

**Unconfirmed**



Minutes of a Meeting of the **Cabinet** held in the Conference Room, Riverside, on **Tuesday, 3 May 2022 at 6:30 pm**

**Members of the Cabinet present:**

Councillor Norman Brooks, Councillor Stephen Burroughes, Councillor Maurice Cook, Councillor Steve Gallant, Councillor James Mallinder, Councillor David Ritchie, Councillor Letitia Smith

**Other Members present:**

Councillor Edward Back, Councillor Peter Byatt, Councillor Judy Cloke, Councillor Linda Coulam, Councillor John Fisher, Councillor Louise Gooch, Councillor Mark Jepson, Councillor Ed Thompson

**Officers present:**

Stephen Baker (Chief Executive), Stephanie Baxter (Housing Strategy and Enabling Manager), Karen Cook (Democratic Services Manager), Elliott Dawes (Development Officer), Andy Jarvis (Strategic Director), Nick Khan (Strategic Director), Karen Last (Electoral Services Manager), Bridget Law (Programme Manager), Sandra Lewis (Head of Digital and Programme Management), Fern Lincoln (Housing Needs Service Manager), Izak Loggenberg (Interim Estates Manager) Matt Makin (Democratic Services Officer), Andrea McMillan (Principal Planner (Policy and Delivery)), Sue Meeken (Political Group Support Officer (Labour)), Brian Mew (Chief Finance Officer & Section 151 Officer), Tom Potter (Communications and Marketing Officer), Fiona Quinn (Head of Environmental Services and Port Health), Andrew Reynolds (Environment Protection Manager), Heather Tucker (Head of Housing), Nicola Wotton (Deputy Democratic Services Officer)

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**1 Apologies for Absence**

Apologies for absence were received from Councillor Kerry, Councillor Rivett and Councillor Rudd.

Apologies for absence were also received from Councillor Cooper, as an Assistant Cabinet Member.

**2 Declarations of Interest**

There were no declarations of interest.

### 3 **Announcements**

At the invitation of the Leader, the Assistant Cabinet Member - Refugee Support, gave an update in respect of the situation in Ukraine. Councillor Cloke reported that it was her understanding that the Housing Team had undertaken 40 home visits thus far, with a further 30 visits booked; the Housing Team was working with Suffolk County Council (SCC) to undertake the visits as quickly as possible and was generally managing to get them completed within the week of notification. Members of the Housing Team were attending regular meetings with various organisations such as Health and Welfare and of course SCC. Councillor Cloke understood also that the statistics issued by the Home Office that up to 29 April 175 visas had been issued to people wanting to come to East Suffolk. One of the most common questions that Councillor Cloke had received, she reported, was how could community support teams find out where the refugees were in their area; Councillor Cloke had asked this of SCC and apparently Community Action Suffolk was putting some money in place to support local community groups; SCC would be working with Community Action Suffolk to offer support. Councillor Cloke stated that she did not feel that this was quite the answer and she felt that it was too vague an arrangement and, as such, she would discuss possible improvements with the Head of Communities. Councillor Cloke reported that she was also in the process of writing to Peter Aldous MP to ask whether the visa process could be improved to speed it up or just make it workable.

### 4 **Data Analytical Capacity**

Cabinet received report **ES/1123** by the Cabinet Member with responsibility for Customer Services, ICT and Commercial Partnerships, who reported that more and more we are living in a world of digital data, with the use of this data playing an ever-increasing role in designing, delivering and transforming public services to improve outcomes and drive efficiencies. This was becoming an increasingly vital tool in evolving services in East Suffolk. More data than ever was available to inform services and obtain greater insights into the needs of the organisation, the people who live and work within the district and the places served.

Councillor Burroughes stated that the proposal before Cabinet directly addressed priority P17, Effective use of data, of the Strategic Plan, by putting in place additional resource to take forward ESC's ambitions of being a data-led authority. It also supported all other themes of the Strategic Plan, including governance, by providing a vital data service to underpin everything done, delivering the technical skills to provide insights and data analytics to the organisation as a whole, subsequently leading to improved delivery of front-line services across all areas of the Council.

This proposal was key, Councillor Burroughes stated, to unlocking a better understanding of delivery of services, including providing better focus, efficiency and different perspectives on tackling the needs of the district and all who lived in it. Unlocking the power of data in a co-ordinated and managed way would provide a vital next step for East Suffolk. In a commercial setting, all businesses used data specifically to drive growth and improvement, increasing technical ability and pursuing investment opportunities and potential, ESC should be no different Councillor Burroughes stated.

The Leader stated that ESC was a modern, forward thinking and ambitious Council and he added that data was key to steering the direction of the Council; he referred to the importance of understanding data and how that would drive all of the ambitions within the Strategic Plan.

The Cabinet Member with responsibility for the Environment gave his full support for the proposal, referring to environmental concerns and how data was key to understanding communities and what they wanted.

Councillor Byatt, after giving his support for the proposal within the report, asked about timescales in respect the appointment of the new officer; he also enquired about working with the Suffolk Observatory. Clarification was provided in that the post would be advertised once the Cabinet call-in period had passed, and also ESC would continue to work closely with the Suffolk Observatory.

On the proposition of Councillor Burroughes, seconded by Councillor Smith, it was by unanimous vote

## **RESOLVED**

That a supplementary budget increase of £65,508 including all on-costs for the appointment of a Senior Data Analyst role within the Digital and Programme Management service area be approved.

## **5 Consultation on, and Revocation of Woodbridge Air Quality Management Area**

Cabinet received report **ES/1124** by the Cabinet Member with responsibility for the Environment, who reported that this Administration believed that clean air was a fundamental right of every citizen of East Suffolk; as such, it was a priority in decision making and was part of making sure ESC protected and championed environmentally sustainable communities. Councillor Mallinder was delighted to advise Cabinet that ESC met all statutory requirement in East Suffolk with 72 locations across the district having monitoring equipment in place, diffusion tubes for Nitrogen Dioxide, all currently returning results below the legal requirements.

Councillor Mallinder reported that he was pleased to bring this paper to Cabinet recommending the consultation to remove the Woodbridge AQMA. The reason for this was that back in 2002 processes triggered the need for a detailed assessment of this junction in Woodbridge and in 2006 an AQMA was declared. However by 2014 and 2015 nitrogen dioxide levels had started to fall. Defra advised that, since the Nitrogen Dioxide levels had declined consistently and had been below the objective levels for the past seven years, ESC should revoke the Air Quality Management Area (AQMA) without further delay.

Councillor Mallinder highlighted two points, he stated that models had taken into account the redevelopments of the former council offices at Melton Hill and this would not have an impact on nitrogen dioxide levels. Covid impact had been factored into the models and had little impact in the overall picture as levels were down prior to Covid. Added to that, models again had taken into account any possible impact of commercial vehicles due to any future construction projects in East Suffolk and it was

concluded that the area was not a route for such vehicles and the risk would be from residents' vehicles finding alternative routes, but from the East Suffolk model these would cause no further nitrogen dioxide levels.

Councillor Mallinder stated that if ESC removed the AQMA this did not mean that it would no longer monitor this area, through its robust air quality strategy it had many checks and balances in place and would monitor air quality as it did across East Suffolk.

In conclusion, Councillor Mallinder stated, ESC's detailed modelling prepared as part of its investigations into the need to maintain this AQMA had included predictions of air quality up to 2028, taking into consideration all possible negative influences on air quality, including the possible factors mentioned earlier, with the result that ESC had a high degree of confidence in the belief that revocation of the AQMA was an appropriate decision to make at this time. This view was supported by Defra whose own experts had assessed ESC's technical reports against the relevant technical guidance and come to the same conclusion.

In the very unlikely event air quality deteriorated, Councillor Mallinder reported, ESC would be very well placed to spot any upward trends and respond appropriately and quickly.

Cabinet gave its support for the proposal within the report; the Cabinet Member with responsibility for Transport commented on ESC making a positive step by moving most of the fleet of refuse vehicles onto biofuels which had made a substantial reduction in the amount of noxious fumes coming into the atmosphere; there had also been a large increase in stop/start vehicles which did not sit idly in traffic jams. Councillor Brooks also referred to the RingoGo app which had been introduced; when used it advised in respect of available parking spaces and saved unnecessary driving to locate available spaces. In conclusion, Councillor Brooks highlighted the Walking and Cycling Strategy which would reduce the amount of car travel.

The Cabinet Member with responsibility for Communities, Leisure and Tourism commented on the importance of sharing the information within the report to communities, ensuring that the people who lived in the area were aware of the quality of air.

On the proposition of Councillor Mallinder, seconded by Councillor Burroughes, it was by unanimous vote

## **RESOLVED**

That the commencement of formal consultation seeking views on revocation of the Woodbridge Air Quality Management Area, be approved, following which delegated authority be given to the Head of Environmental Services and Port Health, in consultation with the Cabinet Member with responsibility for the Environment, to consider consultation responses, liaise with Defra and approve the Revocation Order.

Cabinet received report **ES/1127** by the Cabinet Member with responsibility for Planning and Coastal Management, who reported that East Suffolk had two Local Plans: the Suffolk Coastal Local Plan and Waveney Local Plan, both of which contained planning policies relating to the delivery of affordable housing, either as a requirement on residential developments or as standalone developments in their own right.

The Affordable Housing Supplementary Planning Document (SPD) had been developed to support the implementation of these policies relating to affordable housing in the Local Plans, as well as to be consistent with Government policy contained in the National Planning Policy Framework and in Planning Practice Guidance.

Once adopted, Councillor Ritchie explained, the new SPD would replace the current guidance contained in Supplementary Planning Guidance 2: Affordable Housing (adopted in July 2004); this applied to the former Suffolk Coastal area and in the Affordable Housing Supplementary Planning Document (adopted in May 2012) (this applied to the former Waveney local planning authority area). These existing guidance documents were considered to be out of date in places in relation to adopted Local Plan policies and current Government policy contained within the National Planning Policy Framework and associated national Planning Practice Guidance. In May 2021 the Government also issued new Planning Practice Guidance on a new type of affordable housing, First Homes, and the Council published a First Homes Position Statement setting out that it intended to provide guidance on implementation of the First Homes policy as part of the Affordable Housing Supplementary Planning Document.

The preparation of the new SPD, Councillor Ritchie reported, had been undertaken through an officer steering group and had involved officers from Planning Policy and Delivery, Housing, Development Management, Section 106 officers and Legal Services, 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 9 November and 21 December 2020. In total, 194 comments were received from 22 individuals and organisations. Virtual roundtable sessions were also held to inform the preparation of Model Heads of Terms and Template Clauses for legal agreements relating to affordable housing. The responses informed preparation of a draft document.

The consultation on the draft SPD was carried out between 1 November and 13 December 2021. In total, ESC received 111 comments from 27 individuals and organisations. Various changes had been made to the SPD to address the comments received.

The Affordable Housing SPD provided guidance on a range of topics including in relation to types of affordable housing, identifying an appropriate mix of affordable housing, the design of affordable housing, legal agreements, vacant buildings credit and carrying out local housing needs assessments. The SPD also incorporated model Heads of Terms and Template Clauses for legal agreements relating to affordable housing. Guidance on First Homes is incorporated into the SPD.

The Affordable Housing SPD, Councillor Ritchie reported, did not create new policies but rather sought to provide guidance that would help with the implementation of relevant policies in the Suffolk Coastal and Waveney Local Plans.

On adoption the Affordable Housing SPD would be a material consideration in the determination of planning applications.

The Leader highlighted the consultation process, as referred to by Councillor Ritchie, and Cabinet supported the approach of changes being made as a result of that.

Councillor Byatt gave thanks for the report and he too welcomed the consultation process; he welcomed that the SPD would be in place for material purposes for Planners.

On the proposition of Councillor Ritchie, seconded by Councillor Brooks, it was by unanimous vote

#### **RESOLVED**

1. That the Affordable Housing Supplementary Planning Document be approved.
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 Affordable Housing Supplementary Planning Document prior to it being published.

## **7 HRA Fire Safety Strategy**

Cabinet received report **ES/1125** by the Cabinet Member with responsibility for Housing which, in his absence, was presented by the Leader of the Council. The report and the attached Fire Safety Strategy had been developed to set out the way ESC's Landlord Services aimed to minimise the risk of fires starting and spreading in Housing Revenue Account (HRA) owned and managed properties and how the service would safeguard residents, staff, contractors and visitors in the event of fire.

Although Fire Safety had always been a key priority for the Landlords Service, the Leader reported, this was the first formal Strategy, which had been developed and which set out the Council's proposals to manage fire safety in accordance with best practice, legislation and other relevant internal policies, which enabled the safe management of properties.

The Leader referred to the previous week, after the Cabinet papers had been published, the Building Safety Bill having received royal assent; therefore, if the Strategy was adopted by Cabinet, there would be a minor amendment made to include the Building Safety Bill into Appendix A. The proposals set out in the Building Safety Bill had already been taken into consideration during the development of the Strategy.

In response to a question from Councillor Byatt, regarding the reference in paragraph 5.3 of the report, to the Maintenance Manager acting as the 'competent person' until a Building Safety and Compliance Manager was appointed, at which point they would

become the 'competent' person, it was confirmed that it would be a new ESC post and the person appointed would be responsible for ensuring that all ESC properties met with the fire standard and that person would also oversee the other compliance elements too.

On the proposition of Councillor Gallant, seconded by Councillor Burroughes, it was by unanimous vote

#### **RESOLVED**

1. That the Fire Safety Strategy, attached as Appendix A to the report, be approved, which will be implemented by officers immediately.
2. That authority be delegated to the Cabinet Member with responsibility for Housing, Head of Housing and the Housing, Health and Safety Board to update the Strategy as required.
3. That authority be delegated to the Head of Housing and the Housing, Health and Safety Board to develop all the required policies and procedures to support the implementation of this Fire Safety Strategy.

### **8 Community Housing Fund Spend Policy**

Cabinet received report **ES/1126** by the Cabinet Member with responsibility for Housing which, in his absence, was presented by the Leader of the Council.

The report set out that the Community Housing Fund (CHF) Spend Policy provided a clear framework of the level of funding available, who could bid for it and how it was to be used. The CHF Spend Policy had been designed to ensure a fair process for allocating funding, which would try and support as many Community Led Housing Schemes as possible.

Cabinet, followed by Councillor Byatt, welcomed the Community Housing Fund Spend Policy.

On the proposition of Councillor Gallant, seconded by Councillor Brooks, it was by unanimous vote

#### **RESOLVED**

1. That the Community Housing Spend Policy, as set out in Appendix A of the report, be adopted.
2. That delegated responsibility be given to the Head of Housing in consultation with the Cabinet Member with responsibility for Housing to award the Community Housing Fund (CHF) spend policy.

### **9 Exempt/Confidential Items**

The Leader reported that in exceptional circumstances, the Council may, by law, exclude members of the public from all, or part of, an executive decision-making meeting. The Council should, unless there were urgent circumstances, give notice of

its intention to do so via the Forward Plan, which was updated and published on its website 28 clear days prior to the meeting.

There were various reasons that the Council, on occasions, had to do this and examples were because a report contained information relating to an individual, information relating to the financial or business affairs of a particular person, or information relating to any consultations or negotiations.

Tonight, the Leader explained, Cabinet had four substantive exempt matters to consider and they were as outlined on the published agenda, items 10 to 13.

Firstly, the Leader reported, agenda item 10 related to an electoral services specialist printing tender and the report sought Cabinet approval to tender for a new specialist printing contract and to obtain delegated authority to enter into that contract on behalf of ESC.

Secondly, the Leader explained, agenda item 11 related to property acquisition works and adaptations for an exceptional housing need case. The report sought Cabinet approval for expenditure for the acquisition and remodelling of a suitable property to meet the needs of a family within the East Suffolk area. Assisting people with complex needs to access affordable and suitable housing was a priority for ESC and by identifying suitable accommodation it would be offering long term settled accommodation in line with the support and care needs, and aspirations, for the family.

Thirdly, the Leader stated, agenda item 12 related to a redevelopment of affordable homes at White Lion Flats in Beccles. This report outlined proposals for the redevelopment of an under-utilised property. The recommendations within the report would assist ESC in its ambition to increase overall numbers of new build homes. The development of this scheme would deliver four quality homes into the Housing Revenue Account and would contribute to the delivery of a number of ESC's key priorities. The specification of the proposed properties demonstrated ESC's commitment to change and align with its aspirations to provide efficient, sustainable housing with environmentally considered design helping to reduce running costs for tenants.

Lastly, the Leader reported, agenda item 13 related to Anglia Revenues Partnership fraud services and a section 113 agreement with Norwich City Council. This report sought Cabinet approval for a section 113 agreement between ESC as a member of the ARP and Norwich City Council, to enable officers to continue to provide fraud services to Norwich City Council. This proposal supported the East Suffolk and ARP strategic plans by contributing to efficiencies across the partnership; increasing income; and potentially further partnership opportunities.

On the proposition of Councillor Gallant, seconded by Councillor Burroughes, it was by 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 and 3 of Part 1 of Schedule 12A of the Act.

**10 Electoral Services Specialist Printing Tender**

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

**11 Property acquisition works and adaptations for an exceptional housing needs case**

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

**12 Redevelopment of Affordable Homes – White Lion Flats, Beccles**

- 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.

**13 Anglia Revenues Partnership Fraud Services - Section 113 Agreement with Norwich City Council**

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

The meeting concluded at 7.55 pm

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Chairman