

Confirmed



Minutes of a Meeting of the **Cabinet** held via Zoom, on **Tuesday, 6 October 2020** at **6.30 pm**

Members of the Cabinet present:

Councillor Norman Brooks, Councillor Stephen Burroughes, Councillor Maurice Cook, Councillor Steve Gallant, Councillor Richard Kerry, Councillor James Mallinder, Councillor David Ritchie, Councillor Craig Rivett, Councillor Mary Rudd

Other Members present:

Councillor Paul Ashdown, Councillor Peter Byatt, Councillor Alison Cackett, Councillor Judy Cloke, Councillor Tony Cooper, Councillor Linda Coulam, Councillor John Fisher, Councillor Tracey Green, Councillor Mark Jepson, Councillor Ed Thompson, Councillor Caroline Topping, Councillor Steve Wiles

Officers present:

Stephen Baker (Chief Executive), Kerry Blair (Head of Operations), Sharon Bleese (Coastal Manager (South)), Karen Cook (Democratic Services Manager), Madeline Fallon (Coastal Management Technical Officer), Cairistine Foster-Cannan (Head of Housing), Teresa Howarth (Principal Environmental Housing Officer), Kathryn Hurlock (Asset and Investment Manager), Andrew Jarvis (Strategic Director), Matt Makin (Democratic Services Officer), Brian Mew (Interim Finance Manager), Sue Meeken (Political Group Support Officer (Labour)), Agnes Ogundiran (Conservative Political Group Support Officer), Deborah Sage (Political Group Support Officer (GLI)), Rachel Tucker (East Suffolk Communities Officer)

1 Apologies for Absence

Apologies for absence were received from Councillor Smith.

2 Declarations of Interest

Councillor Rivett declared a Disclosable Pecuniary Interest in respect of agenda item 5, Private Sector Housing Strategy - Update, as a private landlord, and as a member of the Eastern Landlords' Association. Councillor Rivett left the meeting for this item.

3 Announcements

The Cabinet Member with responsibility for the Environment announced that this week was Suffolk Action Week and he gave thanks, on behalf of East Suffolk Council (ESC), to all those that volunteered within the community; he said that the volunteer sector was the backbone of East Suffolk and he referred to the Covid-19 pandemic and how, during this period, it had been the volunteers that had supported the vulnerable. Councillor Mallinder referred to his army of litter pickers, tree planters and environmentalists who made a huge difference in the

community. Councillor Mallinder thanked all and expressed his huge appreciation for their work.

The Cabinet Member with responsibility for Customer Services and Operational Partnerships announced that this was National Customer Services Week and he referred to various events that were taking place within ESC, involving staff and others. Councillor Burroughes referenced the excellent work undertaken by ESC's Customer Services Team and he gave thanks for that.

4 Minutes

RESOLVED

That the Minutes of the Meeting held on 1 September 2020 be agreed as a correct record and signed by the Chairman.

5 Private Sector Housing Strategy - Update

Having declared a Disclosable Pecuniary Interest, Councillor Rivett left the meeting at this point.

Cabinet received report **ES/0508** by the Cabinet Member with responsibility for Housing who reported that in 2018/19 the Private Sector Housing Strategy was adopted by the then Suffolk Coastal and Waveney District Councils. 18 months on, the Strategy had been reviewed and, in the light of the new East Suffolk Strategic Plan, and lessons learnt from delivery, it was now appropriate to ask Cabinet to approve some changes in policy and practice. Officers added that, as of today, ESC had secured another year's funding for the Stepping Homes and Be at Home service; this was very welcome news.

The Cabinet Member with responsibility for Housing outlined the key changes proposed, including the new Independent Living – East Suffolk agency; changes to discretionary disabled facilities grants; a greener renovation grants policy; implementing the new electrical safety regulations and changes to the civil penalties framework.

Cabinet welcomed the proposed changes to the Strategy, commenting that, particularly now in the midst of the Covid-19 pandemic, the changes would be a real benefit and a lifeline to a lot of people within the community.

RESOLVED

1. That the new improvement agency model and funding structure utilising the Disabled Facility Grant allocation to fund agency costs upfront be approved.
2. That the funding of East Suffolk's annual contribution to Stepping Home and Be at Home, from the Disabled Facility Grants allocations, subject to continued receipt of Disabled Facility Grant funding from Central Government, be approved.
3. That the new grant regime set out in Appendix A to report ES/0508 be approved.
4. That the amendment to the Civil Penalty Policy by adopting the House in Multiple Occupation matrix be approved.
5. That delegated authority be granted to the Head of Housing to utilise the powers under the Private Rented Sector (England) Regulations 2020 and implement the penalty charges as detailed in report ES/0508.
6. That delegated authority be granted to Head of Housing to implement the provisions of sections 43, 47, 48, 49 the Anti-social Behaviour, Crime and Policing Act 2014.

7. That the review of the grant policy, after 12 months or sooner, by the Head of Housing in consultation with the Cabinet Member for Housing to ensure that it is meeting demand and delivering effectively, be approved.

8. That the amendment of the Private Sector Housing Strategy to reflect the policy changes agreed in report ES/0508 be approved and that delegated authority be given to the Head of Housing in consultation with the Cabinet Member for Housing to approve the wording within the revised document.

6 Public Space Protection Orders

Councillor Rivett returned to the meeting.

Cabinet received report **ES/0468** by the Assistant Cabinet Member with responsibility for Community Health who stated that his report was presented to Cabinet to provide information about Public Space Protection Orders (PSPOs) and to seek a decision in respect of the extension of three PSPOs in the north of the District.

The Anti-Social Behaviour, Crime and Policing Act 2014 replaced Alcohol Consumption in Designated Public Place Orders (DDPOs) on the 20 October 2017. DDPOs were introduced in Waveney in 2009 following extensive research and consultation which supported orders in Oulton Broad, Harbour and Kirkley wards. These PSPOs would expire on 19 October 2020. Suffolk Police would like the existing PSPOs to be extended but in order to do so, there must be sufficient robust evidence to support the statutory criteria and meet the legal test laid out within the report at paragraph 1.7.

Alongside PSPOs, there was complimentary legislation that could be considered by the Police, Confiscation of Alcohol (Young Persons) Act 1997, Dispersal Powers and Community Protection Notice (CPN).

Council Officers had notified the Police of the expiration of the existing PSPOs and asked them to provide evidence to support the continuation/extension of all three PSPOs. Unfortunately, no supporting data has been received. Data in relation to anti social behaviour in the relevant area was presented in section 2.2 of the report but it was generic and therefore it was not possible to infer what particular outcome would be achieved through continuation of the PSPOs in each area. This data did suggest that the levels of anti social behaviour remained significant in the Harbour ward but not in Kirkley or Oulton Broad wards.

Cabinet was advised that, since publication of the report, Oulton Broad had made a representation in respect of levels of anti social behaviour and had commented that, during the last four months, Oulton Broad Parish Council had employed an independent security company, at a considerable cost and that would have an impact on the precept next year and years to come, to patrol Nicholas Everitt Park, and the surrounding area, to deal with these matters. Councillor Jepson stated that it was perhaps frustrating that the level of information shared about this particular location by the Police was limited; however, it was clear that the Police had not been using the PSPO option in this area, tending to prefer alternative legislation. Councillor Jepson made it clear that the PSPOs did not appear to have been used, with a reliance on other information, which was however relevant to Cabinet.

The Leader emphasised that ESC should not confuse the two issues of anti social behaviour taking place within the Kirkley and Oulton Broad wards with the granting of PSPOs; that was merely one thing that the Police could use to deal with the issues. The Police had clearly chosen not to use

that particular option, and that was an operational policing choice, and not for ESC to seek to impose. It was for the Police to decide how best to deal with anti social behaviour. It was, the Leader emphasised, for Cabinet to look at the renewal, or not, of two PSPOs. That would not change the number of incidents of anti social behaviour or the way in which the Police would deal with them.

Councillor Byatt referred to the alternative methods used by the Police, as referred to by the Leader and the Assistant Cabinet Member with responsibility for Community Health, and asked if ESC should be asking the Police and Crime Commissioner to increase the Police numbers in Lowestoft, if that was an issue, in respect of dealing with these matters. The Leader provided a reminder that the Assistant Cabinet Member with responsibility for Community Health was also the Chair of the local Community Safety Partnership and, as such, had regular liaison with the Police and the Police and Crime Commissioner. The Leader was sure that if there were issues that officers and / or ward members wanted to be raised, then Councillor Jepson would be happy to do that. Councillor Jepson confirm that, and also stated that the Partnership had just completed a consultation exercise and publication in respect of the Community Safety Action Plan for East Suffolk, and anti social behaviour was very much part of that. Councillor Jepson referred to a Task and Finish Group taking place on 9 October 2020 to identify specific actions, in partnership with the Police and other organisations, to tackle anti social behaviour.

RESOLVED

1. That the Public Space Protection Order for the Harbour ward for a further three years be agreed on the basis that the Public Space Protection Order has been used extensively in this ward, along with other legislative tools to support the Police to tackle alcohol related anti social behaviour in this location.
2. That the Public Space Protection Orders for the Kirkley and Oulton Broad wards should not be extended on the basis that there is no evidence that the Public Space Protection Order for these areas has been used or that it has supported the Police in tackling alcohol related anti social behaviour in these locations.

7 Appointments to Outside Bodies for 2020/21 (Executive)

Cabinet received report **ES/0511** by the Leader of the Council who reported that the appointment of councillors to outside bodies was important as it provided support to the organisation concerned and enabled councillors to fulfil their community leadership roles. Full Council, at its recent annual meeting, considered and agreed representation on outside bodies where the role related to a non-executive function. It should be noted, the Leader added, that appointments made to outside bodies should be sensitive to the need to represent, as far as possible, the diverse nature of the local community.

The Leader added that he did need to draw members' attention to some incorrect information within Appendix A to the report; it currently referred to the following outside bodies – East Suffolk Norse Governance Board; East Suffolk Norse Joint Venture Company Board; East Suffolk Norse Partnership Board; Places Leisure; Sentinel Leisure Governance Board; Sentinel Leisure Trust Partnership Board and, finally, Sentinel Leisure Trust – Trustees / Directors. Some of those outside bodies were no longer in existence. Those outside bodies should be referenced within Appendix A as East Suffolk Norse Joint Venture Partnership Board, Sentinel Partnership Board and, finally, Places Leisure Partnership Board.

Appendix A also proposed Councillor Jepson as the substitute for the Norfolk Health and Wellbeing Board; that should be Councillor Cackett, the Leader stated.

Lastly, the Leader stated he was mindful that the leaders of the Labour and GLI Groups had put forward nominations for some executive outside bodies; these had been given due consideration by himself in the formulation of his proposals.

Councillor Topping asked if the Council was failing some organisations by putting people into outside bodies who were not always attending meetings. Councillor Topping suggested that perhaps a register be kept of attendance, that could be reviewed at the time of appointments being made next year, to ensure that the best informed decisions were made. Councillor Topping also requested that equality impact assessments be made available via the MyCMIS app.

Councillor Byatt stated that a lot of councillors were making executive decisions on behalf of ESC; he suggested that it would be helpful for the minutes of those meetings to be made available to all members.

The Leader thanked Councillor Topping and Councillor Byatt for their questions and comments; however, he felt it important not to lose sight of the fact that this was about ESC representatives sitting on an outside body; it was not for ESC to decide on the number of meetings, rules of engagement, agenda items etc. ESC was merely invited to put a representative forward. Full Council and Cabinet appointed the members that they thought would be best suited and able to represent the interests of ESC and the wider community and a lot of thought and consideration went into those appointments. Referring to the minutes of those meetings, the Leader commented that this was a matter for each individual body to decide on. He also reminded members that all ESC members, who sat on outside bodies, were invited to present an annual report to Full Council.

Councillor Topping, in response to the Leader's comments, stated that she was wishing to state the importance of members sitting on outside bodies giving their commitment to attendance in order to support those bodies.

Councillor Byatt sought clarification in respect of the Sentinel Leisure Trust and whether this was still in existence. In response to this, the Cabinet Member with responsibility for Customer Services and Operational Partnerships commented that many of the appointments were historical and the necessary updates were now being made. In respect of the Sentinel Trust Board, it was perceived that maybe there would be some conflict of interest between sitting on the Partnership Board and sitting on the Governing Body too. Those two bodies were now collapsed down into just the Partnership Board.

The Leader advised members that he had asked the Democratic Services Team to conduct a through review of appointment to outside bodies during the coming months.

RESOLVED

1. That Councillors be appointed to those Outside Bodies outlined in the amended Appendix A to report ES/0511 (as uploaded to the meeting documents) for the remainder of the 2020/21 Municipal Year.
2. That the Leader of the Council be authorised to fill any outstanding vacancies left unfilled by Cabinet and that arise throughout the remainder of the 2020/21 Municipal Year.

8 Slaughden Shoreline Management Plan Review

Cabinet received report **ES/0512** by the Cabinet Member with responsibility for Planning and Coastal Management, who reported that it was proposed that the Shoreline Management Plan (SMP) policy at Sudbourne Beach, south of Slaughden, be changed to Managed Realignment over all epochs until 2105. This constituted a ‘major’ change to the Shoreline Management Plan.

The current SMP policy along this frontage was to Hold the Line in the short term but no formal policy was set for the medium and long term. Instead, an interim policy of No Active Intervention was defined, “pending an agreed management and investment plan for the Alde and Ore area”.

Since the SMP, the Alde and Ore Estuary Plan had been endorsed by the local authorities. This included the overall vision that the estuary should remain as it was now and to ensure that defences within the estuary were of a standard necessary to withstand overtopping in a one in 200-year event.

The Cabinet Member with responsibility for Planning and Coastal Management reported that an extensive public consultation had been undertaken and 97% of those who expressed an opinion supported the change. Whilst this policy change would not guarantee that the shingle barrier at Slaughden would be maintained, it would provide flexibility for the Council, working with the Environment Agency, to manage changes along this shoreline and respond, if required, to extreme events. As such, the policy would promote a more resilient approach to managing this shoreline in the future.

Councillor Byatt asked two questions, firstly relating to costs, and secondly relating to whether HM Coastguard was being kept informed of the proposals, which he felt was vital. Councillor Byatt was advised that ESC was responsible for the SMP, but the any costs would be incurred by the Environment Agency. It was confirmed that regular engagement took place with HM Coastguard and in respect of this proposal, it was hoped that this policy would not have any impact on its activities.

RESOLVED

1. That SMP Policy Unit ORF15.1 – Sudbourne Beach to be changed to Managed Realignment in all 3 epochs
2. That the text in the SMP Policy Unit ORF15.1 is revised to:-

| | Policy Plan | | | |
|------------------------|---------------------|------------------------|------------------------|---|
| | 2025 | 2055 | 2105 | Comment |
| Existing policy | Hold the Line | No Active Intervention | No Active Intervention | An interim policy pending an agreed Management and Investment Plan for the Alde and Ore area. |
| Revised policy | Managed realignment | Managed realignment | Managed realignment | Measures to maintain barrier resilient and minimise the risk of a permanent breach forming, whilst working with the dynamic coastline and ensuring continued sediment connectivity. |

9 Exempt/Confidential Items

RESOLVED

That, under Section 100A(4) of the Local Government Act 1973 (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 and 3 of Part 1 of Schedule 12A of the Act.

10 Exempt Minutes

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

11 Jubilee Terrace Beach Hut Development

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

The meeting concluded at 7:45 PM

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Chairman