

**Unconfirmed**



Minutes of a Meeting of the **Cabinet** held remotely via the Zoom video conferencing system, on **Wednesday, 6 May 2020 at 3:00pm**

**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 Mary Rudd, Councillor Letitia Smith

**Other Members present:**

Councillor Paul Ashdown, Councillor Peter Byatt, Councillor Alison Cackett, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Graham Elliott, Councillor Mark Jepson, Councillor Debbie McCallum

**Officers present:** Stephen Baker (Chief Executive), Stephanie Baxter (Housing Enabling Manager), Ruth Bishop (Senior Planning Officer), Cairistine Foster-Cannan (Head of Housing), Karen Cook (Democratic Services Manager), David Howson (Housing Strategy Manager), Andrew Jarvis (Strategic Director), Helen Johnson (HAZ Programme Manager), Nick Khan (Strategic Director), Bridget Law (Programme Manager), Matt Makin (Democratic Services Officer), Andrea McMillan (Principal Planner), Sue Meeken (Political Group Support Officer (Labour)), Agnes Ogundiran (Conservative Political Group Support Officer), Lorraine Rogers (Finance Manager), Deborah Sage (Political Group Support Officer (GLI)), Hilary Slater (Head of Legal and Democratic Services)

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**1 Apologies for Absence**

Apologies for absence were received from Councillor Rivett.

**2 Declarations of Interest**

Councillor Rudd declared a Local Non Pecuniary Interest in respect of agenda item 6, Adoption of North Lowestoft Heritage Action Zone Design Guide Supplementary Planning Document, as the Ward Member for Gunton and St Margarets.

**3 Announcements**

The Leader advised that he had two announcements: firstly, on 2 May 2019, one year ago this week, the people of East Suffolk elected the councillors to represent them on East Suffolk Council (ESC), a brand new Council. The parent authorities, Suffolk Coastal and Waveney District Councils, laid solid foundations from which ESC could build, and ESC had established a modern, efficient and sharing Council that was now perfectly placed to respond at this time of national crisis. The Leader took the opportunity to

wish ESC a very happy first birthday and he hoped that it would have many more to follow.

The Leader, secondly, referring to COVID-19, stated that he had taken every available opportunity to personally thank the senior managers and officers for the extraordinary way with which they had dealt with the situation. The Leader stated that he now wished to take this opportunity to formally ask the Chief Executive to pass on the gratitude and admiration of the Cabinet to all members of staff, for the work that they had undertaken, and would continue to undertake, in these very strange times. He gave thanks for the direction, support and assurance that had been given to east Suffolk communities. The Leader, in conclusion, stated that officers should be very proud of what they had achieved.

The Chief Executive, in response, stated that he echoed the Leader's comments in respect of the work undertaken by officers; they had, he said, responded and had undertaken duties that they would not have expected to undertake as part of their normal roles. The Chief Executive added that it was not just those officers working at the front line, but those officers who were supporting those at the front line too. In conclusion, the Chief Executive stated that he was extraordinarily proud and he added that he would gladly pass on the thanks that had been conveyed.

The Cabinet Member with responsibility for the Environment was pleased to announce that ESC's green waste collection service would re-commence on 25 May 2020; communications would be sent to all subscribers. The other waste collection services had been maintained during this difficult period and Councillor Mallinder gave thanks to the crews that had managed to maintain these services.

#### **4 Minutes**

##### **RESOLVED**

That the Minutes of the Meeting held on 7 April 2020 be agreed as a correct record and signed by the Chairman.

#### **5 Housing Enabling Strategy**

Cabinet received report **ES/0367** by the Cabinet Member with responsibility for Housing who, after firstly giving thanks to officers for preparing the draft Strategy, reported that the Strategy would deliver a clear corporate approach to enabling housing development in the district. The Strategy covered issues such as how the Council could support local communities and partners to meet housing needs, how the Council could encourage sustainable house building, how it could help self-build and custom build housing and how it could deliver more affordable homes. The adoption of the Strategy would help the Council in its role of encouraging, supporting and enabling new housing across a range of providers, including the Council, at a time when new housing was very much needed.

The Cabinet Member with responsibility for Planning and Coastal Management stated that the Strategy was admirably brief; he also referred to the input from many different service areas and commended this inclusive way of working; in his view this

was vital. The Leader agreed with this, stating that it was one of the many strengths of East Suffolk Council.

The Cabinet Member with responsibility for Communities, Leisure and Tourism was of the view that the Strategy was an excellent piece of work; it contained 19 very clear actions which would engage with developers and the community and it set out very clearly the aims and ambitions of ESC.

The Cabinet Member with responsibility for the Environment stated that it was very clear from the Strategy that the Environment had been at the heart of the discussions and development, whilst also understanding the financial restrictions and also the impact on east Suffolk communities and tenants. Councillor Mallinder felt that the Strategy provided an excellent road map of how East Suffolk could reduce its carbon footprint so that it could aim for the target of being carbon neutral by 2030. Councillor Mallinder wished to personally thank the Cabinet Members with responsibility for Housing and Planning and Coastal Management, together with the officers, for their excellent work.

Councillor Elliott stated that he welcomed the pledge to have a Sustainable Construction Supplementary Planning Document (SPD); he referred to the environmental guidance note and said that the contents of that should be built on, he felt that it was a great document, but it did not have any teeth. The only way that it could have teeth was for it to be properly adopted as a Supplementary Planning Document. Councillor Elliott stated his concern was that the Council would still be restricted by Central Government as to the standards that it could set. The Leader, in response, advised that regular meetings took place with local MPs and every opportunity was taken to raise these issues and press for further regulation. The Leader agreed with Councillor Elliott's views and said that there was a need for guidance to be produced; many organisations and companies, he felt, would follow best practice, but some would not. The Leader gave a reassurance that he would continue to press for further regulation.

Councillor Byatt, referring to brownfield sites, stated that he was very pleased that the Council was working on those. Councillor Byatt also referred to the need to try and ensure that open spaces were built into what was developed. These, he said, were very important for people's healthy lifestyles.

Councillor Byatt added that he very much welcomed the Strategy, he also pointed out that the Council had some existing housing stock which fell below the EPC 'C' rating; he felt that this needed to be looked at, whether that be by way of refurbishment, or demolition to create extra space, and alongside that creating housing on brownfield sites. Referring to the existing stock, the Cabinet Member with responsibility for Housing stated that he would touch on that in his next report and he also confirmed that the Council's own stock would be evaluated.

Councillor Elliott spoke again, firstly thanking officers for another well-presented Strategy, and then referring to action point 5, supporting community led housing where opportunities arose, he wanted to be sure that this would include supporting housing co-operatives where low impact and low cost housing could be provided for their members and whether the affordable nature of that housing could

be protected in perpetuity. The Cabinet Member with responsibility for Housing, in response, stated that the Council was already supporting a Community Land Trust in Bawdsey where the homes would remain affordable homes in perpetuity and, of course, the Council would look at any other Community Land Trusts, or similar, and help where it could.

#### **RESOLVED**

That Cabinet the Housing Enabling Strategy 2020-2025 be approved.

### **6 Adoption of North Lowestoft Heritage Action Zone Design Guide Supplementary Planning Document**

Cabinet received report **ES/0366** by the Cabinet Member with responsibility for Planning and Coastal Management who reported that the North Lowestoft Heritage Action Zone (HAZ) was a partnership project which began in 2018 with the aim of focusing on the use of heritage led assets to regenerate the area. The production of the Design Guide Supplementary Planning Document (SPD) formed one part of the project. The North Lowestoft HAZ Design Guide SPD sought to ensure that new development would conserve and enhance the character of the area and would maximise its contribution to the heritage led regeneration of the area. Once adopted, the SPD would be a material consideration in decision making on planning applications in the area. The production of the SPD had been informed by consultation and it identified character areas within the HAZ and set out guidance related to the design of new development as well as identifying enhancements to the public realm.

At this point officers gave a presentation which included the timeline of events; the purpose of the design guide; the contents; guidance for new developers; guidance for the public realm; guidance for alterations; guidance for shopfronts and, finally, a summary of the public consultation that had been undertaken.

The Leader, firstly, gave his appreciation for all of the work that had gone into producing such a professional document, he acknowledged the consultation that had been undertaken, and gave thanks for this. The Leader stated that the document would enable the Council to steer the projects forward in the right direction.

The Cabinet Member with responsibility for Community Health stated that she very much welcomed the document, commenting that it could only be good news for north Lowestoft because there really was a need for lots of work to be undertaken.

The Cabinet Member with responsibility for Customer Services and Operational Partnerships stated that Lowestoft had been needing investment for some time and this was a very comprehensive and positive document; he was sure that it would be well received by the public.

The Cabinet Member with responsibility for Communities, Leisure and Tourism felt that the document celebrated everything that was cultural and historical with the north part of the town; it had five clear zone areas and was something that the Council should fully support. Councillor Smith said that she was looking forward to the regeneration projects that would come forward.

Councillor Byatt very much welcomed the document but stated it was disappointing that members of the public had not shown a great interest, he suggested that perhaps the Council should look at different ways of encouraging the public to get involved. Councillor Byatt gave thanks to the Cabinet Member, and officers, for their work.

Councillor Byatt stated that there was no reference at all to the other projects that were going on heritage-wise, and he felt that these should be included, he suggested that a master plan was needed to ensure consistency of design across the area. The Leader, in response, and agreeing, stated that a cohesive and joined up approach to delivering for Lowestoft was needed; with that in mind, a Place Board was being looked at which would bring together a number of other boards, committees, etc under one umbrella.

Councillor Elliott stated that he very much welcomed the document; his only concern was that there could be a four month delay in its adoption with no Full Council meeting being scheduled until September 2020. In response, the Leader reported that discussions were taking place in respect of a Full Council Meeting going ahead in July 2020, and he said that this would be confirmed as soon as possible.

In conclusion, and referring back to Councillor Byatt's earlier point regarding public consultation, the Cabinet Member with responsibility for Planning and Coastal Management advised that drop in sessions had taken place and these had been a great success.

#### **RESOLVED**

1. That the content of the North Lowestoft Heritage Action Zone Design Guide Supplementary Planning Document be noted and endorsed.
2. That Cabinet recommends to Full Council that the North Lowestoft Heritage Action Zone Design Guide Supplementary Planning Document be adopted.
3. That the Head of Planning and Coastal Management, in consultation with the Cabinet Member for Planning and Coastal Management, be authorised to make any factual or typographical amendments to the Supplementary Planning Document prior to its adoption.

#### **7 East Suffolk Performance Report - Quarterly Performance Quarter 4 (2019/20)**

Cabinet received report **ES/0368** by the Leader of the Council who reported that this was the East Suffolk Performance Report for Quarter 4, covering the period 1st January to 31st March 2020 and also the end of year position for 2019/20.

The report highlighted activities and key achievements under each of the Council's strategic deliverables of Economic Growth, Enabling Communities and Financial Self-Sufficiency. Performance had been captured in each service area and the Council's partners which included an analysis of key performance indicators (KPIs) and other measures.

The performance information reflected the direction of travel for the Council and regular monitoring and reporting of this information ensured that appropriate action was taken to ensure services and activities continued to deliver for communities, businesses and the public.

The Finance Manager added that across the course of the year the Council monitored 30 key performance indicators, 21 were monitored throughout the year against quarterly targets and the remaining nine were reported on at the end of the year. During quarter 4 of those that were reported on 62% of those achieved a green status (achieved or exceeded the target); 19% achieved an amber status (fallen slightly below the target) and 19% achieved a red status (fallen significantly below the target). At this point highlights from the report were provided.

The Leader, looking ahead and referring to COVID-19, felt that there would be a significant impact on the Council's performance, particularly in respect of revenues and fees and charges; however, the Council's number one priority should be to continue supporting all communities in the best way that it could.

The Cabinet Member with responsibility for Housing referred to the void property key performance indicator (this was the number of calendar days a property was unlet for a routine void - one that was not undergoing major works or defined as hard to let). Councillor Kerry gave thanks to the Housing Team who had managed to reduce the void time. The Cabinet Member with responsibility for Planning and Coastal Management added his thanks, commenting that the team had brought down the number of days to 20.1, which was better than the target of 25 days; this he said was an exceptional result.

The Assistant Cabinet Member with responsibility for Community Health referred to the number of complaints that were in the red category, he made particular reference to the number of complaints against Norse which had been upheld and asked if there was a theme. The Leader, in response, referred to the importance of people feeling comfortable and able to complain, this he commented was very important. The Leader further commented that if the Council did not receive any complaints it would be concerned; he referred to the importance of having a system in place that people had faith in, and were confident that if they raised an issue there would be resolution. The Cabinet Member with responsibility for Customer Services and Operational Partnerships stated that, sometimes, when there was a slight change to a service or operational structure, people could feel upset and complain; he thought that the complaints ranged across various minor and major issues. Councillor Burroughes said that he would obtain a breakdown of the complaints, including how they were dealt with.

Turning to COVID-19, Councillor Burroughes referred to the fact that, generally, the Council was pleased with how it had reacted, and continued to react, during the crisis. Councillor Burroughes thanked the Customer Services Team for all of its work; he also referred to officers working from home and how well that was working, including IT performing well. Councillor Burroughes referred to when this crisis was over and the importance of continuing and building on some of the new ways of working.

Councillor Burroughes, lastly, referred to abandoned calls rates, he said that sometimes the caller would re-think, and go online, instead of continuing their call; it was not, he said, always that the caller became frustrated and ended the call.

Councillor Byatt referred to the support that the Council had and continued to provide during the COVID-19 crisis, particularly the tremendous work by the Council's Communities Team, he asked if the Council would be able to include in its performance indicators, or somewhere else, an indication of the Council's emergency response as a possible feature all of the time. The Leader, responding, commented that the Council would certainly be capturing all of that information and there would be a report that would show all of the detail, including all of the costs involved and the redeployment of staff.

Councillor Elliott referred to St Peters Court, and the fire retardant work, he asked why this was still amber. The Strategic Director advised that this was not because of any delays in the works, they had been completed; it was however because the Council was continuing to receive more information as a result of the Grenfell Inquiry and it was felt important that this was taken account of and kept under review.

In response to a second question from Councillor Elliott relating to land regeneration and the missed target, he enquired about Brook peninsula, which he said still stood undeveloped. The Strategic Director explained that the missed target was because the majority of the developments the Council had been undertaking were on greenfield sites. Referring to the Brook peninsula site, the Strategic Director explained that this was not in the Council's ownership; the owner was, he believed, making plans and it was hoped that more would be known shortly.

## **RESOLVED**

That the East Suffolk Performance Report for Quarter 4 be received.

### **8 Acknowledgement of the Declaration of Climate Change and Impact on Housing**

Cabinet received report **ES/0369** by the Cabinet Member with responsibility for Housing who reminded members that on 22 January 2020, at Full Council, a Motion was received from Councillor Gooch; the Motion was asking the Council to consider how it might seek to achieve the highest standards of energy efficiency and carbon neutrality in new residential developments in the district and in the Council's own housing stock.

Council Procedure Rule 11.5 provided that motions may be discussed immediately by the Council, with the consent of the Council shown by a majority vote. When a vote was taken to obtain the consent of the Council to discuss the motion immediately, it was now carried. Therefore, in accordance with Council Procedure Rule 11.5, the motion was automatically referred to Cabinet for investigation and / or debate and further report back for subsequent debate to Council.

The issues raised by the motion were complex and warranted further investigation, in order to be fully meaningfully debated. The report provided a response to the motion and set out some essential background information on the topic, ie what the Council had achieved to date and what its approach had been to minimise the environmental impacts where it could, through new build, and within the existing housing stock.

Additionally, the Cabinet Member with responsibility for Housing recommended considering appointing a specialist consultant, subject to budgets, to develop a

schedule for retrofitting the Council's existing housing stock to a higher sustainable standard.

Councillor Kerry referred to a visit to a company in Corby, which had been undertaken by himself and some other councillors, that was progressing a new way of developing houses. Councillor Kerry felt that, in the long term, these could be more energy efficient than the properties currently on the market. Councillor Kerry hoped that, in the future, the company could deliver a presentation to the Council so that the work could be properly evaluated. The members present, who accompanied Councillor Kerry on the visit, all agreed, commenting that most of the materials used were recycled materials and also commenting on the speed with which the properties were built.

The Cabinet Member with responsibility for Finance referred to the aspiration of retrofitting the Council's existing housing stock, which he very much supported as an aspiration, but he referred to the very difficult financial challenges ahead, and he thought that, essentially, the Council would not want to take on additional borrowing that may affect the house building programme to bring housing stock up to scratch. Councillor Cook referred to there being no financial return and the fact that the Council would be borrowing just to renovate existing stock. This, he said, was a more difficult proposition, and he advised caution. The Cabinet Member with responsibility for Housing reminded members that it was the housing revenue account that would be affected; he very much agreed with Councillor Cook's words of caution and emphasised that every proposal would be evaluated on its merits.

The Cabinet Member with responsibility for the Environment stated that he very much appreciated all of the hard work that the Cabinet Member, and officers, had put into this reply. Councillor Mallinder reminded members that there were many aspects to the environment; it was not, he said, just about buildings, houses, trees and grass, it was also about clean air, waste collection, consumption, and there was a need to use resources in a logical manner to deal with all issues, not just one specific point.

Councillor Byatt gave thanks to the Cabinet Member with responsibility for Housing, and officers, for the excellent report; he also acknowledged the cross-party co-operation that had taken place, and gave thanks to the Leader for his guidance following the Full Council meeting.

Councillor Byatt stated that the report provided the opportunity to investigate all aspects of zero carbon construction and retrofitting, with the intention of improving the lives of East Suffolk residents, being fiscally prudent and supporting the Council's green agenda. It was, he said, excellent to read about the environmental achievements to date to reduce energy consumption and restrict emissions.

Councillor Byatt welcomed the Environmental Task Group providing guidance on new build to developers and he hoped that the imminent results of the Government's consultation into the new future homes standard would set higher environmental standards in stone so that the Council could not only provide advice, but strict guidelines.

Councillor Byatt referred to paragraph 4.1 of the report, which stated that ESC could

set energy performance 20% higher than building regulations dictated to the environmental policy. ESC stated that it would set that performance at a level equivalent to codes for sustainable homes, and that would be 20% higher. Councillor Byatt asked if the Council had been able to fulfil this key task from the policy, and if ESC had been setting this standard now, perhaps before as Suffolk Coastal and Waveney District Councils, was ESC able to check the reliability and instigate a monitoring regime of the building quality standard over subsequent years to ensure there was no performance gap. The Head of Housing was not able to answer this question as it was Planning and Building Control related; Councillor Byatt said he would forward the question in writing.

Councillor Byatt referred to the Goldsmith Street development site in Norwich, and said that this was an exceptional, innovative and unique example of Passive House. It was, he said, difficult to compare this area of central Norwich with a site in the Harbour ward in Lowestoft. Councillor Byatt said he was not clear if the figures used to make the comparison of costs were over the same time period, and why the reason to apply the costs to purchase land at £22k per property in Waveney had been used. Councillor Byatt said that he did not deny that the Passive House design often included an uplift in costs and he asked if ESC would widen its investigations into build costs to include other sites, and bear in mind the opportunities offered by replicating design already proven to work. The Head of Housing, in response, said that the Goldsmith Street information had been included within the report for comparison because the data was available; she commented that the Council would be able, and if Cabinet gave authorisation for this, to investigate different types of build and there were various ways of delivering carbon neutral or Passive House schemes with different standards that could be achieved.

Councillor Byatt asked, when the Council was looking at the overall costs of social housing, would it consider long term benefits such as lower rent arrears and lower void rates associated with energy efficient properties over and above the running costs that were subsequently, overall, lower if the Council was offering people lower cost housing. It was confirmed by the Leader that the Council would consider this.

In conclusion, Councillor Byatt asked if consultants would be employed by the Council; he also asked if advice had been sought from other councils, who were leading the way in carbon neutral developments. The Cabinet Member with responsibility for Housing, in response, and with regard to the Council's own housing stock, said that he was in discussion with officers on this matter. Referring to the way forward he said that he would consider the Council employing a consultant to work with the Housing Development Team to investigate how the Council could push forward development of low carbon properties. Referring to seeking advice from other councils, Councillor Kerry confirmed that he would certainly be doing this.

## **RESOLVED**

1. That this report forms the basis of a further report back for subsequent debate by Council, in accordance with Council Procedure Rule 11.5.
2. That notwithstanding any subsequent debate in Council, Cabinet continues the work to limit the carbon impact of its housing stock by giving delegated authority to the Head of Housing, acting in consultation with the Cabinet Member for Housing, to

consider appointing a specialist consultant, subject to budgets, to develop a schedule that will provide a realistic pathway to carbon neutrality for the Council's existing housing stock, subject to compliance with the Council's Contract Procedure Rules.

**9 Exempt/Confidential Items**

**RESOLVED**

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

**10 Exempt Minutes**

**RESOLVED**

That the Exempt Minutes held on 7 April 2020 be agreed as a correct record and signed by the Chairman.

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Chairman