporate Services – Digital, Customer Services, HR and Assets, introduced report **ES/1939** which related to Spa Beach Huts in Felixstowe.

The Spa Beach Huts were originally situated in an area between the Victorian shelter (bottom of Bent Hill) and the end of the Spa Gardens (where there is a community building known as "The Hut"), on Felixstowe Sea front. They have been there since the

1880s, and some of the huts are the original Victorian structures. Concerns about beach erosion in this area were first raised by the Felixstowe Beach Hut and Chalet Association (FBHCA) in July 2017. Diminishing sand levels forced the removal of huts onto the promenade that same year. Initially 9 huts were moved to their winter position on the prom, by the end of the year this had increased to the full 54.

The Council had since worked to relocate all beach hut owners into other locations across Felixstowe, however 14 beach hut owners had yet to be relocated. Working in partnership with the 14 beach hut owners the report presented to Cabinet a proposal to relocate the 14 beach hut owners back to their historic position, by way of situating them on platforms rather than directly on the sand.

Councillor Ashton commended the efforts of the 14 residents who have submitted a planning application to re site the beach huts on platforms near to where were before. Negotiations were close to being completed and the report was to finalise the process. There was some risk of damage to the platforms and concerns regarding the beach scene during the winter months. However, considering options and alternatives the re siting of the 14 huts was deemed a good solution. The beach hut owners would be taking the risk of the platforms and getting them built. East Suffolk Council would not be taking a significant financial risk in approving the recommendations.

There were no questions from Cabinet.

Councillor Jepson declared a personal interest as a beach hut owner. Councillor Jepson queried what would happen if the other beach hut owners wanted to move their beach huts back to the original location.

Councillor Ashton responded to state there had been consideration to the other 33 beach hut owners who had moved locations. The 14 remaining were sited further from the main heritage area than the others and if they wished to move back a planning process would need to followed. Councillor Ashton suspected there would be considerable challenges to planning applications and noted that liabilities for the platforms would sit with the beach hut owners.

Councillor Ashton clarified point two of the recommendations had some flexibility built in, that should the 20-year lease be something that the Council would want to change in negotiations, Councillor Ashton would have the authority to do this.

Councillor Candy did not participate in the debate and did not vote on the item.

On the proposition of Councillor Ashton, seconded by Councillor Daly it was by majority vote

## **RESOLVED**

That Cabinet:

1. That the proposal to allow the Felixstowe Spa Beach Huts Association to build 14 beach hut platforms pursuant to planning permission DC/23/2089/FUL be approved.

2. That the Strategic Director for Corporate Services be delegated, in consultation with the Cabinet Member with responsibility for Corporate Services – Digital, Customer Services, HR and Assets, the authority to enter into an Agreement, on terms that best protect the Council's interest, with the Felixstowe Spa Beach Huts Association (or any successor organisation) for the building of 14 beach hut platforms pursuant to planning permission DC/23/2089/FUL.

3. That the Strategic Director for Corporate Services be delegated, in consultation with the Cabinet Member with responsibility for Corporate Services – Digital, Customer Services, HR and Assets, the authority to enter into individual leases for a term of 20 years with the 14 Spa Beach hut owners who have yet to be successfully relocated elsewhere in Felixstowe.

## **11 Exempt/Confidential Items**

It was proposed by Councillor Hammond, seconded by Councillor Ashton and 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 involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

## **12 Exempt Minutes**

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

## **13 The Sale of 5 & 6 Newcombe Road, Lowestoft, Suffolk, NR32 1XA**

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

## **14 East Suffolk Services Business Plan 2024-27**

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

## **15 Proposed long lease of Notcutts (sports ground) Park**

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

## **16 Minor acquisition of Land, Felixstowe Ferry**

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

The meeting concluded at 7:40pm

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Chair