



East Suffolk House, Riduna Park, Station Road,  
Melton, Woodbridge, Suffolk, IP12 1RT

# Full Council

Members: All Councillors

Members are invited to a **Meeting of the Full Council**  
to be held in the Deben Conference Room, East Suffolk House,  
on **Wednesday, 27 July 2022 at 6.30pm**

This meeting will be broadcast to the public via the East Suffolk YouTube  
Channel at <https://youtu.be/3gdQ4tmMGbU>

An Agenda is set out below.

## Part One – Open to the Public

Pages

- 
- 1 Apologies for Absence**  
To receive apologies for absence, if any.

**2      Declarations of Interest**

Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

**3      Minutes**

**1 - 26**

To confirm as a correct record the Minutes of the Annual Meeting held on 25 May 2022

**4      Announcements**

To receive any announcements from the Chairman, the Leader of the Council, members of the Cabinet, and the Chief Executive, in accordance with Council Procedure Rule 5.1(e).

**5      Questions from the Public**

The following question has been submitted by the public in pursuance of Council Procedure Rule 8:

Question submitted by Mr Adam Robertson to Councillor Mary Rudd, Cabinet Member with responsibility for Community Safety

As the freeholder of the Gateway Retail Park, how long will East Suffolk Council allow negotiations to continue between the leaseholder Freshwater Group and Peter Aldous MP before enforcing a solution as the freeholder, which will stop the congregation of cars and anti-social behaviour happening at the Retail Park?

## 6 Questions from Members

The following question(s) from Members has/have been submitted in pursuance of Council Procedure Rule 9:

### a) Question submitted by Councillor Tom Daly to Councillor James Mallinder, Cabinet Member with responsibility for the Environment

Theberton and Eastbridge Parish Council have expended a lot of time and effort to obtain Dark Skies in their area which is classed as category 1, Milky Way quality. Other PCs in the area are looking to follow suit.

They simply need ESC approval to complete the process of securing Dark Skies status.

I have been asking for a response for them since August 2021. Environment is one of the main pillars of our statutory plan; can we please give them the encouragement they deserve in their sterling efforts for their local environment by giving our approval?

### b) Question submitted by Councillor David Beavan to Councillor Richard Kerry, Cabinet Member with responsibility for Housing

Dismayed by the low registration for social homes via HomeChoice in my ward, I decided to test the system by registering myself in March. Why is there no 'save' option for the 17 page online application form whose second page of 38 questions starts by saying, "You must submit this page in the next 15 minutes"? Why is my registration still waiting for approval four months later? Can we make this system fair and fit for purpose?

### c) Question submitted by Councillor David Beavan for Councillor James Mallinder, Cabinet Member with responsibility for the Environment

How long will the air quality monitoring at the current sites within Woodbridge continue? Bearing in mind that the UK air quality standards are far less strict than WHO's Air Quality Guidelines, which state that 10µg/m<sup>3</sup> is the highest safe level of NO<sub>2</sub>, and that levels in Woodbridge are still at 25µg/m<sup>3</sup>, will Cabinet commit to continue monitoring these sites on a permanent basis?

## 7 Petitions

No petitions have been received as provided by Council Procedure Rule 10.

## 8 Notices of Motion

The following Motions have been submitted in pursuance of Council Procedure Rule 11:

### a) Motion submitted by Councillor Byatt

This Council recognises that the cost of living crisis has had a noticeable impact on the price of freshly-grown food. Some residents already make use of their own outdoor spaces to grow their own vegetables and fruit, and also there are those who are fortunate enough to have access to Allotments.

We believe that there is a simple and positive way to support residents in the long-term to save money and at the same time, to encourage a healthy life-style.

This Council resolves, therefore, to establish a Working Group to liaise with Parish Councils, local Allotment Groups, land-owning Charitable Trusts and other land-holding bodies with the purpose of seeking opportunities to provide additional Allotments across East Suffolk.

In addition, this Working Group will widen its brief to consider the current status of public green and brown spaces across the District, with the purpose of encouraging community groups to adopt these spaces, to establish Pocket Parks, Community Gardens and Orchards.

### b) Motion Submitted by Councillor David Beavan

This Council notes:

1. Following the announcement in May of the Levelling Up and Regeneration Bill by DLUHC, ESC will be able to utilise a new discretionary council tax premium of up to 100% on second homes which are not let out or lived in for at least 70 days a year.
2. As of 2021 there were 4,113 second homes in East Suffolk, which inflate the local housing market beyond the reach of local people, depopulating the resident communities for lack of alternative social housing to rent.
3. This could provide up to £7.6m annually for the East Suffolk area from 2024/25, of which ESC would receive £700k.

This Council resolves to:

1. Utilise the full 100% council tax premium on second homes and empty dwellings to fund Community Land Trusts to provide local social housing for rent in the wards affected by second homes. At a cost of roughly £210k per new home, ESC would be able to provide up to three new rented social homes per year.
2. Reach out to Suffolk County Council and the Police and Crime Commissioner to explore the possibility of working together to utilise the entire £7.6m pot for the construction of up to 36 homes a year.

		Pages
9	<b>Flexible Use of Capital Receipts Strategy 2022/23 - 2024/25 ES/1221</b> Report of the Cabinet Member with Responsibility for Resources	27 - 64
10	<b>Environmental Services Team - Resourcing and Restructure ES/1241</b> Report of the Cabinet Member with responsibility for Community Health	65 - 75
11	<b>Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan ES/1224</b> Report of the Cabinet Member with responsibility for Planning and Coastal Management	76 - 112
12	<b>Cabinet Members' Report and Outside Bodies Representatives' Report to Council ES/1214</b> Report of the Leader of the Council	113 - 138

## Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

**Close**



Stephen Baker, Chief Executive

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East Suffolk Council is committed to achieving excellence in elected member development  
[www.local.gov.uk/Community-Leadership](http://www.local.gov.uk/Community-Leadership)

<p><b>Unconfirmed</b></p>
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Minutes of the Annual Meeting of the **Full Council** held in the Conference Room, Riverside, Lowestoft, on **Wednesday, 25 May 2022 at 6.30pm**

**Members present:**

Councillor Paul Ashdown, Councillor Edward Back, Councillor David Beavan, Councillor Stuart Bird, Councillor Chris Blundell, Councillor Elfrede Brambley-Crawshaw, Councillor Stephen Burroughes, Councillor Peter Byatt, Councillor Alison Cackett, Councillor Jenny Ceresa, Councillor Judy Cloke, Councillor Maurice Cook, Councillor Tony Cooper, Councillor Linda Coulam, Councillor Janet Craig, Councillor Tom Daly, Councillor Mike Deacon, Councillor John Fisher, Councillor Steve Gallant, Councillor Tess Gandy, Councillor Andree Gee, Councillor Tony Goldson, Councillor Louise Gooch, Councillor Tracey Green, Councillor Ray Herring, Councillor Richard Kerry, Councillor Stuart Lawson, Councillor Geoff Lynch, Councillor James Mallinder, Councillor Keith Patience, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Carol Poulter, Councillor Mick Richardson, Councillor David Ritchie, Councillor Craig Rivett, Councillor Keith Robinson, Councillor Mary Rudd, Councillor Letitia Smith, Councillor Rachel Smith-Lyte, Councillor Ed Thompson, Councillor Caroline Topping, Councillor Steve Wiles, Councillor Kay Yule

**Officers present:** Stephen Baker (Chief Executive), Chris Bing (Head of Legal and Democratic Services), Shannon English (Political Group Support Officer (GLI)), Laura Hack (Delivery Manager), Andy Jarvis (Strategic Director), Karen Last (Electoral Services Manager), Sue Meeken (Political Group Support Officer (Labour)), Brian Mew (Chief Finance Officer & Section 151 Officer), Agnes Ogundiran (Conservative Political Group Support Officer), Paul Patterson (Senior Coastal Engineer), Alli Stone (Democratic Services Officer), Nicola Wotton (Deputy Democratic Services Manager)

**1 Apologies for Absence**

Apologies for absence were received from Councillors N Brooks, L Freeman, T Fryatt, C Hedgley, M Jepson, D McCallum, F Mortimer, T Mortimer and R Rainger.

**2 Declarations of Interest**

There were no Declarations of Interest.

**3 Minutes**

**Minutes 23 February 2022**

## **RESOLVED**

That the minutes of the meeting held on 23 February 2022 be agreed as a correct record and signed by the Chairman.

### **Minutes 23 March 2022**

## **RESOLVED**

That the minutes of the meeting held on 23 March 2022 be agreed as a correct record and signed by the Chairman.

## **4 Announcements**

The outgoing Chairman of the Council, Councillor Robinson, announced that since the last Full Council meeting, he had attended the Suffolk County Council Civic Service and the Royal Garden Party in London.

The Chairman said that it had been a privilege to have undertaken the role of Chairman and he thanked everyone for their help and support.

He wished the incoming Chairman the best of luck for their term of office.

## **5 Election of a Chairman**

The Chief Executive sought nominations for the Chairman of the Council. Councillor Rudd proposed Councillor Ceresa, whom she felt would uphold the processes and principles of the Constitution, whilst maintaining impartiality at Full Council meetings. Councillor Rudd stated that Councillor Ceresa would also be an excellent representative and ambassador for East Suffolk Council. This proposition was duly seconded by Councillor Smith. There being no further nominations, it was

## **RESOLVED**

That Councillor Ceresa be elected as Chairman of the Council for the 2022/23 Municipal Year.

Councillor Ceresa took the opportunity to thank Members for electing her to this role. She said that she was proud to be the first female Chairman of East Suffolk Council and that she had never expected to sit at the 'top table' when she had first been elected as a Councillor 7 years ago.

## **6 Election of the Vice-Chairmen**

The Chairman sought nominations for Vice Chairman of the Council. Councillor Rivett nominated Councillor Blundell as Vice Chairman and stated that Councillor Blundell was a very experienced Councillor who had previously been Chairman of the former



Suffolk Coastal District Council. This nomination was seconded by Councillor Mallinder.

There being no further nominations it was

## **RESOLVED**

That Councillor Blundell be elected as Vice Chairman of the Council for the 2022/23 Municipal Year.

## **7**

### **Announcements**

#### **Chairman of the Council**

##### Bob Blizzard

The Chairman of the Council announced to Members the sad passing of Bob Blizzard, former Leader of Waveney District Council from 1991 to 1997 and MP for the Waveney Constituency from 1997 to 2010. Bob had enjoyed a varied and productive political career and he had retired from political life following the 2015 General Election.

The Chairman then invited Councillor Byatt, Leader of the Labour Group, to say a few words. Councillor Byatt started by congratulating Councillor Ceresa on being elected Chairman of the Council. He reported that he had been saddened to learn of Bob's passing and he sent his condolences to Bob's family and friends. He commented that Bob had had great warmth, integrity, intelligence and honour and he had worked tirelessly for Lowestoft and Waveney. He had been a very popular MP. He commenced and undertook much of the background work to secure the Gull Wing Bridge for Lowestoft and he would have been delighted to have seen it finally open. Councillor Byatt felt that there should be a permanent memorial to Bob in the district and suggested that the unnamed road on the Gull Wing Bridge could be given his name, as a mark of respect. Councillor Byatt stated that Bob had also been instrumental in his entering politics and becoming a Councillor. Bob would be sadly missed by all who knew him.

The Chairman then invited Councillor Topping, Leader of the GLI, to say a few words. Councillor Topping stated that Bob had been a decent and principled man, who had been a strong advocate for Waveney, and in particular, for Lowestoft, and he had been both articulate and honest in political debate. Councillor Topping commented that the former GLI Group Leader, Graham Elliott, had provided a fitting anecdote which had involved Bob attempting to ride a unicycle, which had generated the press headline of "the balanced view of a politician". Councillor Topping stated that the Chief Officer of the Great Yarmouth and Waveney Community Council, from 1994 – 2000, had commented that Bob had been instrumental in ensuring that the district was not overlooked, which led to the creation of the Great Yarmouth and Waveney PCT and then CCG. This had ensured that decisions about health services for local people were made at the local level by people who knew their locality.

Members then observed a moments' silence in memory of Bob Blizzard.

## Paddy Flegg

The Chairman invited Councillor Cackett to say a few words about the recent passing of former Waveney District Councillor (WDC) Paddy Flegg.

Councillor Cackett stated that Paddy (Patricia) had been a WDC Councillor from 2002 - 2014. She had been Vice Chairman of the Council in 2010/11 and 2013/14 and she had worked tirelessly for her constituents in Halesworth. Paddy had been a founder member of Halesworth Dementia Care and she had retained her interest in the Council and its Members until the end. Paddy had been a good friend and mentor to Councillor Cackett, who stated that, without Paddy's influence, she would not have become a district councillor.

The Chairman then invited Councillor Ashdown to say a few words. He commented that he had known Paddy for a long time and she had been very interested and involved in planning. She had been a long serving Member of the Local Plan Working Group and he confirmed her long standing interest in all Council matters. He stated that she would be much missed.

The Chairman then invited Members to observe a moments' silence in memory of former WDC Councillor, Paddy Flegg.

## **Leader of the Council**

### Chairman and Vice Chairman of the Council

The Leader offered his congratulations to the Chairman and Vice Chairman of the Council, on their elections this evening. He confirmed that they would both be excellent ambassadors for East Suffolk Council and would build on the Council's reputation as a first-rate super District.

The Leader stated that the outgoing Chairman, Councillor Robinson, could be very proud of the way that he had conducted himself in post. He had been a strong and fair Chairman and had put aside his political leanings to ensure that all Members had a fair opportunity to have their say during Council debates. He had adapted remarkably well to the new ways of working and had been both persistent and patient in overcoming the various IT glitches that were unfortunately unavoidable at times. The Leader asked all Members to join him in thanking Councillor Robinson for his hard work.

### Achievements in 2021/22

The Leader stated that the Council had accomplished a great deal during the last 12 months, whilst being involved in the recovery from the pandemic. The pandemic had a significant impact on East Suffolk's business community and the Council had been at the heart of the response, by providing much needed support for small and medium-sized businesses. The Council had distributed over £135 million of Covid-related business grants.

The Leader reported that the Council had both delivered and overseen significant

projects which would bring many opportunities to the district. This included the Lowestoft Flood Risk Management Scheme, which had been awarded £43 million of funding, the biggest award in the Country, which was a huge endorsement of the town and the district. The construction of the tidal flood walls in Lowestoft was also well underway, as part of a wider scheme to protect 1,500 homes and 825 businesses in Lowestoft. Members noted that the Council had also received three quarters of a million pounds to revitalise the East Point Pavilion and the old Deben High School site in Felixstowe was being redeveloped for local benefit.

Despite financial challenges, the Leader was pleased that the administration had delivered a balanced budget and the Council could proceed with its ambitions and continue to seek the improvement of outcomes for its communities and businesses. It was noted that in 2021/22, the Council had committed and spent £129 million to deliver essential services across 57 service areas. The Council had also brought in and secured over £45 million into the district via grant application bids.

The Leader referred to the speech he had made at the 2021 Annual Full Council meeting, where he had spoken about the Council's ambitions to continue to improve efficiency and reduce costs, as well as embrace new ways to become even more business-like in its approach. He was pleased to report that earlier this year, the Council had announced the creation of a new trading company, 'East Suffolk Services' and this company would deliver operational services, with a commitment to provide the best possible value for money for residents and businesses. The Council was also making the best possible use of its assets by investing to develop schemes such as those at Moore Business Park and the planned green energy hub in Lowestoft.

The Council was committed to the environmental agenda and the collective aim for carbon neutrality, both in principle and in practice. Caring for the environment was one of the key priorities of the Strategic Plan and it had been woven into everything that the Council did, from new build housing stock to vehicle fleets. In September 2021, the Cabinet had unanimously agreed to stop using diesel and to switch the fuel used in the 246 East Suffolk Norse vehicles to Hydrotreated Vegetable Oil (HVO). Once the entire fleet had been migrated to HVO, the Council's carbon emissions would be reduced by over 90%. The Council was also taking a considered approach to the new build of housing stock and ensured that, where possible, they achieved the 'passivhaus certification'. The Leader took the opportunity to thank the cross-party Environmental Task Group, led by Councillor Mallinder, and both the Members and the Officers, who were constantly looking at ways to meet the Council's ambition to be carbon neutral by 2030.

The Leader reported that the Council had become more digitally agile, had modernised internally and increased efficiency, in order to better support its communities. The pandemic had accelerated the Council's plans and had called for its teams to work from home. This change also saw a shift in the way the Council conducted its business, with the introduction of internal virtual meetings and the broadcast of formal meetings on the Council's official YouTube channel. The Council also had the 'Digital Towns' initiative, which aimed to provide free public wi-fi in 11 of the district's market towns by the end of the year. The Leader stated that the digital projects were part of wider economic development work and also sought to provide a 'digital springboard' for local businesses, enabling them to maximise the benefits of the digital economy.

The Leader stated that there were still have many local and nationally significant projects in the pipeline. The Council had a £334 million planned capital programme, Freeport East, ambitions for “the energy coast”, East Suffolk Services, Digital Towns, and the Lowestoft Town Investment Plan.

The Leader referenced that the Council remained committed to enabling its communities to become more resilient and that the Community Partnership Programme had been a phenomenal success. There were 8 active Community Partnerships, chaired by Members of the Council, who had identified impactful changes that could be made at a local level, to enhance the local community and its residents. The Leader reported that as part of the recent Corporate Peer Challenge process, the Local Government Association (LGA) carried out a bespoke review of the Community Partnership model and the LGA sought to gain an insight into how the Council worked with its communities. The program had received high praise from the LGA and they were impressed by how “innovative and inclusive” the partnerships were. The Strategic Community Partnership Board which had oversight of the partnership, would continue to support the programme which had already yielded impressive results. The Council annually allocated £7,500 to all 55 Councillors, as an Enabling Communities Budget, which allowed them to fund projects in their Wards for local people, to meet local needs.

The recent feedback from the Corporate Peer Challenge had extremely complimentary. The following were highlighted and recognised:

- \* The highly ambitious Strategic Plan, laid out with clear objectives
- \* The transformational plans for towns, the economy, the environment, and the organisation
- \* A Strong and visible political and managerial leadership
- \* Effective Cabinet Portfolio arrangements
- \* Good Evidence of Scrutiny informing decision-making
- \* A Strong budget position and good financial management
- \* A Strong commitment to Member development
- \* A Positive Member, Officer relationship

It was noted that the full report from the LGA had been published on Monday, 23 May 2022 and the Leader encouraged all Members to take the time to read it. The Team also made recommendations for areas of improvement and an Action Plan had been developed to address those and a progress review was scheduled for November 2022.

### Cost of Living Crisis

The Leader referenced the cost of living and the rising costs of everyday goods were a painful financial squeeze on many households across the UK and indeed, on many households in the district. He reported that East Suffolk Council was developing a comprehensive programme of support for residents who were affected by the cumulative impact of rising food and energy costs, the lifting of the energy cap, rising housing costs and increasing petrol, diesel and heating oil prices, all of which had a significant impact on people’s lives.

The Council had started work on support, which would focus upon 4 themes:

- Money
- Food and Essential Items
- Energy and Fuel
- Housing

The Leader provided clarification that each theme included a mixture of crisis support and longer-term projects to help people to maximise their income, manage debt and access the support that they need. The Council was also working with key partners in the public and voluntary sectors through the East Suffolk Community Partnership Board to ensure that it does not duplicate support.

The Leader then took the opportunity to request that each Councillor, regardless of their political affiliation, would agree to allocate £1,000 of their Enabling Communities Budget for 2022/23 to this crucial programme of support. This would provide a pot of up to £55,000, which would be supplemented through other sources of funding, over the coming months, including a bid to the Community Partnership Board for almost £100,000. This would then create a significant pot of money that could be used to provide practical help to those, that through no fault of their own, found themselves in difficult financial circumstances. The Leader stated that he would email Members, over the next few days, to formally ask for their support.

#### Cabinet Membership

The Leader confirmed that there were no changes to the Cabinet, or their Portfolios, at this time and it was noted that further detailed information about the Cabinet was available on the Council's website. He then outlined the Cabinet Membership, including the Assistant Cabinet Members, and their Portfolios:

- Leader of the Council - Councillor Gallant
- Assistant Cabinet Member with responsibility for Refugee Support - Councillor Cloke
- Deputy Leader and Cabinet Member with responsibility for Economic Development - Councillor Rivett
- Assistant Cabinet Member with responsibility for Economic Development - Councillor Wiles
- Cabinet Member with responsibility for Communities, Leisure and Tourism - Councillor Smith
- Cabinet Member with responsibility for Community Health - Councillor Rudd
- Assistant Cabinet Member with responsibility for Community Health - Councillor Jepson
- Cabinet Member with responsibility for Customer Services, ICT and Operational Partnerships - Councillor Burroughes
- Cabinet Member with responsibility for Housing - Councillor Kerry
- Cabinet Member with responsibility for Planning and Coastal Management - Councillor Ritchie
- Assistant Cabinet Member with responsibility for Planning and Coastal Management - Councillor Cooper
- Cabinet Member with responsibility for Resources - Councillor Cook

- Assistant Cabinet Member with responsibility for Resources - Councillor Back
- Cabinet Member with responsibility for the Environment - Councillor Mallinder
- Cabinet Member with responsibility for Transport - Councillor Brooks
- Assistant Cabinet Member with responsibility for Transport - Councillor Cackett

## **Cabinet Members**

There were no announcements from Members of the Cabinet.

## **Chief Executive**

The Chief Executive took the opportunity to send his condolences and sympathies to the families of both Bob Blizzard and Paddy Flegg.

The Chief Executive stated that the last Municipal Year had been extremely busy for the Council and this year was also shaping up to be extremely busy too.

## **8 Political balance and allocation of seats on Committees 2022/23**

Full Council received report **ES/1140** by the Leader of the Council, who advised that membership of the committees and sub-committees of East Suffolk Council was determined under the terms of the Local Government (Committees and Political Groups) Regulations 1990. These regulations ensured that seats on committees and sub-committees were allocated on a politically proportionate basis.

Members would have seen, the Leader reported, that within the report the total number of seats broken down by committee. The Monitoring Officer had undertaken the necessary calculations to apportion these seats to meet the requirements of the regulations. This proposed apportioning was detailed within the appendix to the report.

The Leader reported that, unfortunately, there had been some technical difficulties with the publication of this report. The first recommendation had been omitted from the covering report and there had been some errors in the nominations to the Committees in Appendix A. Therefore, an updated version of Appendix A had been published on the website, emailed to Members and paper copies were available at the meeting.

The Leader read out the first recommendation in full, which had been omitted from the report, which was:

*‘1: That with effect from 25 May 2022, the seats on the Committees and Sub-Committees of the Council be allocated in accordance with the nominations made in the updated Appendix A to this report.’*

The Leader then moved the 2 recommendations, which were then seconded by Councillor Rivett.

In response to a query regarding the Leader's earlier announcements about the Enabling Communities Budgets (ECB), the Leader confirmed that further information about the total received from donations from Councillors ECBs would be provided at

the next Full Council meeting.

Councillor Topping queried some of the nominations to the Committees, due to some concerns about Members' attendance and she asked if any Members were in receipt of an extended leave of absence. There was some discussion in this respect and it was confirmed that no Councillors were currently in receipt of an extended leave of absence and, furthermore, no Councillors were nearing 6 months non-attendance at meetings, which could lead to disqualification.

There being no further questions or debate it was unanimously

## **RESOLVED**

1. That with effect from 25 May 2022, the seats on the Committees and Sub-Committees of the Council be allocated in accordance with the nominations made in the updated Appendix A to this report.
2. That the Leader be granted Delegated Authority to make any necessary changes to the membership of the Committees for the remainder of the 2022/23 Municipal Year, in consultation with the other Group Leaders.

## **9 Appointments to Working Groups for 2022/23**

Full Council received report **ES/1141** by the Leader of the Council, who stated that the report contained recommendations about appointments to working groups for the 2022/23 municipal year, that was until May 2023. Working groups were set up to examine specific issues in-depth, prior to recommendations being put forward to the relevant decision-making body.

The Leader added that the Council appointed to a number of working groups each year as part of its corporate governance framework and in support of the democratic process and decision-making arrangements. The working groups had clear terms of reference outlining their roles, responsibilities and reporting mechanisms, thereby increasing openness, transparency and making the best use of resources.

In conclusion, the Leader stated that, once again, the contents of the report had been reviewed and discussed by himself and the other political group leaders and an agreement had been reached that if this meeting agreed to so doing it would again be appropriate to vote on the allocations as set out en-bloc.

The Leader moved the 2 recommendations contained within the report and this was seconded by Councillor Rivett.

Councillor Byatt stated that he was pleased that the Chairman of the Local Plan Working Group allowed other Members to attend their meetings, when matters in their Wards were considered. He also commented that he was pleased that Councillor Patience had been nominated for a place on the Housing Benefits & Tenant Services Consultation Group (HoBTS) and he looked forward to their meetings taking place in

person, in the near future.

There being no further comments it was

## **RESOLVED**

1. That the membership of Working Groups for the 2022/23 Municipal Year, as agreed by the Political Group Leaders and detailed at Appendix A, be appointed.
2. That the Leader of the Council be granted Delegated Authority to make any necessary changes to the membership of the Working Groups for the remainder of the 2022/23 Municipal Year, in consultation with the other Group Leaders.

## **10 Appointments to Outside Bodies for 2022/23**

Full Council received report **ES/1142** by the Leader of the Council, who stated that the report contained recommendations about Appointments to Outside Bodies (Non-Executive) for the 2022/23 municipal year, that was until May 2023. ESC appointed annually to a wide range of diverse outside bodies; some appointments were made because of a statutory requirement to appoint one or more members to them; most appointments were discretionary taking into consideration how representation added value. Appointment of Members provided support to the organisation concerned and enabled Members to fulfil their community leadership roles. Members appointed were able to work with and alongside local community groups, helping to empower them in terms of addressing local issues and delivering sustainable solutions.

The Leader stated that as per the previous report, the contents of this paper had been reviewed and discussed by himself and the other Political Group Leaders and Appendix A to the report was presented to Members for consideration.

The Leader proposed that a separate vote take place for the contested seats as highlighted in Appendix A. These were: the East Suffolk Travel Association (ESTA), the East Suffolk Travel Association (ESTA) Management Committee and the 2 Named Substitutes on the Suffolk Police and Crime Panel.

Councillor Goldson took the opportunity to suggest that a recorded vote take place for the 2 Named Substitute positions on the Suffolk Police and Crime Panel and this proposal was subsequently supported by more than 7 Members. It was then proposed by Councillor Robinson and seconded by Councillor Back and upon being put to the vote it was

## **RESOLVED**

That a recorded vote take place for the appointment of the 2 Named Substitute positions on the Suffolk Police and Crime Panel.

The Leader then suggested that the contested positions should be voted upon first, followed by the rest of the positions being voted upon 'en bloc'. A vote therefore took



place in relation to the contested seats on the East Suffolk Travel Association (ESTA), the East Suffolk Travel Association (ESTA) Management Committee and it was

## **RESOLVED**

That Councillor Cackett be appointed to both the East Suffolk Travel Association (ESTA) and the East Suffolk Travel Association (ESTA) Management Committee for the 2022/23 Municipal Year.

During discussions regarding the 2 Named Substitute places on the Suffolk Police and Crime Panel, Councillors Daly, Thompson and Byatt withdrew their nominations to be the named substitute members. A vote therefore took place between Councillors Robinson, Back and Patience. Each Councillor would have 2 votes, one for each seat available. The results of the recorded vote are shown below:

### Councillor Keith Robinson (28 votes)

P Ashdown, E Back, S Bird, C Blundell, S Burroughes, A Cackett, J Ceresa, J Cloke, M Cook, T Cooper, L Coulam, S Gallant, A Gee, T Goldson, T Green, R Herring, R Kerry, S Lawson, G Lynch, J Mallinder, C Poulter, M Richardson, D Ritchie, C Rivett, K Robinson, M Rudd, L Smith and S Wiles.

### Councillor Ed Back (28 votes)

P Ashdown, E Back, S Bird, C Blundell, S Burroughes, A Cackett, J Ceresa, J Cloke, M Cook, T Cooper, L Coulam, S Gallant, A Gee, T Goldson, T Green, R Herring, R Kerry, S Lawson, G Lynch, J Mallinder, C Poulter, M Richardson, D Ritchie, C Rivett, K Robinson, M Rudd, L Smith and S Wiles.

### Councillor Keith Patience (11 votes)

P Byatt, J Craig, T Daly, M Deacon, J Fisher, T Gandy, L Gooch, K Patience, M Pitchers, S Plummer and K Yule.

### Abstentions

D Beavan (twice), E Brambley-Crawshaw (twice), P Byatt (once), J Craig (once), T Daly (once), M Deacon (once), J Fisher (once), T Gandy (once), L Gooch (once), K Patience (once), M Pitchers (once), S Plummer (once), R Smith-Lyte (twice), E Thompson (twice), C Topping (twice) and K Yule (once).

Therefore, it was

## **RESOLVED**

That Councillor Robinson and Councillor Back be appointed as the named substitutes on the Suffolk Police and Crime Panel for the 2022/23 Municipal Year.

There being no further discussion or questions, the Leader proposed the recommendations within the report, which was seconded by Councillor Rivett. Upon

being put to the vote it was therefore

## **RESOLVED**

1. That Councillor Cackett be appointed to the East Suffolk Travel Association (ESTA) for the 2022/23 Municipal Year.
2. That Councillor Cackett be appointed to the East Suffolk Travel Association (ESTA) Management Committee for the 2022/23 Municipal Year.
3. That Councillor Robinson and Councillor Back be appointed as the 2 Named Substitutes for the Suffolk Police and Crime Panel for the 2022/23 Municipal Year.
4. That Councillors be appointed to those Outside Bodies listed in Appendix A for the 2022/23 Municipal Year.
5. That the Leader of the Council be authorised to fill any outstanding vacancies left unfilled by Council.
6. That the Leader be granted delegated authority to make any necessary changes to the membership of the Outside Bodies for the remainder of the 2022/23 Municipal Year, in consultation with the other Group Leaders.

### **11 Petition from the beach hut owners on the termination of licences at the Spa area, Felixstowe**

The Chairman invited Mr Scott, who was speaking on behalf of the petitioners, to outline the reasons for the submission of the petition and to state the action that he would like the Council to take.

Mr Scott reported that the petition had been signed by over 4,000 people, who wished the Council to reverse their position and allow the beach huts in the Spa area at Felixstowe to remain. He reported that the beach huts in Felixstowe were the oldest in the UK, with some dating as far back as 1900. Therefore, it was important that they were protected and allowed to remain in this Conservation Area. To remove the beach huts from the Spa area would be an act of civic vandalism. Mr Scott stated that the Council's decision to remove the beach huts was contrary to the local Conservation Area, the Town Plan and East Suffolk Council's Core Values. The petition had received support from a wide range of sources including the Victorian Society, Historical England, English Heritage and the Felixstowe Society.

Mr Scott stated that there were 2 principle reasons why East Suffolk Council wished to remove the beach huts, which were:

- That the beach huts caused an obstruction on the promenade. Mr Scott denied that they caused an obstruction. He stated that the beach huts had been located on the promenade at Felixstowe Spa for over 80 years and no complaints had been received by the Council relating to obstruction during that time.

- The beach levels were too low due to erosion and therefore could not support the beach huts. Mr Scott stated that East Suffolk Council's own strategy stated that the Council had a legal responsibility to replenish the beach, at the latest between 2025 and 2027. There was also another argument put forward by the Council, that any beach replenishment undertaken would not be to the level of the Promenade, which the Council felt was needed to enable huts to return to the beach. However, replenishment to the level of the promenade was not necessary for the proposals which had been put forward by the Petitioners.

Mr Scott argued that the beach huts sited at Felixstowe Spa Pavilion had become a unique heritage asset, with significant potential for the future. He explained that the spa huts could be the focus for heritage signage, information could be provided about the history of the beach huts and their impact on the British seaside, whilst some spa huts could be open for special educational "living museum" days. There were also commercial opportunities for memorabilia and gifts based on the first beach huts in Britain and Mr Scott stated that the energy which was currently being put into saving the huts, could then be channelled into making this unique heritage asset a success.

Mr Scott then referred to the options available to enable the continued use of the beach huts. He referred to the most viable option, which was to use platforms and he confirmed that the hut owners would be willing to pay those costs in full, which were estimated to be £116,160, compared to the Council's £500,000 estimated costs. Mr Scott confirmed that the platform option was sustainable, with an estimated life span of 20 years, and they had already been used by some beach hut owners successfully in Felixstowe for about 80 years. Timber platforms were also used at beaches across the UK, including Felixstowe, Essex and Norfolk. He commented that the platforms would cause no greater Health and Safety risk than at any other beach huts in the UK. Mr Scott provided reassurance that all of the platforms would have hand rails and the beach huts owners would all agree to have public liability insurance.

The second option was the proposal for niches, which would cost £9,000 per hut, and which would be paid for by the beach hut owners. It was noted that only an unused grass verge area would be lost to create the niches and the niches would result in an increase in space on the beach and the promenade. Mr Scott explained that niches were currently in existence for benches in that area and if more niches were created, there would be no obstruction of the promenade at any time. It was reported that, historically, the huts had originally been in this exact same space, on the grassed area. The proposals, with East Suffolk Council's support, would create a unique tourist attraction that celebrated a Felixstowe heritage asset and which had National Interest. He commented that the regional and national publicity for the Spa Pavilion Beach Huts could be easily pivoted to become a fantastic opportunity for Felixstowe tourism.

Mr Scott summarised that the 2 proposals suggested by the petitioners were both sustainable, they had many benefits and were at no cost to the taxpayer, as all the associated costs would be paid for by the beach hut owners. The beach hut owners were very keen to talk to East Suffolk Council and wanted to find a way forward. Mr Scott encouraged anyone interested to visit the area, to see the unique site for themselves. Mr Scott advised that he had a panel of experts on the beach huts with him this evening, to assist with any queries which may arise during the discussions.

The Chairman thanked Mr Scott for his presentation and she then invited the Leader of the Council, Councillor Gallant, to speak on this item.

The Leader stated that this was a very important issue, which he wanted to cover in a lot of detail. Therefore, he proposed that the Council suspend Council Procedure Rule 13.4 to allow for speeches to last for longer than 5 minutes, which was seconded by Councillor Goldson and upon being put to the vote it was

## **RESOLVED**

That Council Procedure Rule 13.4 be suspended for this item of business, to allow speeches to last for longer than 5 minutes.

The Leader stated that he and Ms Hack, Programme Manager, would provide a presentation regarding the beach huts. The presentation commenced with the petition that had been received, which was:

*“The beach has disappeared In front of the spa pavilion beach huts rather than find an acceptable resolution the council have terminated our licences. The beach huts have been in the same position for over 100 years and are oldest beach huts in the UK. normally for 6 months of the year the huts spend the winter on the promenade, now apparently due to supposed complaints we cannot stay on the prom.*

*There are many unanswered questions firstly why has nothing being done to rectify why the beach has washed away after £10 million was spent on groin works to hold the Beach in place.*

*Please support our plight in keeping part of our National Heritage otherwise 44 huts will be removed forever.”*

The Leader explained that the current situation was that there were 44 beach huts on the Promenade at the Spa without a licence and that the site licences were terminated for their positions on the beach on 31 March 2022. The termination of the licences led to a deficit of circa £23,420 per year for the Council in licence fees for those beach huts. It was noted that the Council had submitted 4 planning applications, that were heard in March 2022, which would have offered new locations for all 44 huts, however, 2 of the applications had been refused by the Local Planning Authority. In total, 30 new hut sites had been secured and the licence holders had been asked for their preferences for the 30 sites, with consideration given to health and personal circumstances. There remained 14 beach huts without a site. Members noted that the Felixstowe Beach Hut and Chalet Association had served the Council with an application for a Judicial Review, which they submitted on 4 May 2022.

The Leader then provided some background information regarding beach huts across East Suffolk. He reported that the Council had issued 1,675 licences for huts and chalets over the whole district. There were 919 licenced sites for beach huts in Felixstowe, these huts were privately owned and could therefore be sold by the owner. He reported that the hut locations were moved from time to time due to coastal forces, beach maintenance or development reasons and the last major

movement was the termination of circa 1,000 licences at Manor End in the 1980's. It was noted that licences were currently issued on a 3-year term. It was noted that the 44 licence holders in the Felixstowe Spa area made up 4.8% of the beach huts in the resort and the 14 without a site, just 1.5%.

In respect of the promenade itself, the Leader reported that it had Highway status and was maintained by Suffolk County Council to footpath standards. Also, the beach huts at Pier South, Pier North and the Spa had a licence to be located on the beach, with positions shown by markers on the edge of the Prom, however they are moved to the Promenade at the end of the season, between October and Easter, for winter storage.

Members noted that in July 2017, concerns were raised that beach material was being washed away under huts located directly in front of the Spa, due to tidal erosion. Subsequently, 9 huts (numbers 32 to 40) were moved back onto the Promenade for safety reasons for the rest of the season, due to the continued cliffing of the beach in this bay.

In February 2018, officers from the Coastal Management Team had undertaken a site visit and they had determined that there was not enough beach material in situ available to create a sand platform for any of the 55 huts at the Spa. The decision was made to leave them on the promenade temporarily, until a solution could be determined. On the 1 March 2018, the 'Beast from the East' had colluded with Storm Emma, and scoured the beaches further, which exposed concrete and metal structures from WW2. The Leader stated that the hut licence holders were written to, explaining the situation, a range of solutions were explored throughout the year and a meeting was held with hut owners in December 2018, giving the options for relocation.

The Leader reported that in 2019, planning permission was received for the creation of 16 new beach hut sites at The Dip. These were a mixture of new huts and relocation opportunities, 2 huts had relocated there from the Spa and there were currently 4 spaces empty. A planning application was then submitted to create a further 6 hut sites at Pier South, alongside the extension and strengthening of the concrete wall. This was rejected by the Local Planning Authority Committee on its first submission. It was noted that a planning application to create 5 new hut spaces to the south of the current row at Manor End was granted and 4 huts had subsequently moved to this location. Further proposals were then considered.

The Leader invited Ms Hack to continue with the presentation. Ms Hack confirmed that, in 2019, a proposal was put together for the creation of wooden platforms at the Spa location. With advice from Planning, Coastal Management and a Structural Engineer, it was determined that the design used at the Fludyers site was not sufficiently robust for the Spa location, nor did individual platforms meet current H&S criteria. A large platform in alternative bays, on which 8 to 10 huts would be placed was subsequently agreed. The consultation plans had been presented to hut licence holders at a face-to-face meeting held at Felixstowe Town Hall in June 2019 and costings for the proposal were budgeted at circa £500,000. However, after further research, concerns over the business case for the timber platforms were raised internally by the Council. The project was deemed high risk, detrimental to the environment, difficult to engineer, costly and only had a projected 20-year life span in that location, with no guarantee of achieving planning permission. The proposed bays

for their location were also not the preferred ones of hut owners, many of whom had expressed a wish, through the Association, to go back to their former locations.

A further proposal was created, regarding demountable blocks. Ms Hack stated that a submission was made to Planning for an engineering trial over the summer period, which would use two of the existing bays that beach huts had been formerly placed on. The proposal for the trial was of an experimental design, building up a concrete retaining wall behind which sand would be infilled and levelled and huts could be placed onto. The wall was proposed to be made of interlocking concrete demountable blocks, approximately 2000 mm square by 1000 mm deep built two blocks high. The costings for the trial were circa £131,000 excluding VAT with the cost of the whole scheme circa £407,000 and a further annual cost of removing the blocks for the winter of £156,000. It was noted that, although the trial received planning permission, due to COVID and the subsequent lockdowns, the concrete could not be manufactured as all but essential businesses had halted manufacture.

Ms Hack reported that in February 2021, Felixstowe beachfront was hit by Storm Darcy and the beach material was scoured further, which halted the beach platform trial due to lack of depth. It was then determined that returning the huts to the beach in this location would not be feasible. Ms Hack confirmed that beach hut licence holders were written to, explaining the situation and a face-to-face meeting was organised at Trinity Park in July, led by the Leader of the Council. After consultation with the Association, 4 sites were put forward for relocation and these options were presented to hut licence holders. The Council began to prepare planning applications for these 4 sites and submitted them in Nov-Dec 2021. Members noted that it had been stated at the meeting that if those final relocation sites did not come to fruition, the Council's only option would be to terminate the licences on 31 March 2022.

Ms Hack confirmed that in February 2022, termination letters and notices were sent to the 44 beach hut owners for their current licences at the Spa. Hut owners were informed that alternative sites were being taken forward to Planning and that licences in respect of huts currently at this location would not continue beyond the end of March 2022. It was acknowledged that the outcome of these applications was yet to be determined but, if successful, the huts could then be moved, and new licences issued for the new locations. In March 2022, the Local Planning Authority refused 2 of the 4 sites submitted and this left 30 new hut locations available out of a potential of 64. It was noted that the hut owners were formally asked to state a preference for one of the new locations available and empty their huts ready to move by 25 April. On 24 March, the Petition was received by the Council. On 4 May, the Felixstowe Beach Hut and Chalet Association served the Council with an application for a Judicial Review.

Ms Hack then provided further information in relation to beach replenishment. It was reported that, in order to carry out beach replenishment to the extent needed for beach huts, extensive beach material would need to be bought in from either a donor site or a quarry with the correct type of sand. A potential donor site at North Felixstowe, to the seaward of the Golf Course, had been found, which was in an Environment Agency (EA) managed area. Movement of beach material from there to the Spa would require a combination of off and on road haulage, with double handling in between. As well as permission from the EA, the Council would also need permission and a licence from Crown Estates. Members noted that there were

concerns that breeding birds may use the vegetated shingle area above high tide for nesting between March and August and, as sand would be moved in April, mitigation for this would be required. There was also great uncertainty around the longevity or the 'stickingness' of the sand, with thousands of tons capable of being moved by a single storm. It was confirmed that the volume of beach material required to be imported to support the 2021 works was planned at around 400 cubic meters to create one sand platform. This was £30 per m3 of cost at 2021 prices, which equated to circa £48K per replenishment for four bays.

With regard to beach management, it was noted that the design of the 2012 works had anticipated that beach volumes in the groyne bays would reduce and that additional beach recharge would be needed by 2032. It was noted that the Council's Capital Programme had included an item for this work at the Central and Southern Felixstowe frontages after 2025. Members noted that the cost of these works would probably reach several million pounds and this size of spend would require grant in aid, which was unlikely to be justified on amenity benefit grounds alone. Ms Hack reported that the trigger for major capital improvement would be when the coast protection function of the seawall was a risk. The beach volume required to sustain the beach huts on the beach was much greater than the volume needed to protect the coast. It was stated that changes to the design of the groynes to the Spa frontage may be needed to improve beach stability, however, this would have a significant cost of approx £200,000 to £250,00 per groyne, of which there were 5. The costs involved in recharging even a small section of beach were high, due to the fixed costs for the mobilisation of equipment.

Ms Hack then explained the reasons why the promenade was unsuitable for the placement of the beach huts. She reported that whilst the huts had stood for many years on the promenade over the winter months, they had always been moved back onto the beach for the summer months. In recent years, the number of visitors to the resort had increased considerably, particularly since Covid 19, and with the ongoing development and investment in the town, popularity was likely to increase further. The promenade was an important feature that enabled large numbers of people to travel the length of the seafront on foot and by cycle. The Leader took the opportunity to thank Ms Hack for her detailed presentation, despite being poorly.

In conclusion, the Leader reported that the beach huts at the Spa Pavilion were removed from the beach and placed on the promenade due to coastal erosion and storm damage, which took away much of the beach material, making the area uneven, low lying and prone to further erosion. The huts had now been situated on the promenade for four seasons, which was only ever intended to be a temporary situation, pending investigations into potential alternatives. He stated that the Council had explored over 20 options for the reinstatement or relocation of the Spa huts over the past 4 years, however, the continued beach erosion and lack of suitable land to move the huts to had been a challenge. It was reported that under the terms of the License to occupiers, East Suffolk Council was required to make 'all reasonable endeavours to offer the licensee an alternative site.'

The Chairman advised that the 30 minutes allocated for discussion of the petition had been completed. The Leader proposed that a further 30 minutes be made available for the discussions on this item, which was seconded by Councillor Rivett. Upon being put

to the vote it was

## **RESOLVED**

That the discussion on the petition continue for a further 30 minutes.

The Leader then read through the proposed recommendations from the slide, which were:

1. That the Council shares the disappointment expressed by the 44 affected beach hut owners.
2. That the Council acknowledges that coastal erosion is an escalating issue and ongoing risk to our resorts, assets and facilities.
3. That the Council appreciates the hard work of officers to find a solution acceptable to all parties.
4. That the Council recognises the permanent placement of huts on the Promenade will restrict its use by the wider community.
5. That the Council remains willing to engage in mediation regarding new ideas for relocating the 14 huts left without a site.
6. That the Council supports the actions to date and directs that the results of the Judicial Review are reported back to Full Council in due course.

The Leader stated that he would answer questions at this point in proceedings and would welcome a debate upon this matter.

Councillor Beavan asked whether deeper niches had been considered or investigated? The Leader reported that they had been considered and discussed with Planning Officers. However, the niches currently in place were already cutting into grassed areas used by others, however, by adding in deeper niches for the beach huts would take away even more of the grassed areas, reducing the amenity of others.

Councillor Topping asked whether the 14 beach huts which were without a new site, could remain on the promenade while mediation and further discussions took place? The Leader responded that those 14 beach huts did not have planning permission to be there and their licences had been revoked. It was now time to move forward and find new sites for those beach huts.

Councillor Daly commented that mediation could be very helpful and he queried if there was a timeline for the 14 beach huts to be moved and, if so, would that be after the Judicial Review had been completed? The Leader stated that the huts needed to be moved now, as they had already been there for 4 years. He reported that it was not just the 14 beach hut owners without a new site who wanted to stay on the promenade, the majority of the 44 beach hut owners wished to remain, however, that was not an option.

Councillor Wiles asked how many of the beach hut owners were Felixstowe residents? He also queried whether Suffolk County Council Highways had been contacted about the beach huts on the promenade? The Leader reported that it did not matter where the beach hut owners lived, the huts needed to be moved from the



promenade.

Councillor Byatt referred to earlier in the presentation when it was stated that beach hut owners were offered to relocate their huts to The Dip and only 1 had accepted. He asked why that site was proving to be unpopular? He also queried whether the 2 applications which were rejected by the Local Planning Authority could be reconsidered? The Leader reported that The Dip was less popular, as it was nearer the golf club, had fewer amenities and provided a very different offer to the Spa area. He stated that the 2 applications had been firmly rejected after due deliberation by the Local Planning Authority and there was no scope to challenge that or opportunity to further amend those applications.

Councillor Byatt asked if the Judicial Review would look at the 2 applications which were rejected and the processes involved in that. The Leader commented that the Judicial Review would only look at the decision-making process of the Council in relation to the beach huts, not at the applications.

Councillor Green congratulated the Chairman on her appointment and he asked if a 'tenancy at will' arrangement could be put into place for the beach huts on the promenade? The Leader reported that the Council did not wish to have the beach huts on the promenade at all and they had already been there for 4 years. He stated that it was not appropriate for the huts to be there and that the Council would not wish to set a precedent in this respect.

Councillor Craig said that it was disappointing to see that there had been a lack of engagement from East Suffolk Council regarding the beach huts. She asked how it had been decided which of the 44 beach huts would be allocated one of the 30 new sites? The Leader stated that the Council had been working closely with others to find a solution for this issue. He confirmed that there was no easy way to choose who would be allocated a new site. The fairest way to allocate them was to draw names out of a hat.

Councillor Green stated that hut owners have suggested using concrete blocks, as well as rising platforms, to allow the beach huts back onto the beach. He asked the Leader to explain the difference between the hut owners plan and the Council's, and why the engineers had rejected the hut owners suggestions? The Leader reported that the tide and sea were very powerful and were able to move large amounts of beach material, several tonnes in fact, in a short space of time. The platforms suggested would not have the structural integrity or the strength to withstand the power of the sea.

Councillor Smith-Lyte reported that she had not noticed being obstructed on the promenade by the beach huts, when she had visited the area. She queried, as the Judicial Review was currently underway, whether the beach huts could be evicted from the promenade at this time? The Leader provided clarification that the beach huts would not be evicted, their licences had been terminated, therefore they had no right to be located on the promenade. The licences were clear, concise and they could be terminated by the Council, if needed. Those beach huts currently had no licences and they needed to be moved. The Leader was concerned that, if there were a large number of visitors to the promenade over the summer, and it became crowded, there was a chance that someone could drop over the side and seriously hurt themselves,

due to the significant drop in beach levels.

Councillor Beavan stated it was a great shame if removal of the beach huts would lead to their destruction. The Leader reported that the beach huts were not replicas, they were old and original, however they were made to be transportable. The Council would continue to support their heritage, in a way that did not negatively impact the amenity of the sea front and promenade. He provided clarification and reassurance that the huts remained the property of their owners and they would not be destroyed by the Council.

The Chairman stated that the additional 30 minutes had been used. The Leader then proposed that a further 15 minutes be added to the discussion of this item of business, which was seconded by Councillor Rivett. Upon being put to the vote it was

## **RESOLVED**

That this matter be discussed for an additional 15 minutes.

Councillor Gooch raised concerns that the beach huts were fragile due to their age and she asked if they could be moved safely? The Leader reported that the Council were experts in moving beach huts. The huts would be lifted up and moved, then they would all be checked to ensure that they were structurally sound, prior to being moved to their new site.

There being no further questions, the Leader moved the 6 recommendations on the slide, which were seconded by Councillor Rivett:

1. That the Council shares the disappointment expressed by the 44 affected beach hut owners.
2. That the Council acknowledges that coastal erosion is an escalating issue and ongoing risk to our resorts, assets and facilities.
3. That the Council appreciates the hard work of officers to find a solution acceptable to all parties.
4. That the Council recognises the permanent placement of huts on the Promenade will restrict its use by the wider community.
5. That the Council remains willing to engage in mediation regarding new ideas for relocating the 14 huts left without a site.
6. That the Council supports the actions to date and directs that the results of the Judicial Review are reported back to Full Council in due course.

The Chairman invited Members to debate.

Councillor Bird stated that he was Vice Chairman of Planning Committee South and he confirmed that the 2 planning applications which had been rejected had been thoroughly considered and due diligence had been undertaken. He commented that the Members of the Committee took their responsibilities seriously.

Councillor Beavan stated that there was a strong case for some beach huts staying on the promenade, as it was unfair to remove them if they had nowhere else to go. He felt that more time and compassion was needed to find a solution to this problem.

Councillor Deacon offered his congratulations to the Chairman on her election. He agreed that the promenade was somewhat pinched with both the pedestrians and beach hut users and that there was a long drop onto the beach, which was dangerous. He confirmed that he was unhappy that an alternative location had not yet been found for 14 of the beach huts. He then stated that he wished to propose an amendment to recommendation 5, to include the words Independent and Binding before the word Mediation. Therefore, he proposed that recommendation 5 should be amended to read:

5. That the Council remains willing to engage in independent, binding mediation regarding new ideas for relocating the 14 huts left without a site.

This proposed amendment was seconded by Councillor Byatt.

Councillor Deacon also asked for further clarification about how the Judicial Review would impact the progress in respect of the beach huts. Mr Bing, Monitoring Officer, reported that the Judicial Review would look at the Council's conduct to date. He confirmed that if there was a full Judicial Review hearing, the actions of the Council could be upheld or its decisions could be quashed and the Council asked to reconsider its actions.

Councillor Deacon confirmed that he had sympathies with both the beach hut owners and the Council. Mr Bing, Monitoring Officer, provided clarification that the amendment had been moved and seconded and the amendment now needed to be debated, prior to going to the vote.

Councillor Deacon confirmed that he believed having Independent, Binding Mediation would assist progress significantly, as the Mediator would need to have oversight of the whole case, be impartial and ensure that the 2 sides came to an agreement.

The Leader stated that he could not support this proposed amendment and he supported the original wording of the recommendation. He felt that an independent person may not be cognisant of all the legal, technical and procedural issues involved in this case. He also queried the binding aspect, as he was unclear as to whom would the outcome be legally binding?

Councillor Goldson stated that he understood the concerns, as 14 beach huts were potentially left without a site and it was very difficult to make decisions in this respect. However, the current situation was not sustainable and someone needed to be in the middle to mediate. He confirmed that negotiations were the only way forward.

The Chairman stated that the additional 15 minutes had now ended. The Leader proposed that an additional 15 minutes be added to the consideration of this item, which was seconded by Councillor Rivett. Upon being put to the vote it was

## **RESOLVED**

That discussions on this item be extended for a further 15 minutes.

Councillor Pitchers congratulated the Chairman on her election and stated that he understood that mediation was the only way forward, however, he confirmed that the mediator must be qualified to understand the details and technicalities around this matter.

Councillor Byatt asked if there were other options, such as an inquiry, that could be legally binding? He noted that the Local Government Association offered mediation services, which were able to resolve the issues in 90% of cases. He commented that it was important that the way forward in this matter was agreed.

Councillor Rivett stated that there had been a lengthy debate about this matter and any mediation in the future needed to be fair and reasonable.

The amendment, having already been moved by Councillor Deacon and seconded by Councillor Byatt was then put to the vote and it was

### **RESOLVED**

That the proposed amendment to recommendation 5 be **LOST**.

Councillor Brambley-Crawshaw commented that she could not support the proposed recommendations, as she did not feel that the other proposals, such as the niches, had been fully explored. She stated that it was also important to protect the huts and their history on the seafront.

Councillor Wiles stated it was important to find alternative sites for the 14 huts on the promenade. The beach was very exposed to surge events and storms, which could do significant damage. It was important that any new sites being offered for those 14 beach huts were safe and appropriate.

Councillor Blundell spoke movingly of his late wife, who had wanted to see the beach at Felixstowe for one last time, however, she had been unable to due to the beach huts being in the way and blocking the view from the car park. He stated it was important to remember that the promenade and beach were enjoyed by many people, not just the beach hut owners.

Councillor Green reported that the beach huts were used by a wide range of people and the huts were important, emotionally, to many people. She hoped that a way forward could be found and that the huts could remain on the promenade until the conclusion of the Judicial Review.

The Leader stated that all those involved with the beach huts wanted there to be a good outcome, however it was no longer appropriate for the beach huts to remain on the promenade for the reasons outlined during the presentation and discussions. All of the options had been considered in detail, with expert input from engineers and coastal protection officers. It was noted that the recommendations had already been moved and seconded and he then requested that the recommendations be put to the vote and it was

## **RESOLVED**

1. That the Council shares the disappointment expressed by the 44 affected beach hut owners.
2. That the Council acknowledges that coastal erosion is an escalating issue and ongoing risk to our resorts, assets and facilities.
3. That the Council appreciates the hard work of officers to find a solution acceptable to all parties.
4. That the Council recognises the permanent placement of huts on the Promenade will restrict its use by the wider community.
5. That the Council remains willing to engage in mediation regarding new ideas for relocating the 14 huts left without a site.
6. That the Council supports the actions to date and directs that the results of the Judicial Review are reported back to Full Council in due course.

The Chairman took the opportunity to adjourn the meeting for 5 minutes, to allow those in attendance for the Petition item, to vacate the building, from 9.10pm – 9.15pm.

## **12 Changes to the Financial Procedure Rules**

The Chairman welcomed Members back to the meeting and noted that the meeting would soon reach 3 hours duration. The Leader proposed that the meeting continue past 3 hours duration. This was seconded by Councillor Rivett and upon being put to the vote it was

## **RESOLVED**

That the meeting continue over 3 hours duration.

Full Council received report **ES/1143** by Councillor Cook, Cabinet Member with responsibility for Resources, which was presented by Councillor Back, Assistant Cabinet Member for Resources. Councillor Back reported that the Financial Procedure Rules (FPR) provided the framework for the financial administration of the Council, with a view to ensuring that financial matters were conducted in a sound and proper manner, constituted value for money and minimised the risk of legal challenge.

Members noted that the Financial Procedure Rules had last been reviewed in April 2019, prior to their adoption by East Suffolk Council, and it was timely for them to be reviewed and refreshed.

Councillor Back referred to the CIPFA Financial Management Code (FM Code), which

had been presented to the Audit and Governance Committee in December 2021. The FM Code provided guidance for good and sustainable financial management in local authorities and would provide assurance that authorities were managing resources effectively. It was noted that the FM Code applied a principle-based approach. It did not prescribe the financial management processes that local authorities should adopt. Instead, the FM Code required that a local authority demonstrated that its processes satisfy the principles of good financial management for an authority of its size, responsibilities, and circumstances.

Councillor Back reported that in addition to the introduction of the FM Code, the Council's circumstances and levels of activity in a range of areas had changed significantly following the creation of East Suffolk Council three years ago.

Councillor Back confirmed that the Changes to the Financial Procedures Rules had been considered by the Audit and Governance Committee at their meeting on 14 March and by the Cabinet at their meeting on 5 April 2022. Both had recommended the changes to the Financial Procedure Rules for adoption by Full Council.

Councillor Byatt took the opportunity to thank the Finance Team for their ongoing work and he sought clarification regarding which ICT processes could be enhanced in relation to finance, as referenced within the report. Mr Mew, Chief Finance Officer, reported that the Navision Finance System would be upgraded in due course.

There being no further questions or debate, Councillor Cook proposed the recommendation contained within the report and this was seconded by Councillor Rudd. Upon being put to the vote it was

#### **RESOLVED**

That the proposed changes to the Financial Procedure Rules be approved.

### **13 Community Governance Review**

Full Council received report **ES/1145** by the Leader of the Council, regarding the Community Governance Review (CGR). It was noted that at its meeting on 26 January 2022, East Suffolk Council had approved the Terms of Reference for the CGR. Stage one of the CGR had invited submissions to be put forward on future governance arrangements for towns and parishes, in accordance with the terms of reference for the review. The CGR Member Working Group had met to consider the submissions received and to agree draft recommendations for consultation.

The Leader reported that the purpose of this report was to ask Council to approve the draft recommendations to be put forward for consultation, as part of the district-wide Community Governance Review (CGR). If approved, there would be a consultation period on the draft recommendations from 30 May to 8 July 2022.

The Leader confirmed that following the consultation period, there would be two months for the CGR Member Working Group to consider the comments received,

undertake any additional consultation if necessary, and to draft the final recommendations. The final recommendations would be considered by Council at its meeting in September 2022. The draft recommendations could be found in Appendix A to the report and a full summary of the responses received could be found in Appendix B.

As a point of information and by way of update, the Leader drew Members' attention to the reference on page 84 of Appendix B, to Letheringham Parish Council, which was currently unable to operate because it had no Parish Councillors and there was a recommendation for Parish Councillors to be appointed to the Parish Council by East Suffolk Council. The Leader confirmed that this was still the intention, however, it had not been possible to identify 5 nominees for East Suffolk Council to appoint in time for the meeting this evening. The Monitoring Officer was currently liaising with 3 members of the public, 1 of whom had agreed to be appointed and 2 of whom were potentially interested in being appointed, subject to understanding more about what would be required of them. Therefore, a report to appoint members to Letheringham Parish Council would need to be brought to a future Council meeting to consider, once 5 nominees had been identified.

The Leader moved the 3 recommendations contained within the report and this was seconded by Councillor Rivett.

Councillor Byatt took the opportunity to thank those Members who sat on the CGR Member Working Group and the officers involved, as he was impressed by the very detailed reports that were provided, which enabled meaningful discussions to take place. He also commented that he had been surprised by how many Parish Councils there were in the East Suffolk District.

There being no further comments, it was unanimously

## **RESOLVED**

1. That the draft recommendations, as set out in Appendix A to this report, be approved by Council for consultation.
2. That the Community Governance Review Member Working Group be authorised to amend draft recommendations and re-consult where necessary.
3. That the Chief Executive be asked to write to the Local Government Boundary Commission for England (LGBCE) to request their support with any consequential changes to district warding arrangements ahead of the elections in May 2023.

## **14 Cabinet Members Report and Outside Bodies Representatives Reports to Council**

Full Council received report **ES/1149**, which was presented by the Leader of the Council and provided individual Cabinet Members' reports on their areas of responsibility, as well as reports from those Members appointed to represent ESC on Outside Bodies'. The Leader stated that the written reports would be taken as read and he invited

relevant questions on their contents.

There being no comments or questions, the report was received for information.

The meeting concluded at 9.30pm

.....  
Chairman





**FULL COUNCIL**  
**Wednesday, 27 July 2022**

<b>Subject</b>	<b>Flexible Use of Capital Receipts Strategy 2022/23 to 2024/25</b>
<b>Report by</b>	Councillor Maurice Cook Cabinet Member with responsibility for Resources
<b>Supporting Officer</b>	Brian Mew Chief Finance Officer & S151 Officer brian.mew@east Suffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

### **Purpose of Report:**

The purpose of this report is for Full Council to approve an updated Flexible Use of Capital Receipts Strategy for the period 2022/23 to 2024/25, in accordance with updated Guidance and Directions issued by the Secretary of State in April 2022 as recommended by the Cabinet at its meeting on 5 July 2022.

### **Options:**

There is an option for the Council not to approve an updated Strategy. However, this would mean not potentially taking advantage of a very valuable flexibility enabling funding of the revenue costs of a number of the Council's key projects in the medium term.

### **Recommendations:**

That the updated Flexible Use of Capital Receipts Strategy attached as Appendix C to the report be approved.

## Corporate Impact Assessment

### **Governance:**

The approval of this strategy by Full Council will enable the Council to utilise this flexibility in accordance with the Guidance and Direction issued by the Secretary of State.

### **ESC policies and strategies that directly apply to the proposal:**

- East Suffolk Strategic Plan
- East Suffolk Medium Term Financial Strategy
- Capital Programme
- Financial Management Code

### **Environmental:**

There are no environmental impacts directly related to this report.

### **Equalities and Diversity:**

Equality Impact Assessments will be or have been produced for the individual policies, projects, and initiatives identified as being potentially eligible for funding using this flexibility.

### **Financial:**

The Flexible Use of Capital Receipts Strategy enables the Council to potentially take advantage of a valuable flexibility enabling funding of the revenue costs of a number of the Council's key projects in the medium term. However, inclusion in the strategy does not constitute a commitment to fund through capital receipts as this decision needs to be taken in the light of the Council's overall revenue and capital financing requirements, nor does inclusion in the strategy constitute approval to progress a project. For 2022/23, Cabinet will determine the actual financing when approving the Council's Capital

<p>Programme outturn and financing for the year. For 2023/24 and 2024/25, the Council will approve the budgeted funding of the projects in the strategy when approving the Budget and the Capital Programme for the year.</p>
<p><b>Human Resources:</b></p> <p>There are no HR implications directly arising from this report.</p>
<p><b>ICT:</b></p> <p>There are no ICT implications directly arising from this report.</p>
<p><b>Legal:</b></p> <p>Use of this flexibility in respect of the treatment of costs as capital expenditure outlined will be exercised in accordance with the sections 16(2)(b) and 20 of the Local Government Act 2003 as referred to in the Direction attached as Appendix B.</p>
<p><b>Risk:</b></p> <p>Risk Assessments will be or have been produced for the individual policies, projects, and initiatives identified as being potentially eligible for funding using this flexibility.</p>

<b>External Consultees:</b>	Not Applicable.
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input checked="" type="checkbox"/>

P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>How does this proposal support the priorities selected?</b>  The Flexible Use of Capital Receipts Strategy enables the Council to potentially take advantage of a valuable flexibility enabling funding of the revenue costs of a number of the Council's key projects in the medium term. The flexibility will enable the Council to optimise the use of capital receipts and conserve revenue budget resources.			

## Background and Justification for Recommendation

<b>1 Background facts</b>	
1.1	Full Council in February 2022 approved a Flexible Use of Capital Receipts Policy for the period 2022/23 to 2024/25. This was based on the Efficiency Strategy approved for the previous six years by the Council and its predecessors, and was intended to pre-empt the possible extension of this flexibility beyond March 2022.
1.2	The predecessor Councils' first Efficiency Strategies were produced in response to the Statutory Guidance on the Flexible Use of Capital Receipts, originally issued for 2016/17 by the former Ministry of Housing, Communities and Local Government (MHCLG), now the Department for Levelling Up, Housing and Communities (DLUHC). In response to this, the Council, and its predecessors produced Efficiency Strategies which were approved with the Budget each year.
1.3	The Guidance provided the flexibility to local authorities to use capital receipts to fund the revenue set up and implementation costs of projects designed to generate ongoing revenue savings, but did not enable ongoing revenue costs to be funded by this method.
1.4	<p>The Guidance originally applied to capital receipts and projects over the period 2016/17 to 2018/19, but in the 2018/19 Provisional Local Government Finance Settlement it was announced that:</p> <p><i>Local government operates in a society that is constantly changing. To meet the challenges of the future, the Communities Secretary confirmed that the flexibility to use capital receipts to help meet the revenue costs of transformation will be extended for a further 3 years to April 2022.</i></p>
1.5	To date there has been no use of capital receipts to fund one-off revenue costs by either the Council or its predecessors, primarily because no significant capital receipts have been realised over this period. The costs of transformation projects have tended to be met from earmarked reserves.

1.6	<p>In the 2022/23 Provisional Local Government Finance Settlement the following was announced:</p> <p><i>Extension of the flexibility to use capital receipts to fund transformation projects</i></p> <p><i>We are also announcing a 3-year extension from 2022-23 onwards of the existing flexibility for councils to use capital receipts to fund transformation projects that produce long-term savings or reduce the costs of service delivery. We will provide further details on the extension in due course.</i></p>
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## 2 Current position

2.1	On 4 April 2002, the Department of Levelling Up, Housing, and Communities confirmed this extension and published the Guidance attached as Appendix A and the Direction attached as Appendix B. It should be noted that the flexibility excludes Right-To-Buy capital receipts.
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## 3 How to address current situation

3.1	The extension of this flexibility is a very welcome development, as it has been announced at a time when the Council has a number of significant transformation projects underway, and has also received a capital receipt of £5.385m from the sale of the former Suffolk Coastal offices at Melton Hill.
3.2	The Flexible Use of Capital Receipts Strategy approved by Full Council in February 2022 has now been expanded and revised in the light of the new guidance. The Strategy is attached as Appendix C, and following approval by the Council, is intended to be submitted to the Secretary of State as outlined in the Guidance.
3.3	Whilst inclusion in the strategy does not constitute a commitment to fund through capital receipts, it is proposed in the Strategy that the transformation costs associated with the North Felixstowe project; Set Up of East Suffolk Services Ltd (ESSL) Local Authority Trading Company; and rebalancing Port Health be regarded as priority projects for the potential use of this funding flexibility.

## 4 Reason/s for recommendation

4.1	The Flexible Use of Capital Receipts Strategy enables the Council to potentially take advantage of a valuable flexibility enabling funding of the revenue costs of a number of the Council's key projects in the medium term. The flexibility will enable the Council to optimise the use of capital receipts and conserve revenue budget resources.
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## Appendices

Appendices:	
<b>Appendix A</b>	Flexible Use of Capital Receipts Guidance April 2022
<b>Appendix B</b>	Direction to 1 April 2025
<b>Appendix C</b>	Flexible Use of Capital Receipts Strategy 2022/23 to 2024/25

<b>Background reference papers:</b>
None.

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(<https://www.gov.uk/government/publications/final-guidance-on-flexible-use-of-capital-receipts>)
- Department for Levelling Up, Housing & Communities (<https://www.gov.uk/government/organisations/department-for-levelling-up-housing-and-communities>)
  - Ministry of Housing, Communities & Local Government (<https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government>)

Statutory guidance

# Guidance on the flexible use of capital receipts (updated)

Updated 4 April 2022

## Contents

Part 1: Informal commentary on the guidance on flexible use of capital receipts

Part 2: Updated guidance on flexible use of capital receipts





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## **Part 1: Informal commentary on the guidance on flexible use of capital receipts**

[References to the paragraphs in the formal guidance are in square brackets]

### **Power under which the Guidance is issued [1.1]**

1. The Local Government Act 2003 (“the Act”), section 15(1) requires a local authority “... to have regard (a) to such guidance as the Secretary of State may issue, and (b) to such other guidance as the Secretary of State may by regulations specify ...”.
2. The guidance on use of capital receipts flexibility in Part 2 of this document (the Guidance) is issued under section 15(1) of the Act and authorities are therefore required to have regard to it.
3. Two codes of practice issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) contain guidance on capital receipts and local authority accounting that complement the Department for Levelling Up, Housing and Communities (DLUHC) guidance. These publications are:
  - The Prudential Code for Capital Finance in Local Authorities
  - The Code of Practice on Local Authority Accounting
4. Local authorities are required to have regard to the current edition of The Prudential Code for Capital Finance in Local Authorities by regulation 2 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 and to the Local Authority Accounting Code as proper practices for preparing accounts under section 21(2) of the Act.

### **Application [3.1-3.2]**

5. The Guidance should be read alongside the relevant direction issued by the Secretary of State.
6. The Guidance applies to all years that the flexible use of capital receipts direction applies.
7. The direction makes it clear that local authorities cannot borrow to finance the revenue costs of service reform. Local authorities can only use capital receipts from the disposal of property, plant and equipment assets received in the years in which this flexibility is offered.

### **Qualifying expenditure [4.1-4.3]**

8. The Secretary of State believes that individual authorities and groups of authorities are best placed to decide which projects will be most effective for their areas. The key criteria to use when deciding whether expenditure can be funded by the capital receipts flexibility is that it is forecast to generate ongoing savings to an authorities’, or several authorities, and/or to another public sector body’s net service expenditure.
9. A list of types of projects that would qualify for the flexible use of capital receipts is included in the Guidance. This list is not meant to be prescriptive or exhaustive. Individual authorities who have projects that will generate ongoing savings that are not included in the list provided in the Guidance, can apply the flexibility to fund those projects.
10. As set out in the direction, discretionary redundancy payments cannot be qualifying expenditure and must not be capitalised under the direction. An authority may capitalise redundancy payments that are necessarily incurred and limited to the amounts available as statutory redundancy payments, where such costs are otherwise qualifying expenditure Authorities should not use the proceeds from

asset sales to fund redundancy costs in excess of what is required by statute. This restriction does not apply to other severance costs, including pension strain costs; the treatment of these costs remains unchanged from the previous direction.

## **Accountability and transparency [5.1-5.11]**

11. It is important that individual authorities demonstrate the highest standards of accountability and transparency. Each authority should disclose the individual projects that will be funded or part funded through capital receipts flexibility to full council or the equivalent. This requirement can be satisfied as part of the annual budget setting process, through the Medium-Term Financial Plan or equivalent.

12. The Guidance recommends that the council produces a Flexible use of Capital Receipts Strategy (the Strategy) setting out details of projects to be funded through flexible use of capital receipts be prepared prior to the start of each financial year. Failure to meet this requirement does not mean that an authority cannot access the flexibility in that year. However, in this instance, the Strategy should be presented to full council or the equivalent at the earliest possible opportunity. The Guidance allows local authorities to update their Strategy during the year.

13. It is a required condition of the direction that authorities must send details setting out their planned use of the flexibility to the Secretary of State, in advance of its use for each financial year. This is to make sure that the government is adequately sighted on the use of the flexibility and can monitor how it is used. It is not a process of approval and authorities do not require a response in order to use the flexibility. It is important that the information sent to the Secretary of State is accurate and, for that reason, it is also a requirement that authorities do not capitalise expenditure in excess of what was set out in the submitted plans. Authorities may, however, update their plans and resubmit to the Secretary of State during the financial year. Authorities may submit their Strategies to fulfil this requirement, or an equivalent plan. No format is specified, however, the information must contain, as a minimum, the detail specified in the direction and should contain the detail set out in 5.3 and 5.4 of the Guidance.

## **Supplementary**

14. Nothing in the Guidance or in the direction exempts local authorities from any other obligations, for example in relation to Right to Buy receipts.

## **Part 2: Updated guidance on flexible use of capital receipts**

Issued under section 15(1)(a) of the Local Government Act 2003 and effective from 1 April 2022.

### **(1) Power under which the Guidance is issued**

1.1 The following guidance is issued by the Secretary of State under section 15(1)(a) of the Local Government Act 2003.

### **(2) Definition of terms**

2.1 In this guidance, the Act means the Local Government Act 2003.

2.2 Local authority has the meaning given in section 23 of the Act (and in regulations made under that section).

2.3 Capital receipt has the meaning given in section 9 of the Act (and in regulations made under that section).

2.4 Qualifying expenditure means expenditure on a project where incurring up-front costs will generate ongoing savings. The main part of this guidance details the types of projects that will generate qualifying expenditure.

2.5 The direction means a direction made under section 16(2)(b) of the Act, to allow named local authorities to treat qualifying expenditure as being capital expenditure.

2.6 Prudential indicators has the meaning given in the CIPFA code of practice, The Prudential Code for Capital Finance in Local Authorities.

### **(3) Application**

#### **Effective date**

3.1 This guidance applies with effect from 1 April 2022, for the period for which flexible use of capital receipts will apply, which will be set out in the direction.

#### **Local authorities**

3.2 This guidance applies to all local authorities in England named in the directions issued by the Secretary of State.

### **(4) Qualifying expenditure**

#### **Types of qualifying expenditure**

4.1 Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility.

4.2 Set up and implementation costs of any new processes or arrangements can be classified as qualifying expenditure. The ongoing revenue costs of the new processes or arrangements cannot be classified as qualifying expenditure. In addition, one off costs, such as banking savings against temporary increases in costs/pay cannot be classified as qualifying expenditure. Under the direction the in force from April 2022, with respect to redundancy payments, qualifying expenditure will be limited to those amounts that are necessarily incurred as statutory redundancy payments provided the other requirements of qualifying expenditure are met. This restriction does not apply to other severance costs, including pension strain costs; the treatment of these costs remains unchanged from the previous direction.

#### **Examples of qualifying expenditure**

4.3 There are a wide range of projects that could generate qualifying expenditure and the list below is not prescriptive. Examples of projects include:

- Sharing back-office and administrative services with one or more other council or public sector bodies;
- Investment in service reform feasibility work, e.g. setting up pilot schemes;
- Collaboration between local authorities and central government departments to free up land for economic use;

- Funding the cost of service reconfiguration, restructuring or rationalisation where this leads to ongoing efficiency savings or service transformation;
- Driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;
- Aggregating procurement on common goods and services where possible, either as part of local arrangements or using Crown Commercial Services or regional procurement hubs or Professional Buying Organisations;
- Improving systems and processes to tackle fraud and corruption in line with the Local Government Fraud and Corruption Strategy – this could include an element of staff training;
- Setting up commercial or alternative delivery models to deliver services more efficiently and bring in revenue (for example, through selling services to others); and
- Integrating public facing services across two or more public sector bodies (for example children’s social care or trading standards) to generate savings or to transform service delivery.

## **(5) Accountability and transparency**

### **Preparation**

5.1 For each financial year, a local authority should ensure it prepares at least one Flexible use of Capital Receipts Strategy (“the Strategy”) in accordance with the timetable in paragraphs 5.6 and 5.7.

5.2 This Strategy does not need to be a separate document, and the requirement can be satisfied by including relevant documents within the Annual Budget documents or as part of the Mid-Term Financial Plan (or equivalent). Content

5.3 As a minimum, the Strategy should list each project that plans to make use of the capital receipts flexibility and that on a project-by-project basis details of the expected savings/service transformation are provided. The Strategy should report the impact on the local authority’s Prudential Indicators for the forthcoming year and subsequent years.

5.4 For the 2022-23 Strategy and in each future year, the Strategy should contain details on projects approved in previous years, including a commentary on whether the planned savings or service transformation have been/are being realised in line with the initial analysis.

5.5 The Strategy may also include any other matters considered to be relevant. Approval

5.6 The Strategy should be presented to full council. For authorities without a full council, the Strategy should be tabled at the closest equivalent level.

### **Timing**

5.7 For any financial year the Strategy (“the initial Strategy”) should be prepared before the start of the year. 5.8 The initial Strategy may be replaced by another Strategy (“the revised Strategy”) at any time during the year, on one or more occasions. The initial Strategy should specify the circumstances in which a revised Strategy is to be prepared, but a revised Strategy may be prepared in other circumstances, if at any time it is considered to be appropriate. When setting a revised Strategy its impact on the local authority’s Prudential Indicators shall be considered and whether it is necessary to amend the Prudential Indicators at the same time. Where an authority presents a revised Strategy during the year this should be submitted DLUHC via [DELTA \(https://delta.communities.gov.uk/login\)](https://delta.communities.gov.uk/login) or to [capitalreceiptsflexibility@levellingup.gov.uk](mailto:capitalreceiptsflexibility@levellingup.gov.uk).



## Publication and disclosure

5.9 The initial Strategy and any revised Strategy should, once approved, be made available online to the public free of charge.

5.10 It is a required condition of the direction that the authority submit to the Secretary of State the details of its planned use of the flexibility for each year in which the flexibility is used. This must be sent as soon as is practicable following disclosure to full Council or equivalent, and must be sent in advance of the flexibility being used. Providing a copy of the Strategy will fulfil this requirement, but an equivalent document is acceptable provided it is fully consistent with the Strategy and presents accurately the authority's planned use of the flexibility. The information provided in the plan should contain, as a minimum, the detail set out in paras 5.3 - 5.5. of this guidance and must contain the detail required in the direction.

5.11 The amount capitalised in the financial year must not exceed the amount set out in the plan provided to the Secretary of State, however, an authority may revise its plans and send an update at any time in the financial year. All information should be provided to DLUHC by submitting via DELTA (<https://delta.communities.gov.uk/login>) or to DLUHC at [capitalreceiptsflexibility@levellingup.gov.uk](mailto:capitalreceiptsflexibility@levellingup.gov.uk).

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**Dear Chief Finance Officers: Local Authorities Listed in Annex A**

**LOCAL GOVERNMENT ACT 2003 SECTIONS 16(2)(b) AND 20: TREATMENT OF COSTS AS CAPITAL EXPENDITURE**

1. This direction commences from financial year beginning 1 April 2022. The previous direction issued on 6 February 2018 will continue to apply to the financial years beginning 1 April 2016 to 1 April 2021 inclusive, without amendment.
2. In February 2021, the Secretary of State announced, alongside the local government finance settlement, the continuation of the capital receipts flexibility programme for a further three years, **to give local authorities the continued freedom to use capital receipts from the sale of their own assets (excluding Right to Buy receipts) to help fund the revenue costs of transformation projects and release savings.**
3. Accordingly, the Secretary of State directs, in exercise of his powers under sections 16(2)(b) and 20 of the Local Government Act 2003 (“the Act”), that the **local authorities listed in Annex A (“the Authorities”)** treat as capital expenditure, expenditure which:
  - i. is incurred by the Authorities that is designed to **generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners; and**
  - ii. is properly incurred by the Authorities **for the financial years that begin on 1 April 2022, 1 April 2023 and 1 April 2024.**
  - iii. is not incurred with respect to redundancy payments, except where such redundancy costs are necessarily incurred and limited to the amounts available as statutory redundancy payments.
4. In further exercise of the Secretary of State’s powers under section 20 of the Act, it is a condition of this direction that expenditure treated as capital expenditure in accordance with it **only be met from capital receipts**, within the meaning of section 9 of the Act and regulations made under that section (for current provisions see Part 4 of S.I. 2003/3146, as amended), **which have been received in the years to which this direction and the previous direction (as referenced in paragraph 1) applies; and**
5. It is a further condition that local authorities applying this direction must send details of their planned use of the flexibility to the Secretary of State, for each financial year in which the direction is used. This should be sent as soon as is practicable after the council has determined and approved its strategy for the use of the direction, but must be sent before the flexibility is used. Where local authorities update their plans during the financial year, an updated plan reflecting the changes must be sent to the Secretary of State. This requirement can be met by providing to the Secretary of State a copy of the

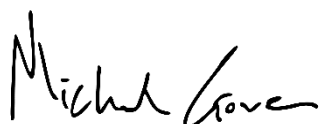
authority's own planning documents. However, details provided to the Secretary of State must include as a minimum:

- the amount of planned capitalisation using the flexibility for the relevant financial year;
- the purpose of the expenditure to be capitalised with a description of the associated projects;
- the amount of expenditure that was capitalised using the flexibility for the prior financial year; and,
- the efficiency savings that are directly attributable to the use of the flexibility that were achieved for the prior financial year.

If any of this information is unavailable or unknown, the council must set this out with a description as to why it cannot be provided.

6. The value of expenditure capitalised must not exceed the amount set out in the plan, including any updated plans, provided to the Secretary of State as per paragraph 5.
7. By submitting the information set out in paragraph 5 to the Secretary of State the council will have met the condition; there is no further requirement to receive explicit consent in order to use the flexibility as set out in this direction. It is expected that authorities will evidence, as necessary, to their external auditors that they complied in full with this condition.
8. This direction is given for the purposes of Chapter 1 of Part 1 of the Act only. It does not grant any other consent that may be required or any view as to the propriety of the expenditure. It is for the Authority to be satisfied that any amount to which this direction is applied is properly incurred in the financial year concerned.
9. When applying the direction, the Authorities are required to have regard to the Guidance on Flexible Use of Capital Receipts issued by the Secretary of State under section 15(1)(a) of the Act.
10. If you have any queries in connection with the above, please do not hesitate to contact the Department for Levelling Up, Housing and Communities at the email address: [capitalreceiptsflexibility@levellingup.gov.uk](mailto:capitalreceiptsflexibility@levellingup.gov.uk).

Yours sincerely,





## **Annex A - List of authorities to which this direction applies**

<b>English councils</b>
Adur District Council
Allerdale Borough Council
Amber Valley Borough Council
Arun District Council
Ashfield District Council
Ashford Borough Council
Babergh District Council
London Borough of Barking and Dagenham
London Borough of Barnet
Barnsley Metropolitan Borough Council
Barrow-in-Furness Borough Council
Basildon Borough Council
Basingstoke and Deane Borough Council
Bassetlaw District Council
Bath and North East Somerset Council
Bedford Borough Council
London Borough of Bexley
Birmingham City Council
Blaby District Council
Blackburn with Darwen Borough Council
Blackpool Council
Bolsover District Council
Bolton Metropolitan Borough Council
Boston Borough Council
Bournemouth, Christchurch and Poole Council
Bracknell Forest Council
Bradford Metropolitan District Council
Braintree District Council
Breckland District Council
London Borough of Brent
Brentwood Borough Council

Brighton and Hove City Council
Bristol City Council
Broadland District Council
London Borough of Bromley
Bromsgrove District Council
Borough of Broxbourne
Broxtowe Borough Council
Buckinghamshire Council
Burnley Borough Council
Bury Metropolitan Borough Council
Calderdale Metropolitan Borough Council
Cambridge City Council
Cambridgeshire County Council
Cambridgeshire and Peterborough Combined Authority
London Borough of Camden
Cannock Chase District Council
Canterbury City Council
Carlisle City Council
Castle Point Borough Council
Central Bedfordshire Council
Charnwood Borough Council
Chelmsford City Council
Cheltenham Borough Council
Cherwell District Council
Cheshire East Council
Cheshire West and Chester Council
Chesterfield Borough Council
Chichester District Council
Chorley Council
City of London
Colchester Borough Council
Copeland Borough Council
Cornwall Council

Cotswold District Council
Coventry City Council
Craven District Council
Crawley Borough Council
London Borough of Croydon
Cumbria County Council
Dacorum Borough Council
Darlington Borough Council
Dartford Borough Council
Derby City Council
Derbyshire County Council
Derbyshire Dales District Council
Devon County Council
Doncaster Metropolitan Borough Council
Dorset Council
Dover District Council
Dudley Metropolitan Borough Council
Durham County Council
London Borough of Ealing
East Cambridgeshire District Council
East Devon District Council
East Hampshire District Council
East Hertfordshire District Council
East Lindsey District Council
East Riding of Yorkshire Council
East Staffordshire Borough Council
East Suffolk Council
East Sussex County Council
Eastbourne Borough Council
Eastleigh Borough Council
Eden District Council
Elmbridge Borough Council
London Borough of Enfield

Epping Forest District Council
Epsom and Ewell Borough Council
Erewash Borough Council
Essex County Council
Exeter City Council
Fareham Borough Council
Fenland District Council
Folkestone and Hythe District Council
Forest of Dean District Council
Fylde Borough Council
Gateshead Metropolitan Borough Council
Gedling Borough Council
Gloucester City Council
Gloucestershire County Council
Gosport Borough Council
Gravesham Borough Council
Great Yarmouth Borough Council
Greater London Authority
Greater Manchester Combined Authority
Royal Borough of Greenwich
Guildford Borough Council
London Borough of Hackney
Halton Borough Council
Hambleton District Council
London Borough of Hammersmith & Fulham
Hampshire County Council
Harborough District Council
London Borough of Haringey
Harlow Council
Harrogate Borough Council
London Borough of Harrow
Hart District Council
Hartlepool Borough Council

Hastings Borough Council
Havant Borough Council
London Borough of Havering
Herefordshire Council
Hertfordshire County Council
Hertsmere Borough Council
High Peak Borough Council
London Borough of Hillingdon
Hinckley and Bosworth Borough Council
Horsham District Council
London Borough of Hounslow
Huntingdonshire District Council
Hyndburn Borough Council
Ipswich Borough Council
Isle of Wight Council
Council of the Isles of Scilly
London Borough of Islington
Royal Borough of Kensington and Chelsea
Kent County Council
King's Lynn and West Norfolk Borough Council
Kingston-upon-Hull City Council
Royal Borough of Kingston upon Thames
Kirklees Council
Knowsley Metropolitan Borough Council
London Borough of Lambeth
Lancashire County Council
Lancaster City Council
Leeds City Council
Leicester City Council
Leicestershire County Council
Lewes District Council
London Borough of Lewisham
Lichfield District Council

City of Lincoln Council
Lincolnshire County Council
Liverpool City Council
Liverpool City Region Combined Authority
Luton Borough Council
Maidstone Borough Council
Maldon District Council
Malvern Hills District Council
Manchester City Council
Mansfield District Council
Medway Council
Melton Borough Council
Mendip District Council
London Borough of Merton
Mid Devon District Council
Mid Suffolk District Council
Mid Sussex District Council
Middlesbrough Council
Milton Keynes Council
Mole Valley District Council
New Forest District Council
Newark and Sherwood District Council
Newcastle City Council
Newcastle-Under-Lyme Borough Council
London Borough of Newham
Norfolk County Council
North Devon Council
North East Combined Authority
North East Derbyshire District Council
North East Lincolnshire Council
North Hertfordshire District Council
North Kesteven District Council
North Lincolnshire Council

North Norfolk District Council
North Northamptonshire Council
North of Tyne Combined Authority
North Somerset Council
North Tyneside Metropolitan Borough Council
North Warwickshire Borough Council
North West Leicestershire District Council
North Yorkshire County Council
Northumberland County Council
Norwich City Council
Nottingham City Council
Nottinghamshire County Council
Nuneaton and Bedworth Borough Council
Oadby and Wigston Borough Council
Oldham Metropolitan Borough Council
Oxford City Council
Oxfordshire County Council
Pendle Borough Council
Peterborough City Council
Plymouth City Council
Portsmouth City Council
Preston City Council
Reading Borough Council
London Borough of Redbridge
Redcar & Cleveland Borough Council
Redditch Borough Council
Reigate and Banstead Borough Council
Ribble Valley Borough Council
London Borough of Richmond upon Thames
Richmondshire District Council
Rochdale Metropolitan Borough Council
Rochford District Council
Rossendale Borough Council

Rother District Council
Rotherham Metropolitan Borough Council
Rugby Borough Council
Runnymede Borough Council
Rushcliffe Borough Council
Rushmoor Borough Council
Rutland County Council
Ryedale District Council
Salford City Council
Sandwell Metropolitan Borough Council
Scarborough Borough Council
Sedgemoor District Council
Sefton Metropolitan Borough Council
Selby District Council
Sevenoaks District Council
Sheffield City Council
Shropshire Council
Slough Borough Council
Solihull Metropolitan Borough Council
Somerset County Council
Somerset West and Taunton District Council
South Cambridgeshire District Council
South Derbyshire District Council
South Gloucestershire Council
South Hams District Council
South Holland District Council
South Kesteven District Council
South Lakeland District Council
South Norfolk District Council
South Oxfordshire District Council
South Ribble Borough Council
South Somerset District Council
South Staffordshire District Council



South Tyneside Council
South Yorkshire Combined Authority
Southampton City Council
Southend-on-Sea City Council
London Borough of Southwark
Spelthorne Borough Council
St Albans City and District Council
St Helens Metropolitan Borough Council
Stafford Borough Council
Staffordshire County Council
Staffordshire Moorlands District Council
Stevenage Borough Council
Stockport Metropolitan Borough Council
Stockton-on-Tees Borough Council
Stoke-on-Trent City Council
Stratford-on-Avon District Council
Stroud District Council
Suffolk County Council
Sunderland City Council
Surrey County Council
Surrey Heath Borough Council
London Borough of Sutton
Swale Borough Council
Swindon Borough Council
Tameside Metropolitan Borough Council
Tamworth Borough Council
Tandridge District Council
Tees Valley Combined Authority
Teignbridge District Council
Telford & Wrekin Council
Tendring District Council
Test Valley Borough Council
Tewkesbury Borough Council

Thanet District Council
Three Rivers District Council
Thurrock Council
Tonbridge and Malling Borough Council
Torbay Council
Torridge District Council
London Borough of Tower Hamlets
Trafford Metropolitan Borough Council
Tunbridge Wells Borough Council
Uttlesford District Council
Vale of White Horse District Council
Wakefield Metropolitan District Council
Walsall Metropolitan Borough Council
London Borough of Waltham Forest
London Borough of Wandsworth
Warrington Borough Council
Warwick District Council
Warwickshire County Council
Watford Borough Council
Waverley Borough Council
Wealden District Council
Welwyn Hatfield Borough Council
West Berkshire Council
West Devon Borough Council
West Lancashire Borough Council
West Lindsey District Council
West Midlands Combined Authority
West Northamptonshire Council
West of England Combined Authority
West Oxfordshire District Council
West Suffolk Council
West Sussex County Council
West Yorkshire Combined Authority

City of Westminster
Wigan Metropolitan Borough Council
Wiltshire Council
Winchester City Council
Royal Borough of Windsor and Maidenhead
Wirral Metropolitan Borough Council
Woking Borough Council
Wokingham Borough Council
Wolverhampton City Council
Worcester City Council
Worcestershire County Council
Worthing Borough Council
Wychavon District Council
Wyre Council
Wyre Forest District Council
City of York Council

<b>Fire and Rescue Authorities and Police and Crime Commissioners</b>
Avon & Somerset Police and Crime Commissioner and Chief Constable
Avon Combined Fire and Rescue Authority
Bedfordshire Combined Fire and Rescue Authority
Bedfordshire Police and Crime Commissioner and Chief Constable
Berkshire Combined Fire and Rescue Authority
Buckinghamshire Combined Fire and Rescue Authority
Cambridgeshire Combined Fire and Rescue Authority
Cambridgeshire Police and Crime Commissioner and Chief Constable
Cheshire Combined Fire and Rescue Authority
Cheshire Police and Crime Commissioner and Chief Constable
Cleveland Combined Fire and Rescue Authority
Cleveland Police and Crime Commissioner and Chief Constable
Cumbria Police and Crime Commissioner and Chief Constable
Derbyshire Combined Fire and Rescue Authority
Derbyshire Police and Crime Commissioner and Chief Constable

Devon & Cornwall Police and Crime Commissioner and Chief Constable
Devon and Somerset Combined Fire and Rescue Authority
Dorset and Wiltshire Fire and Rescue Authority
Dorset Police and Crime Commissioner and Chief Constable
Durham Combined Fire and Rescue Authority
Durham Police and Crime Commissioner and Chief Constable
East Sussex Combined Fire and Rescue Authority
Essex Combined Fire and Rescue Authority
Essex Police and Crime Commissioner and Chief Constable
Gloucestershire Police and Crime Commissioner and Chief Constable
Greater London Authority
Hampshire and Isle of Wight Fire and Rescue Authority
Hampshire Police and Crime Commissioner and Chief Constable
Hereford & Worcester Combined Fire and Rescue Authority
Hertfordshire Police and Crime Commissioner and Chief Constable
Humberside Combined Fire and Rescue Authority
Humberside Police and Crime Commissioner and Chief Constable
Kent Combined Fire and Rescue Authority
Kent Police and Crime Commissioner and Chief Constable
Lancashire Combined Fire and Rescue Authority
Lancashire Police and Crime Commissioner and Chief Constable
Leicestershire Combined Fire and Rescue Authority
Leicestershire Police and Crime Commissioner and Chief Constable
Lincolnshire Police and Crime Commissioner and Chief Constable
Merseyside Fire And Rescue Authority
Merseyside Police and Crime Commissioner and Chief Constable
Norfolk Police and Crime Commissioner and Chief Constable
North Yorkshire Combined Fire and Rescue Authority
North Yorkshire Police and Crime Commissioner and Chief Constable
Northamptonshire Police and Crime Commissioner and Chief Constable
Northamptonshire Police, Fire and Crime Commissioner Fire and Rescue Authority
Northumbria Police and Crime Commissioner and Chief Constable
Nottinghamshire Combined Fire and Rescue Authority

Nottinghamshire Police and Crime Commissioner and Chief Constable
Shropshire Combined Fire and Rescue Authority
South Yorkshire Fire and Rescue Authority
South Yorkshire Police and Crime Commissioner and Chief Constable
Staffordshire Combined Fire and Rescue Authority
Staffordshire Police and Crime Commissioner and Chief Constable
Suffolk Police and Crime Commissioner and Chief Constable
Surrey Police and Crime Commissioner and Chief Constable
Sussex Police and Crime Commissioner and Chief Constable
Thames Valley Police and Crime Commissioner and Chief Constable
Tyne and Wear Fire and Rescue Authority
Warwickshire Police and Crime Commissioner and Chief Constable
West Mercia Police and Crime Commissioner and Chief Constable
West Midlands Fire and Rescue Authority
West Midlands Police and Crime Commissioner and Chief Constable
West Yorkshire Fire and Rescue Authority
West Yorkshire Police and Crime Commissioner and Chief Constable
Wiltshire Police and Crime Commissioner and Chief Constable

## **FLEXIBLE USE OF CAPITAL RECEIPTS STRATEGY 2022/23 - 2024/25**

### **1 BACKGROUND**

- 1.1 In the 2022/23 Provisional Local Government Finance Settlement the following was announced:

***Extension of the flexibility to use capital receipts to fund transformation projects***

*We are also announcing a 3-year extension from 2022-23 onwards of the existing flexibility for councils to use capital receipts to fund transformation projects that produce long-term savings or reduce the costs of service delivery. We will provide further details on the extension in due course.*

- 1.2 On 4 April 2022, the Department of Levelling Up, Housing, and Communities confirmed this extension and published Guidance and a Direction.
- 1.3 The Council has previously produced strategies over the period 2016/17 to 2021/22 in respect of the previous flexibility. This Strategy has been updated and produced for the period 2022/23 to 2024/25 in the light of the new extension and revised Guidance.

### **2 OBJECTIVES AND PURPOSE**

- 2.1 This Strategy is intended to enable the Council to potentially take advantage of this flexibility if appropriate. The Strategy forms part of the delivery of the East Suffolk Strategic Plan and particularly supports the theme of Financial Sustainability. The East Suffolk Strategic Plan focusses on the five key themes of:

- Economic Growth
- Enabling Communities
- Financial Sustainability
- Digital Transformation
- The Environment

- 2.2 The objectives of this Strategy are to:

- Outline the methodology for funding projects using this flexibility;
- Identify actual and potential capital receipts that could be utilised to fund transformation projects;
- Identify projects that are considered to be eligible and which could be funded by this method;
- In subsequent years, report on the progress of projects approved in previous years.

### **3 METHODOLOGY**

- 3.1 For the first year of this Strategy, 2022/23, it will be approved by Full Council and then submitted to the Secretary of State in accordance with the Guidance. For 2023/24 and

2024/25 it will be approved by Full Council as part of approval of the Council's Budget. If required, a revised Strategy can be prepared during the course of the year to reflect significant changes to both the range and potential funding value of eligible projects.

- 3.2 Key projects will be monitored by the Strategic Plan Theme Delivery Groups, with oversight across the Council being maintained by the Financial Sustainability Theme Group.
- 3.3 To make use of this flexibility, capital receipts must arise in the period 2016/17 to 2024/25, and qualifying expenditure must take place in the same period. For example, a capital receipt realised in 2016/17 could finance a project in 2024/25, but not in 2025/26. Capital receipts realised before 2016/17 cannot be used.
- 3.4 If projects are identified in the Strategy, they can still be financed in whole or in part from other sources, e.g. revenue budgets. Having approved the Strategy, the Council is not obliged to fund these projects from capital receipts. It is Council policy that capital receipts are not relied upon to fund any expenditure until they are realised and as new capital receipts might not necessarily be available during the period of the Strategy, it is essential that eligible projects should only proceed if alternative sources of funding have been identified. Inclusion in the strategy does not constitute a commitment to fund through capital receipts as this decision needs to be taken in the light of the Council's overall revenue and capital financing requirements, nor does inclusion in the strategy constitute approval to progress a project.
- 3.5 For 2022/23, Cabinet will determine the actual financing when approving the Council's Capital Programme outturn and financing for the year. For 2023/24 and 2024/25, the Council will approve the budgeted funding of the projects in the strategy when approving the Budget and the Capital Programme for the year.

#### 4 ELIGIBLE CAPITAL RECEIPTS AND IMPACT ON PRUDENTIAL INDICATORS

- 4.1 As at May 2022, the position in respect of eligible Capital Receipts regarding this flexibility is shown below. It should be noted that the flexibility excludes Right-To-Buy capital receipts. It should also be noted that it is Council policy that capital receipts are not relied upon to fund any expenditure until they are realised. Consequently, the planned use of the flexibility shown in Section 5 does not exceed the amount of eligible receipts currently realised and available. This summary will be updated in each annual strategy.

	2022/23	2023/24	2024/25	2025/26
	£000	£000	£000	£000
<b><i>General Fund Capital Receipts Received</i></b>				
Melton Hill	-5,385	0	0	0
<b><i>Anticipated General Fund Capital Receipts</i></b>				
Lowestoft Eastern Edge Beach Huts	-1,015	0	0	0
<b>Allocated against capital expenditure</b>				
Lowestoft Beach Huts	400	0	0	0
<b>Potentially available for Flexible Use</b>	<b>-6,000</b>	<b>0</b>	<b>0</b>	<b>0</b>

- 4.2 As it is Council policy not to rely on capital receipts until they are realised, these capital receipts have not been factored into the Council's Capital Financing Requirement (CFR) by way of either reducing debt or financing capital expenditure. Consequently, the use of these receipts under this flexibility will have no effect on the Council's Prudential Indicators.

## **5 ELIGIBLE PROJECTS AND USE OF CAPITAL RECEIPTS 2022/23**

- 4.1 A summary of projects identified included in this Strategy as being potentially eligible for capital receipts funding is summarised below, with a description of the project, project objectives, and potential planned use of receipts. This list is not definitive and further potentially eligible projects could be identified during the course of the year – if this is the case, further revisions will be made to the Strategy. The transformation costs associated with the North Felixstowe project; Set Up of East Suffolk Services Ltd (ESSL) Local Authority Trading Company; and rebalancing Port Health are highlighted as priority projects for the potential use of this funding flexibility.



Project	Description and Progress	Service Transformation / Savings	Lead Team	Cabinet Portfolio	Planned Use of Receipts 2022/23
					£000
<b>North Felixstowe Garden Neighbourhood – Priority Project</b>	<p>Key leisure-led regeneration programme in Felixstowe focused upon the creation of new leisure centre to replace ageing and expensive leisure centres, and housing development. Programme could entail development of housing by ESC either directly or through a development company to generate significant future income streams. ESC has made provision for capital expenditure in the Capital Programme, but significant revenue expenditure also likely to be incurred on Planning, design, and feasibility work. ESC land in the programme could facilitate development or potentially generate capital receipts generating investment interest / reducing debt.</p> <p>Progress – Ongoing – medium term regeneration programme spanning around 6 – 7 years.</p>	<p>Replacement of leisure centres estimated to reduce net costs by around £400k pa when fully operational. Significant capital receipts and/or income streams could also potentially be generated.</p>	Regeneration	Deputy Leader & Economic Development	1,350
<b>Set Up of East Suffolk Services Ltd (ESSL) Local Authority Trading Company – Priority Project</b>	<p>Business Case to set up ESSL approved in June 2021, to replace current Joint Venture arrangements from July 2023. Services include refuse collection, recycling, street cleansing, grounds maintenance, car parking, building maintenance, and facilities management. ICT infrastructure, systems, support service arrangements, asset procurement, and company structure to be established. Service improvements, cost savings and efficiencies to be identified and implemented. Total transformation costs are estimated to be in the region of £1.6m, and are currently budgeted to be met from the Transformation Reserve. A further potential financing alternative is for these costs to met by ESSL itself.</p> <p>Progress – Company established, notice served for termination of Joint Venture, project on track for transfer of services in 2023.</p>	<p>Business Case identified ongoing cost savings of £000 from 2023 onwards. Estimated ongoing savings are now estimated to be around £000. Service and environmental improvements to also be delivered.</p>	SMT	Customer Services and Operational Partnerships	1,600

Project	Description and Progress	Service Transformation / Savings	Lead Team	Cabinet Portfolio	Planned Use of Receipts 2022/23
					£000
<b>Rebalance Port Health – Priority Project</b>	Rebalancing Port Health service in response to legislative changes and delays. Develop commercial offer for other Port Health Authorities and central competent agencies to generate additional income and enhance the reputation of the service. Continued DEFRA transition funding should be the source of funding for rebalancing the service, but worst case scenarios could entail ESC needing to fund some short term costs.  Progress - Ongoing	Development of potential revenue income streams. Short term costs of c.£500k potentially required to reduce staffing costs by around £162k per month.	Port Health	Community Health	500
<b>Operation of the Gateway to Homechoice Choice-Based Lettings Scheme</b>	Allocation of social housing in conjunction with other Local Authority Partners. Attendance at the Gateway to Homechoice Project Board and the Operational Group to oversee the delivery of the CBL system.  Progress - Ongoing	Potential reduction in operating costs	Housing Needs	Housing	
<b>Implementation of Inspection Strategy</b>	A cyclical inspection programme to ensure properties are inspected and reviewed.  Progress - Ongoing	Potential reduction in operating costs	Asset Management	Customer Services and Operational Partnerships	
<b>CCTV remodelling</b>	Identify opportunities to improve the efficiency of the CCTV system, including identifying savings and opportunities to add functionality.  Progress - Ongoing	Potential reduction in operating costs	Contract Management	Communities, Leisure and Tourism	
<b>Accommodation Project</b>	Review office accommodation needs to ensure sufficient space post pandemic and post Brexit.  Progress - Ongoing	Potential reduction in operating costs	Port Health	Community Health	
<b>Transformation of Council accommodation to deliver workplace strategy</b>	Review the council's accommodation strategy, building on changes made during the pandemic.  Progress - Ongoing	Potential rationalisation of Council accommodation requirements and delivery of cost savings e.g. travel, energy, etc.	Asset Management	Customer Services and Operational Partnerships	100

Project	Description and Progress	Service Transformation / Savings	Lead Team	Cabinet Portfolio	Planned Use of Receipts 2022/23
					£000
<b>Printing Procurement</b>	Tendering for Elections and Electoral Registration printed material.  Progress – Contract to be tendered	Potential reduction in costs due to implementation of multi-year contract	Electoral Services	Resources	
<b>Cemeteries and Closed Churchyard Review</b>	Review and revise the burial service provided by the Council and how the cemetery assets / closed churchyards are managed.  Progress – 90% complete	Potential reduction in operating costs	SMT Projects	Deputy Leader & Economic Development	
<b>Delivery of Growth and Development Projects</b>	Design, management and delivery of projects to deliver income and economic growth, e.g. East Point Pavilion and Post Office, Lowestoft.  Progress – East Point Pavilion complete, other projects in progress	Development of potential revenue income streams	Asset Management	Customer Services and Operational Partnerships	
<b>Property Investment</b>	Increase return on investment in the Council's property portfolio.  Progress – Ongoing	Development of potential revenue income streams and potential cost reductions	Asset Management	Customer Services and Operational Partnerships	
<b>Building Control Consultation Services</b>	Building Control surveying advice is much sought after and our client base continues to ask for our services to be employed outside of East Suffolk. Consultation charging is currently effective within Planning and may be applicable to Building Control consultation advice.  Progress - Ongoing	Development of potential revenue income streams and potential cost reductions	Building Control	Planning and Coastal Management	
<b>Asset Management System Development</b>	Implementing the efficient use of the Asset Management module within Uniform to enable the Asset Management team to work digitally and efficiently, this includes digitising and streamlining the ownership, acquisitions, lease, maintenance and other processes within asset management. This is a complex and long term project.  Progress - 10% complete	Efficiency savings and reduction in operating costs	Business Solutions	Customer Services and Operational Partnerships	50

Project	Description and Progress	Service Transformation / Savings	Lead Team	Cabinet Portfolio	Planned Use of Receipts 2022/23
					£000
<b>Land Registry – Land Charges LLC1 data migration</b>	Work with HMLR on Land charges data migration for changes to Land Charge Services.  Progress - 10% complete	Efficiency savings and reduction in operating costs	Business Solutions	Customer Services and Operational Partnerships	
<b>Public Access / Customer Service Delivery Model</b>	Review services customer services team currently deliver to ensure it evolves to take advantage of the channel choice and shift, and further strategic digital transformation work.  Progress - Ongoing	Efficiency savings and reduction in operating costs	CS Operations	Customer Services and Operational Partnerships	
<b>Channel Shift Overall Programme</b>	Over-arching programme to oversee channel shift - the movement of traditional forms of contact and processes to digital means, freeing up vital resources to assist those who cannot use digital channels or have more complex enquiries. This includes online services such as self-service portals, e-forms, payments and also other means of communication such as incoming/outgoing post.  Progress – 50% complete	Efficiency savings and reduction in operating costs	Business Solutions	Customer Services and Operational Partnerships	
<b>Asset Management System for Housing/building maintenance</b>	Re-procure an Asset Management System for Housing. System use is being investigated alongside the Building Services team in Operations/Asset Management as they have similar needs.  Progress – Concept stage	Efficiency savings and reduction in operating costs	Housing Maintenance	Housing	
<b>Housing Maintenance - new software for Mobile Working, Scheduling and Job Management</b>	Implementation of Total Mobile software in Housing Maintenance: Procure and implement software that will deliver Orchard job tickets to maintenance operatives on a mobile device (tablet). The software will allow better data collection regarding jobs undertaken for management purposes as well as streamlining the service delivery.  Progress – 10% complete	Efficiency savings and reduction in operating costs	Housing Maintenance	Housing	

Project	Description and Progress	Service Transformation / Savings	Lead Team	Cabinet Portfolio	Planned Use of Receipts 2022/23
					£000
<b>Orchard Tenants Self Service portal - phase 2</b>	Implement Orchard Digital Self Appointing Repairs. This will provide a new digital channel for Tenants to report responsive repairs, and move traffic away from telephone based reporting.  Progress - Ongoing	Efficiency savings and reduction in operating costs	Tenancy Services	Housing	
<b>Garden Waste Service improvements</b>	Identify and implement ongoing improvements to the garden waste service to ensure it is delivered efficiently.  Progress - Ongoing	Efficiency savings, reduction in operating costs, and potential increased income.	Contract Management	Customer Services and Operational Partnerships	
<b>Assistive Technology Project for independent Living</b>	An exploratory project to test a range of novel technologies, to support residents to continue to live independently in their own home. The goal is delivery of new services for our Landlord's service and the ESC Home Improvement Agency (HIA) for private sector homes.  Progress - Ongoing	Efficiency savings and reduction in operating costs	Housing Transformation	Housing	
<b>EV pool vehicles</b>	Install EV charging point and EV pool cars at Port Health offices.  Progress - Ongoing	Cost reduction.	Port Health	Environment	
<b>Beech Close - Retrofit</b>	Existing HRA assets earmarked for retrofit refurbishment under decarbonisation programme.  Progress – Investigation stage	Cost reduction.	Housing Development / Housing Maintenance	Housing	
<b>Orchard Green - Retrofit</b>	Existing HRA assets earmarked for retrofit refurbishment under decarbonisation programme.  Progress – Investigation stage	Cost reduction.	Housing Development / Housing Maintenance	Housing	
<b>Low emissions Fleet</b>	Deliver a low emissions fleet – with rollout commencing in Jan 2021.  Progress – 50% complete	Cost reduction and environmental improvements	Contract Management	Customer Services and Operational Partnerships	

Project	Description and Progress	Service Transformation / Savings	Lead Team	Cabinet Portfolio	Planned Use of Receipts 2022/23
					£000
<b>Managing East Suffolk Land for sustainability</b>	<p>Maximise the number of areas of open space that ESC can manage in a way that promotes conservation.</p> <p>Progress – 25% complete</p>	Cost reduction and environmental improvements	Contract Management	Customer Services and Operational Partnerships	



**FULL COUNCIL**

**Wednesday, 27 July 2022**

<b>Subject</b>	Environmental Services Team – Resourcing and Restructure
<b>Report by</b>	Councillor James Mallinder Cabinet Member with responsibility for The Environment
<b>Supporting Officer</b>	Fiona Quinn Head of Environmental Services and Port Health Fiona.quinn@eastsuffolk.gov.uk 07385 948900

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

### Purpose of Report:

The need for additional resource within the Environmental Protection team to meet statutory requirements, respond to additional new legislative burdens, support the Planning team in the Nationally Significant Infrastructure (NSIP), deliver the Environmental aspirations of the councils Strategic Plan and to expand and develop new income opportunities has been recognised for some time. This report proposes that the Council allocates provision within its budget on an ongoing basis for seven new posts to provide that additional capacity.

### Options:

A full and detailed review of the implications of the additional burdens on the service as well as business as usual and project tasks was undertaken to ensure the council continues to meet its statutory responsibilities, adequately responds to customers and businesses and appropriately responds to environmental, political and financial risks relevant to the work of the team. The outcome has been distilled into the following options, all of which have been fully appraised, the preferred option being Option 1.

- Option 1

To replace the two temporary contract staff with new permanent positions:

- DCO/NSIP (non-SzC) Environmental Impacts Officer (1 FTE)
- Contaminated Land Assistant (1 FTE)

To create the following new roles:

- Air Quality Project Officer (0.6 FTE)
- Environmental Protection Technical Officers (2 FTE)
- Senior Environmental Protection officers (2 FTE)
- SZC Project EPO/EHO (1 FTE from 2028)

Whilst temporary additional resource for two staff to support the NSIP work was secured in 2020 this was only for two-year fixed term contracts. One was funded by EDF funding for Sizewell C work and the other funded from the Energy Projects team to provide support for the NSIP work. However, these are both due to expire shortly (September 2022 and June 2023) and the officers have advised they are now looking for alternative work. Planning have advised that there is no further funding available to continue resourcing these posts after the expiry of the contracts. It should be noted that, whilst a single Sizewell C EP officer post has been secured by Planning via the Sizewell DCO this cannot be drawn on until the project is granted permission and commences, a number of months' time. Furthermore, the funding for the post is only for the first 6 years of the 12-year project.

This proposal will enable the retention of the expertise in-house of the two existing contract staff who have built up considerable technical and specialist knowledge in these areas and ensure continuity of delivery of specialist technical advice and support on these



key projects to the Planning service. We will continue to explore with the Planning service ways and opportunities where we can offset the salary costs of these roles including via Planning Performance agreements or equivalent for upcoming sites over the coming years.

The risk of not retaining these staff is loss of in-house knowledge and experience resulting in the inability to provide the required support for NSIPs in-house leading to increased reliance on consultants at considerable expense.

The proposed Air Quality Project Officer (0.6 FTE) is to deliver the East Suffolk Council Air Quality Strategy, remove the need to appoint consultants to deliver elements of our air quality work and to develop in-house resilience in this area in anticipation of additional requirements emerging from the governments review of Local Air Quality Management functions and to enable ESC to engage in positive promotional work in this area, including with Public Health.

Without this role there is a risk of not meeting the governments upcoming provisions tightening the objective levels of key pollutants for improvements in UK air quality and also of being unable to engage and participate with other Suffolk authorities and Public Health in promoting the Suffolk Air Quality Profile and associated draft Action Plan, in which ESC is a listed partner for many of the measures.

The Environmental Protection Technical Officers (2 FTE) will provide additional capacity to respond to nuisance complaints as well as undertaking private water supply sampling as it has been identified by the Drinking Water inspectorate (DWI) at a joint meeting in 2021 that we are currently not fulfilling our statutory requirements in this respect having completed only 16 risk assessments since January 2020 (primarily Covid-19 reasons) and historically not met the required targets. We have around 110 supplies all requiring sampling and risk assessments once every 5 years, or more frequently, depending on risks identified. This does not include the private rented housing PWS, around 150) which should be sampled at least once per annum and risk assessed once every 5 years. In addition, despite trying to appoint consultants to clear the backlog it has been identified that there is a shortage of consultants willing and able to undertake this work in East Anglia. These posts would enable us to train and develop officers to undertake this work allowing us to meet the DWIs requirements for ESC and create much needed resilience in this area. The Private Water Supply service should be delivered on a cost recovery basis, and it is anticipated that, once a full review has been undertaken into the fees and charges for this work and its delivery, the cost of this post should be recoverable from the charges. Note – the timing of the review of fees and charges is dependent on recruitment to the EP manager post and at least one of the proposed Senior Environmental Protection officers as capacity does not currently exist to undertake it.

The risk exists that, if we continue to be non-compliant in meeting the DWIs statutory requirements, of negative publicity, reputational damage should the public be made ill by consuming untested private water supplies and potential action may also be taken against us for non-compliance by the DWI. Additionally, we may not be able to respond appropriately to reports of non-compliant private water supplies at the risk of both public health and reputational damage.

These posts are also required to enable us to attain and maintain a statutory frequency of re-licensing and inspection, to accommodate proposed additional licensing responsibilities anticipated later this year (licensing of animal sanctuaries, rescue and rehoming centres including for cats, dogs and horses, microchipping of cats, licensing livery yards) and to undertake at least preliminary investigations into the backlog and increasing numbers of unlicensed breeders/sellers of puppies (currently 29). We are able to set the fees for the scrap metal dealers and animal welfare licences locally to ensuring that costs can be recovered by local authorities rather than relying on subsidy from local taxpayers. Note – the timing of the review of fees and charges is dependent on recruitment to the EP manager post and at least one of the proposed Senior Environmental Protection officers as capacity does not currently exist to undertake it.

The Senior Environmental Protection officers (2 FTE) are required as the existing Team Leader manages a diverse team of technical specialists undertaking both reactive and programmed work. The post currently has 15 direct reports (rising to 22 if the request for resources is successful) which create a significant draw on their time in line management, day to day operational requirements and impacting on the capacity to undertake the more strategic elements of the role and has become unsustainable leading to key areas of work not receiving the necessary attention. There is also a very flat structure in the team with no opportunity for development or succession planning, this has been brought into stark reality with the retirement of the postholder in July 2022. The retirement presents an opportunity to review the resources required in the team and to restructure it to meet the service needs going forwards.

The proposal is to introduce two new Band 9 posts to pick up the direct day to day management of more junior team members, providing technical lead competence and line management support to staff as well as creating capacity to undertake project work such as reviewing fees and charges, streamlining process and enhancing the use of digital technology in service delivery and maximising the potential of our database to provide improved service delivery for the customer. This will free up the EP Team Manager to fulfil their corporate management duties, delivery of the strategic plan and to focus on the key strategic projects and cases.

The risk of not creating these roles is the loss of experienced and competent staff seeking career development opportunities to other authorities and non-delivery of key areas of work, some of which have been outlined above.

The SZC Project EPO/EHO (1 FTE from 2028) is to provide continued in-house expertise to deliver of this project during the construction and reinstatement period (years 6-12).

The cost of these posts, prior to any offsetting by fees and charges and other sources such as planning PPAs for 22/23 would be around £153,000 assuming a start date of 1 October 2022 and around £320,00 for the following full financial years.

This is the preferred option to provide the Environmental Protection service with the resources required to meet the increased workload, deliver the strategic plan and new legislative requirements over the next ten years.

### Option 2

To replace the two temporary contract staff with new permanent positions:

- DCO/NSIP (non-SzC) Environmental Impacts Officer (1 FTE)
- Contaminated Land Assistant (1 FTE)

To create the following new roles:

- Air Quality Project Officer (0.6 FTE)
- Environmental Protection Technical Officers (2 FTE)
- Senior Environmental Protection officer (1 FTE)

To not create the following roles:

- Senior Environmental Protection officer (1 FTE)
- SZC Project EPO/EHO (1 FTE from 2028)
- 

The rationale for each proposed role is the same as in Option 1. Whilst the loss of one Senior EP officer role will reduce the overall capacity of the team and extend timescales for completion of projects it could be accommodated, and the required staff retention and succession planning could still be achieved. The rise in service complaints and subsequent officer and Head of Service time tied up in investigating and responding is likely to continue. The Sizewell C project officer role could be kept under review and a separate request for resources raised should it be found to be required.

The cost of these posts, prior to any offsetting by fees and charges and other sources such as planning PPAs for 22/23 would be around £121,000 and around £253,850 for the following full financial years.

### Option 3

To replace the two temporary contract staff with new permanent positions:

- DCO/NSIP (non-SzC) Environmental Impacts Officer (1 FTE)
- Contaminated Land Assistant (1 FTE)

To create the following new roles:

- Air Quality Project Officer (0.6 FTE)
- Environmental Protection Technical Officers (1 FTE)
- Senior Environmental Protection officer (1 FTE)

To not create the following roles:

- Senior Environmental Protection officer (1 FTE)
- SZC Project EPO/EHO (1 FTE from 2028)
- Environmental Protection Technical Officers (1 FTE)

The rationale for each proposed role is the same as in Option 1.

In addition to the comments in Option 2 the loss of one Environmental Protection officer role would result in us not being able to fully deliver the statutory animal welfare, private water supply or scrap metal requirements and we run the risk of the reputational damage that could arise from this non-compliance as well. There is also the risk of staff burn out as the culture is to meet the legal requirements and they are already going above and beyond in which is unsustainable in the long term.

The cost of these posts, prior to any offsetting by fees and charges and other sources such as planning PPAs for 22/23 would be around £103,400 and £215,000 for the following full financial years.

#### Option 4

To replace the two temporary contract staff with new permanent positions:

- DCO/NSIP (non-SzC) Environmental Impacts Officer (1 FTE)
- Contaminated Land Assistant (1 FTE)

To create the following new roles:

- Air Quality Project Officer (0.6 FTE)
- Senior Environmental Protection officer (1 FTE)

To not create the following roles:

- Senior Environmental Protection officer (1 FTE)
- SZC Project EPO/EHO (1 FTE from 2028)
- Environmental Protection Technical Officers (2 FTE)

The rationale for each proposed role is the same as in Option 1.

In addition to the comments in Options 2 & 3 the risk on non-compliance with statutory legislation is even more greatly enhanced.

The cost of these posts, prior to any offsetting by fees and charges and other sources such as planning PPAs for 22/23 would be around £84,950 and £176,000 for the following full financial years.

#### Option 5

To replace the two temporary contract staff with new permanent positions:

- DCO/NSIP (non-SzC) Environmental Impacts Officer (1 FTE)
- Contaminated Land Assistant (1 FTE)

To not create the following roles:

- Senior Environmental Protection officer (2 FTE)
- SZC Project EPO/EHO (1 FTE from 2028)
- Environmental Protection Technical Officers (2 FTE)
- Air Quality Project Officer (0.6 FTE)

The rationale for each proposed role is the same as in Option 1.

In addition to the comments in Options 2, 3 & 4 the loss of the Air Quality project officer and other Senior Environmental Protection officer role effectively means that the backlog of work will continue to grow, the team will be unable to absorb any additional legal requirements or responsibilities, delivery of the strategic plan objectives will be adversely impacted, service complaints are likely to increase and staff morale and satisfaction will drop and there is the additional risk that staff will leave due to dissatisfaction, stress and lack of promotion opportunities.

The cost of these posts, prior to any offsetting by fees and charges and other sources such as planning PPAs for 22/23 would be around £42,450 and £88,400 for the following full financial years.

#### Option 6

To continue with the current structure and not replace the two contractors supporting the NSIP projects in the knowledge that capacity is a significant issue and will likely impact on the delivery of the councils Strategic Plan and statutory obligations.

**Recommendation:**

That the additional funding required for Option 1 be approved for the following new posts:

- DCO/NSIP (non-SzC) Environmental Impacts Officer (1 FTE)
- Contaminated Land Assistant (1 FTE)
- Air Quality Project Officer (0.6 FTE)
- Environmental Protection Technical Officers (2 FTE)
- Senior Environmental Protection officers (2 FTE)
- SZC Project EPO/EHO (1 FTE from 2028)

to ensure that the Council has sufficient capacity within the Environmental Services team to deliver the Strategic plan and meet its statutory requirements.

## Corporate Impact Assessment

**Governance:**

If approved by Full Council, recruitment to the posts would be undertaken immediately with the support of HR.

**ESC policies and strategies that directly apply to the proposal:**

- Contaminated Land Strategy
- East Suffolk Environmental Policy
- Air Quality Strategy
- Compliance and Enforcement Policy
- East Suffolk Medium Term Financial Strategy
- East Suffolk Strategic Plan

**Environmental:**

Recruitment to these posts will positively contribute towards the delivery of the Caring for our Environment theme in the Strategic Plan 2020-2024.

**Equalities and Diversity:**

There is no requirement for an Equality Impact Assessment in respect of this report. The recruitment process will be undertaken in accordance with the Council's Equality and Diversity Policy.

**Financial:**

These new posts represent a permanent growth to the budget from 2022/23 of around £320,000 per year including oncosts. The roles provide the opportunity to improve our cost recovery and develop additional income streams which could be used to offset a percentage of the costs.

**Human Resources:**

This report refers to the creation of several new posts and, subject to Full council approving the necessary funding, it is proposed that recruitment will begin immediately.

**ICT:**

No ICT implications have been identified.
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<b>Legal:</b>
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No legal implications have been identified
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<b>Risk:</b>
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There is a risk that the Council will be unable to deliver the Environment theme of the Strategic Plan or a number of its statutory duties, including private water supplies, animal welfare and nuisance complaints without these additional resources. There is also a risk to the ongoing resilience of the Environmental Protection team if the extra resources are not provided. The Local Government peer challenge report (February 2022) identified that additional resources were required in certain service areas to ensure the council meets and delivers its aspirations.
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<b>External Consultees:</b>	None
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>
<b>How does this proposal support the priorities selected?</b> The proposal will strengthen the Council's ability to achieve the ambitions identified within the Strategic Plan, in particular Caring for the Environment.			

## Background and Justification for Recommendation

1 Background facts	
1.1	The current structure of the Environmental Protection team was created in 2012 to align the service across both Suffolk Coastal and Waveney District Councils and has not been reviewed since.
1.2	<p>In the last five years the Environmental Protection team has seen a sustained and significant increase in the demands and workloads placed on members of staff arising from several different sources, including but not limited to:</p> <ul style="list-style-type: none"> <li>• 10 NSIPs (Nationally Significant Infrastructure Projects) including Sizewell C requiring high levels of involvement and expertise in noise, contaminated land, air quality and drinking water assessment and monitoring during both application, construction and implementation phases, some of which have timescales of up to 12 years</li> <li>• Increase in number and complexity of ‘licensable activities’ in animal welfare legislative regime</li> <li>• Sustained increase in reactive workload to nuisance complaints eg noise, smoke, air quality (an 18% cumulative rise from 2015 to 2021 from 3500 to 4180 per year)</li> <li>• Backlog of work, in part due to Covid pandemic, increased legislative requirements (eg animal welfare/ private water but also due to lack of staff to undertake inspections)</li> <li>• Increased public and political interest in air quality and additional responsibilities envisaged from the Environment Act 2021</li> <li>• Provision of ongoing and daily specialist support to Norse Waste Management officers around data capture and enforcement expertise</li> <li>• Already in top 20 of LAs as have over 500 private water supplies and the burden was increased in 2018 by requiring sampling staff to be qualified and accredited to UKAS standards and increased number of parameters for testing</li> <li>• Change in demand for out of hours noise service during the week not just weekends</li> </ul>

2 Current position	
2.1	Despite the challenges the team has worked hard and flexibly to adapt to the additional pressures where possible, to streamline processes and have also continued to provide support and guidance to other areas of the organisation such as the Anti-Social behaviour team, Planning, Norse, Customer Services and Assets. Whilst the team and the council can and should be proud of this, it should be noted that the longer-term impact upon staff is beginning to show and there has been a recent increase in the number of service complaints received, in part due to lack of staff resource to provide an adequate and timely response.
2.2	The imminent retirement of the long serving team manager in late July 2022 also places the team under additional pressure whilst recruitment for a replacement is underway (subject to a separate request for resources). It has been identified that the current postholder directly line manages 15 staff, a considerable number that is impacting on their ability to fully undertake the corporate, financial and strategic



	requirements of the post. The existing team structure also does not facilitate succession planning.
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### 3 How to address current situation

3.1	The need for additional resource within the Environmental Protection team to meet statutory requirements, respond to additional new legislative burdens, support the Planning team in the Nationally Significant Infrastructure (NSIP), deliver the Environmental aspirations of the councils Strategic Plan and to expand and develop new income opportunities has been recognised for some time.
3.2	The Head of Environmental Services and Port Health has undertaken a full review and identified six potential options, with Option 1 considered the most effective way forward to meet the needs of the council.

### 4 Reason/s for recommendation

4.1	The recommendation in this report is considered necessary to strengthen the Council's existing Environmental Services team, will lead to the retention of key staff, provide the opportunity to grow and develop staff internally and provide the capacity and resource to deliver the Council's ambitious work programme and meet statutory requirements.
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## Appendices

### Appendices:

None.

### Background reference papers:

None.



**FULL COUNCIL**

**Wednesday, 27 July 2022**

<b>Subject</b>	Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan
<b>Report of</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officers</b>	Dickon Povey Principal Planner (Policy and Delivery) <a href="mailto:dickon.povey@eastsuffolk.gov.uk">dickon.povey@eastsuffolk.gov.uk</a> (01502) 523043  Ruth Bishop Senior Planner (Policy and Delivery) <a href="mailto:Ruth.bishop@eastsuffolk.gov.uk">Ruth.bishop@eastsuffolk.gov.uk</a> (01502) 523028  Melanie Seabrook Planner (Policy & Delivery) <a href="mailto:melanie.seabrook@eastsuffolk.gov.uk">melanie.seabrook@eastsuffolk.gov.uk</a> (01502) 523030

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	Lothingland

## Purpose and high-level overview

### **Purpose of Report:**

The purpose of this Report is to “make” the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan (Referendum Version, May 2022) (“the Neighbourhood Plan”) part of the Development Plan for East Suffolk after a positive outcome at the Referendum held on 23<sup>rd</sup> June 2022. The neighbourhood area covers part of both East Suffolk and the Broads Authority executive area.

The Referendum question asked: “Do you want the Broads Authority and East Suffolk Council to use the neighbourhood plan for Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan to help it decide planning applications in the Neighbourhood Area?” More than 50% of those voting in the Referendum voted “YES” to the question and the Council and the Broads Authority must now “make” the Neighbourhood Plan, unless it considers the Neighbourhood Plan would breach or be incompatible with any EU obligation or any of the Convention Rights.

Once “made” by East Suffolk Council, the Neighbourhood Plan will become part of the Development Plan for East Suffolk and sit alongside the adopted East Suffolk Council Waveney Local Plan. The Development Plan is used to determine planning applications. The Broads Authority will take their own decision to make the neighbourhood plan at the Broads Authority meeting on 29<sup>th</sup> July 2022.

### **Options:**

None. Neighbourhood planning Regulations state that the Council must make the plan within eight weeks of the day after the referendum, unless it considers the Neighbourhood Plan would breach or be incompatible with any EU obligation or any of the Convention Rights. No breaches or incompatibilities have been identified, therefore there are no alternative options available to the Council.

### **Recommendation:**

That the Council “make” the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan (Referendum version, May 2022) part of the statutory Development Plan for the part of the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Area within East Suffolk.

## Corporate Impact Assessment

### **Governance:**

Once made, the Neighbourhood Plan will form part of the development plan and will be a statutory consideration in determining planning applications in the Neighbourhood Area.

### **ESC policies and strategies that directly apply to the proposal:**

The Neighbourhood Plan is in general conformity with the relevant strategies of the East Suffolk Council - Waveney Local Plan. This is something a Neighbourhood Plan is tested against at Examination.

**Environmental:**

The Neighbourhood Plan contains six objectives relating specifically to the environment. These span: enhancing the rural character of the parishes and its margins with the Broads; retaining agricultural land; enhancing access to the countryside; maintaining rural views; and protecting and maintaining heritage assets.

Individual policies in the Neighbourhood Plan contribute to achieving these objectives will support the delivery of the Environment priorities in the Strategic Plan. For example, the Neighbourhood Plan contains a policy supporting native trees and planting to enhance biodiversity in new public open space. Public rights of way are safeguarded and improved connectivity to these is also supported. The neighbourhood plan is supported by a 'Masterplanning and Design Guidelines' document to assist with improving the quality of the environment through well-designed development.

**Equalities and Diversity:**

Equality Impact Assessment ref: EQIA436341924 has been carried out. A minor positive effect on those groups with low incomes was identified. No negative impacts on those with protected characteristics were identified and no mitigating actions are identified/required.

**Financial:**

In accordance with the Community Infrastructure Levy (CIL) Regulations, Parish/Town Councils with a made Neighbourhood Plan in place will receive 25% of CIL receipts from liable development schemes permitted after the Neighbourhood Plan is made. For towns and parishes with no made Neighbourhood Plan, they will receive 15% of CIL receipts. (Further details on CIL can be found via the following link: <http://www.eastsuffolk.gov.uk/planning/community-infrastructure-levy/>)

The Council has claimed Neighbourhood Planning Grant of £20,000 from the Government to cover costs for supporting the Neighbourhood Plan through the process. This can be claimed once a date has been set for the Referendum.

The neighbourhood plan includes economic objectives including supporting employers; supporting the diversification of agriculture; supporting sites for business start-ups; and supporting tourism and leisure businesses.

**Human Resources:**

No impacts.

**ICT:**

No impacts.

**Legal:**

No impacts.

**Risk:**

There are no risks anticipated in relation to the implementation of the recommendation.

<b>External Consultees:</b>	The Neighbourhood Plan has been subject to extensive consultation throughout the course of its preparation. This has included consultation with the community as a whole; statutory consultees; and a broad range of other interested parties. Details of the consultation process can be found in the Consultation Statement referenced in Background Reference Papers.
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P09	Community Pride	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input type="checkbox"/>

The Neighbourhood Plan includes the community's vision and sets out how this will be delivered. This supports P09 'Community Pride' by promoting involvement, participation and positive action in the community and delivering the collective vision and objectives.

P01 'Build the Right Environment for Suffolk' is supported by guiding the mix and size of new homes being built in the neighbourhood area to meet local needs. Design guidelines are set out for three sites (one in Lound, two in Somerleyton) allocated in East Suffolk Council's Local Plan to help deliver well-designed development, responding positively to local factors. The plan's policies also guide the design of new open space; parking provision in new development; and gives support for the development of local businesses.

P03 'Maximise and grow the unique selling points of East Suffolk' is delivered via the neighbourhood plan's support for local businesses and agriculture and delivery of well-designed development.

Priority P05 'Support and Deliver Infrastructure' is supported in the neighbourhood plan through the support for a new village hall and changing rooms in Somerleyton and the retention and enhancement of local community facilities in general.

The Neighbourhood Plan is an excellent example of community-led planning which directly supports P07 'Taking Positive Action on What Matters Most'. Neighbourhood Plans enable communities to plan and respond to local issues.

The Neighbourhood Plan supports delivery of local community facilities including a new village hall and changing rooms in Somerleyton which helps underpin P08 'Maximising health, well-being and safety in our District'.

Supporting and delivering Neighbourhood Plans means the Council is eligible for £20,000 of Neighbourhood Planning Grant from the Government. This supports priority P13 'Optimising our Financial Investments and Grant Opportunities'.

The Neighbourhood Plan contains a range of policies which promote protection and enhancement of the environment. These include guidelines for good quality landscaping in new developments; provision of native trees and planting to enhance biodiversity in new public open space; and strengthening foot, cycle and bridle ways connections in the countryside. This supports priority P23 'Protection, Education and Influence' by using the Council's policy-making function to protect and enhance the environment.

## Background and Justification for Recommendation

1	Background facts
1.1	Neighbourhood Plans were introduced by the Localism Act in 2011. They allow communities to write their own plan containing planning policies which, once 'made', form part of the development plan and are used alongside the East Suffolk Local Plans and national planning policy. Consideration of the development plan is a statutory element of determining planning applications. Neighbourhood Plans also commonly include non-policy actions which reflect the community's aspirations but are not suitable as planning policies. More information on the plan is included below and the full version is in appendix A.
1.2	Lound Parish Council and Ashby, Herringfleet and Somerleyton Parish Council have taken up the opportunity to produce a Neighbourhood Plan for their community.

	<p>The plan has been developed by the community with the Parish Councils being the 'Qualifying Body'. The plan has been through several stages of consultation, including statutory consultations, and an Examination carried out by an independent examiner. The Examiner recommended that the Neighbourhood Plan proceeded to a Referendum. The Referendum took place on 23<sup>rd</sup> June 2022.</p> <p>The question asked at the Referendum is: <i>Do you want the Broads Authority and East Suffolk Council to use the Neighbourhood Plan for Lound with Ashby, Herringfleet and Somerleyton to help it decide planning applications in the neighbourhood area?</i></p> <p>193 people voted 'yes' and 17 people voted 'no'. The referendum outcome was therefore positive. Turnout was 34.3%.</p>
1.3	<p>Neighbourhood Planning Regulations state that the Neighbourhood Plan will carry full weight once the plan has passed the Referendum. The Neighbourhood Plan will formally become part of the Development Plan once it is made. The Council is required to make the Neighbourhood Plan within 8 weeks of the day following the Referendum, unless it considers that this would breach, or be incompatible with any EU obligation or any of the Convention of Rights. No such breaches or incompatibilities have been identified for the Neighbourhood Plan.</p>
1.4	<p>Areas with a made Neighbourhood Plan benefit from a greater proportion of the 'Community Infrastructure Levy' (CIL) where this is payable. The CIL is a tariff paid by liable forms of development and it is calculated using the development's floor area. CIL is paid to the Council by the developer. A proportion of this money is then paid directly to the Parish or Town Council on a bi-annual basis. Parish or Town Councils receive 25% CIL receipts where there is a made Neighbourhood Plan in place, or 15% without. The CIL regulations apply a cap to the annual amount of CIL transferred to Parish or Town Councils where there is no Neighbourhood Plan in place. It is capped at £100 per dwelling (indexed for inflation). There is no cap on the 25% transferred when a made Neighbourhood Plan is in place.</p>
1.5	<p>The Neighbourhood Plan Area covers the entire parishes of Lound and Ashby, Herringfleet and Somerleyton. A link to the 'Neighbourhood Area Decision Notice' is provided in the Background Reference Papers. The Neighbourhood Plan aims to guide development on three sites which have been allocated for housing in East Suffolk's Waveney Local Plan. The neighbourhood plan specifically requires development proposals on these sites to take in to account the guidelines set out in the Masterplanning and Design Guidelines document, which was produced by consultants on behalf of the Parish Councils. A link to this document is provided in the background reference section of this report. The plan also requires all other residential in general to respond positively to the Masterplanning and Design Guidelines document. The neighbourhood plan also provides support for delivery of smaller homes of 1, 2 or 3 bedrooms. The plan gives direction on how new public open space should be designed so that the character of the villages is maintained and enhanced and biodiversity improvements are provided. Public rights of way in the parishes are safeguarded and new connections to these are supported. The neighbourhood plan also sets out minimum parking requirements</p>

	for new residential development. Local community facilities are supported in general, with specific support provided for a new village hall and changing rooms at the playing field in Somerleyton. Development of new businesses or expansion or existing businesses is also supported.
1.6	Lound and Ashby, Herringfleet and Somerleyton Parish Councils consulted with the local community to produce their plan. This is documented in their Consultation Statement (see Background Reference Papers). Following this, the Neighbourhood Plan was submitted to the Council and the Council publicised the plan, inviting comments over the period of 1 <sup>st</sup> September to 13 <sup>th</sup> October 2021.
1.7	<p>Following this period of publicity, East Suffolk Council and the Broads Authority, with the agreement of Lound and Ashby, Herringfleet and Somerleyton Parish Councils, appointed independent Andrew Ashcroft BA (Hons) M.A DMS MRTPI to examine the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan. The role of the Examiner is to ensure the Neighbourhood Plan meets the relevant legislative and procedural requirements. Testing against the 'Basic Conditions' set out in the Town and Country Planning Act 1990 is the main element of this. The Examiner issued his Report in February 2022 (see Background Reference Papers) and it concluded that subject to modifications the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan meets the Basic Conditions and should proceed to Referendum. It also concluded that the Neighbourhood Plan was compatible with European Obligations and the European Convention on Human Rights.</p> <p>Following discussion with the Parish Councils, East Suffolk Council (using powers delegated to the Head of Planning and Coastal Management) and the Broads Authority considered each of the recommended modifications which were all then agreed. The Decision Statement for the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan was published in March 2022 (see Background Reference Papers) (an erratum version was subsequently published in May 2022 to correct some minor errors). The date for the Referendum of 23<sup>rd</sup> June 2022 was agreed with the Parish Councils.</p>

## 2 Current position

2.1	The Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan successfully passed the Referendum on 23 <sup>rd</sup> June 2022. Legislation states that the Council must make a Neighbourhood Plan within 8 weeks of the day after a successful Referendum, unless it considers that this would breach or be incompatible with any EU obligation or any of the Convention of Rights.
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## 3 How to address current situation

3.1	The Council should make the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan without delay.
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## 4 Reason/s for recommendation



4.1	Following a successful Referendum, the Council must make the Neighbourhood Plan within 8 weeks of the day following the Referendum unless it considers that this would breach or be incompatible with any EU obligation or any of the Convention of Rights. There are no indications of breaches or compatibility issues therefore the Council must make the Neighbourhood Plan.
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## Appendices

### Appendices:

<b>Appendix A</b>	Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan (Referendum Version, May 2022)
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### Background reference papers:

Date	Type	Available From
September 2016	Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Area Decision	<a href="https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Decision-notice.pdf">https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Decision-notice.pdf</a>
June 2019	Lound and Somerleyton, Suffolk – Masterplanning and Design Guidelines	<a href="https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Submission-Consultation/Design-Guide.pdf">https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Submission-Consultation/Design-Guide.pdf</a>
Sept 2022	Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan Consultation Statement	<a href="https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Submission-Consultation/LAHS-Consultation-Statement-2021.07.28.pdf">https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Submission-Consultation/LAHS-Consultation-Statement-2021.07.28.pdf</a>
February 2022	Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan Examiner's Report	<a href="https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Examination-Documents/Examiners-Report.pdf">https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Examination-Documents/Examiners-Report.pdf</a>
May 2022	Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan Decision Statement	<a href="https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Examination-Documents/Decision-statement.pdf">https://www.eastsuffolk.gov.uk/assets/Planning/Neighbourhood-Planning/Designated-Neighbourhood-Areas/Lound-Ashby-Herringfleet-and-Somerleyton/Examination-Documents/Decision-statement.pdf</a>



**Lound with Ashby, Herringfleet  
and Somerleyton**

**Neighbourhood Plan 2014 to 2036**

***Referendum Version***

**May 2022**

# Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

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1.	Introduction	<i>page 2</i>
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4.	Our Vision for 2036	<i>page 5</i>
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9.	Community Facilities	<i>page 21</i>
10.	Business and Employment	<i>page 26</i>
11.	Health	<i>page 27</i>

## Appendix 1

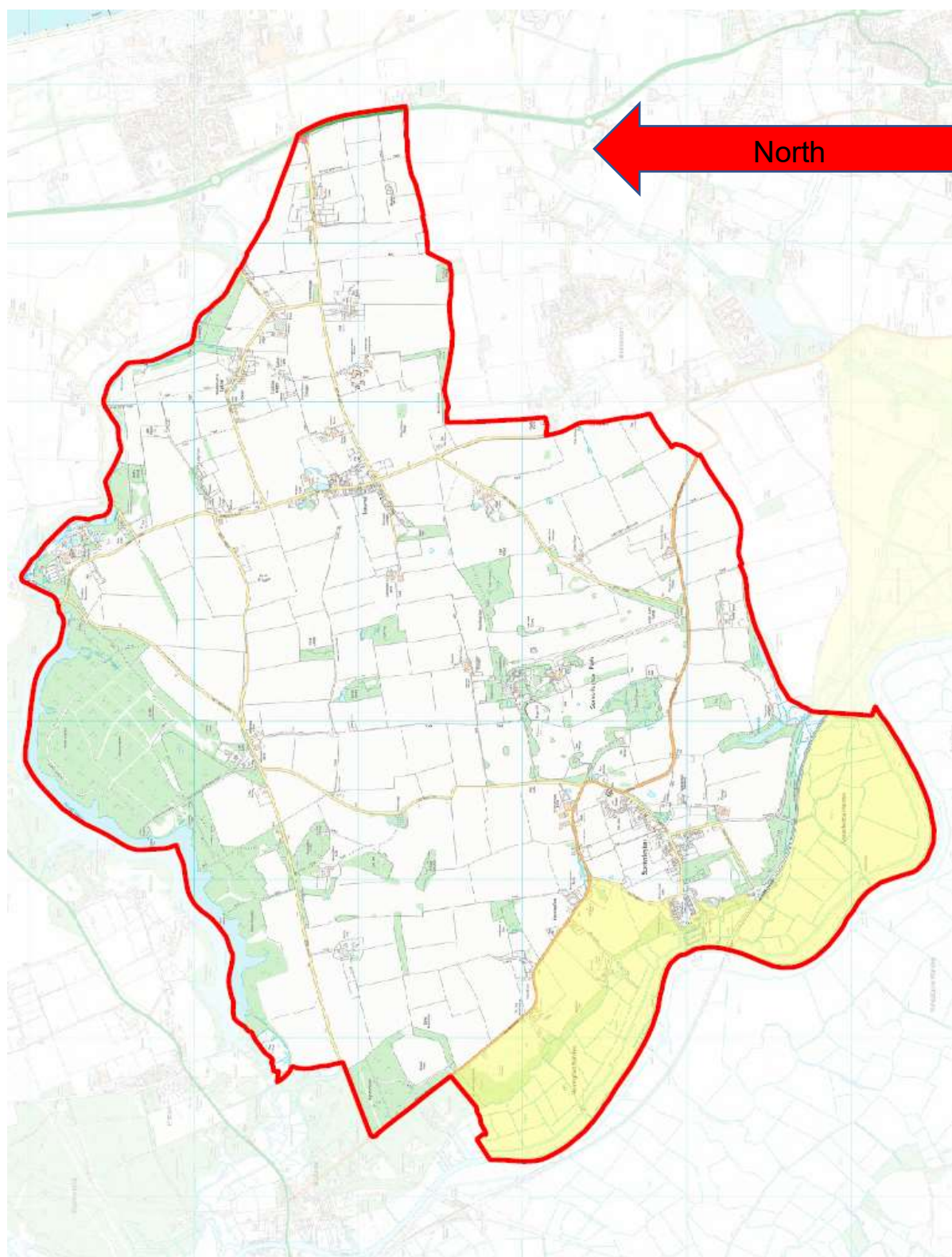
Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines, AECOM, June 2019

# Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

## **1. Introduction**

- 1.1 Lound and Ashby, Herringfleet & Somerleyton are adjoining parishes in the north of Suffolk. The area is rural, with much of the land being used for agriculture. The main settlement areas are the villages of Somerleyton and Lound, with smaller settlements at Herringfleet and Ashby, together with some scattered farmhouses and converted farm buildings or farm workers' cottages. The two parishes have a combined area of around 2020 hectares, and a total population of around 780 (2011 census).
- 1.2 Early in 2016 the two parish councils agreed to work together to develop a joint neighbourhood plan. A steering group consisting of residents and Parish Councillors was set up to lead the work.
- 1.3 One of the initial pieces of work was to agree and gain acceptance from the former Waveney District Council (now East Suffolk Council) and the Broads Authority for the designated Neighbourhood Area. The agreed plan area includes the whole of the parish of Lound, and the whole of the parish of Ashby, Herringfleet & Somerleyton. See map on next page.
- 1.4 Local residents accept that there needs to be some development in the parishes in order to maintain the communities, but they are keen to preserve the rural image and not have the area transformed by inappropriate development.
- 1.5 The steering group arranged informal open meetings in November 2016, which were held in Lound Village Hall and in Somerleyton Village Hall. Many local residents came to these meetings to express their views and concerns about living in the area.
- 1.6 These meetings were followed by a written questionnaire which was distributed to all households in August 2017. This questionnaire probed in more detail the issues raised at our open meetings. Over 50% of the questionnaires were returned. For more details of the questionnaire responses see the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan Supporting Evidence document
- 1.7 The East Suffolk Council (Waveney) Local Plan was adopted in March 2019 and the Local Plan for the Broads was adopted in May 2019. Our Neighbourhood Plan is required to be in general conformity with the adopted Local plans. The Plan period for the Neighbourhood Plan is 2014 to 2036. The neighbourhood area is shown on the map in Section 2 of this Plan.

## **2. Map of the Neighbourhood Plan Area**



Neighbourhood Area Boundary



Broads Authority Area



### **3. Profile of the Parishes**

- 3.1 The parishes of Somerleyton, Ashby, and Herringfleet were joined together to form one civil parish in 1987. This parish has a population of 427 (2011 census). The majority of the land in this parish is owned by the Somerleyton Estate.
- 3.2 The parish of Lound has a population of 359 (2011 census), and around a quarter of the land in this parish is also owned by the Somerleyton Estate.
- 3.3 These are the two most northerly parishes in Suffolk, bordered to the north by Fritton Lake, to the east by the A47 trunk road, to the south by Blundeston parish, and to the west by the river Waveney.
- 3.4 Somerleyton Hall is a popular heritage visitor attraction, surrounded by gardens and historic parkland. The Hall is a grade II\* listed building and is the private residence of Lord Somerleyton and his family. It is also available to hire for weddings or private parties.
- 3.5 Somerleyton Hall is part of the Somerleyton Estate, which extends to a total of around 2000 hectares (some outside the plan area). The Estate also owns over 100 properties which are mainly residential houses in Somerleyton. These are let on the open market.
- 3.6 Ashby, Herringfleet, Somerleyton and Lound each have ancient Listed churches. These four churches, together with churches at Fritton and Blundeston (which are outside the Neighbourhood Plan area) are grouped together into a single benefice.
- 3.7 There is a conservation area in Somerleyton which extends from The Green down The Street to the Brickfields Cottages, including a working farm and the village pond, as well as other interesting and attractive buildings. The intention of the Conservation area is to preserve and enhance this exceptional village character.
- 3.8 All the settlements making up the two Civil Parishes have their complement of Listed Buildings, as well as traditional buildings including farmhouses and cottages of great character.
- 3.9 Somerleyton railway station is on the Southern edge of the village and has regular services to Norwich and Lowestoft. Near the Station are the remains of Somerleyton Brickyard, which at its early twentieth century peak produced around 2 million handmade bricks a year.
- 3.10 Other facilities in Somerleyton include a Primary School, a village hall, a public house and a Marina.
- 3.11 The main part of the settlement of Lound is along The Street. This area contains the church, the public house, a cafe, the village hall, the village green and the village pond (The Mardle). The parish of Lound also contains two garden centres, a residential nursing home, and Lound water treatment works.
- 3.12 North of Lound village large freshwater lakes were dug in the late 19th and early 20th centuries to provide drinking water for Lowestoft. These lakes survive and still have the same public function today. There are extensive filtration and

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

purification facilities at the Lound water treatment works. The lakes and surrounding grassland and woodland, owned by Essex & Suffolk Water, is designated as a County Wildlife Site. Some of this surrounding landscape area is accessible to the public via public footpaths. The site has been extensively surveyed and Suffolk Wildlife Trust advise on its management. There is a long history of nature conservation at the site due to its use as a water source, parts of the site have never been artificially fertilized.

- 3.13 Part of the area is the Broads, which are a nationally protected landscape with status equivalent to a National Park. Businesses in the area rely on the Broads and the Broads bring tourism to the area.



**Somerleyton Station**

## **4. Our Vision for 2036**

- 4.1 The Neighbourhood Plan will enhance the lives of residents of all age groups in Lound, Ashby, Herringfleet and Somerleyton by protecting the rural identity, the scenic beauty, the Broads and the balance of built and natural landscape and tranquillity.
- 4.2 We will support community infrastructure, ensure future-housing provision will meet requirements generated by local needs and promote sustainable development. New homes will have been built, in accordance with the principles in our design guide, ensuring they blend into the villages by careful design and landscaping. New housing development will not have changed the distinct nature of the villages. More young people and families will be living and thriving here, with the population extending across all age ranges, with the facilities in the area supporting the community's existing inhabitants and attracting newcomers. This will ensure a continued vibrant safe and supportive community in our villages.

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

### **5. Objectives of the Neighbourhood Plan.**

Our objectives for the Neighbourhood Plan are initially defined as:

- 5.1 To protect and enhance the rural and historic qualities of the parishes. This will include the surrounding landscapes which include woodland, historic parks, open views across agricultural land and the Broads.
- 5.2 To set clear guidance on future appropriate housing development whilst safeguarding the village landscape.
- 5.3 To ensure that the allocated sites in Somerleyton and Lound, as identified by the East Suffolk Council (Waveney) Local Plan and all new housing developments are developed in accordance with the independently produced design briefs. Residential moorings at Somerleyton Marina are addressed in the Broads Authority's Local Plan.
- 5.4 To support and improve local facilities and amenities.
- 5.5 To encourage the growth of local businesses, particularly those providing facilities for leisure activities and local tourism.
- 5.6 These objectives were derived from responses following the open consultation meetings held on 13th November 2016. Further details of these meetings are contained in our statement of consultation document, included in our supporting evidence file.
- 5.7 In producing the Neighbourhood Plan we developed the five original broad objectives into a series of more specific objectives (categorised as social, environmental and economic). These detailed objectives are shown in the three tables below. The tables also show the linkage between our new policies and the objectives they will address.
- 5.8 The following objectives have been formed in consideration with the provisions of both the East Suffolk (Waveney) and Broads Local Plans.

#### **Social Objectives**

	Objective	Policy
Soc 1	To embrace change and the development of new homes for the long-term benefit of the whole community.	1,2,3,4
Soc 2	To see our parishes and their communities grow and flourish whilst maintaining the small rural village ethos where people look out for their neighbours' welfare.	1,2,3,5,7
Soc 3	To protect and grow the current services and facilities in the villages, and in particular encourage a range of community activities based on the village halls.	7,8
Soc 4	To enable the population to grow and become more balanced in terms of age.	1,2
Soc 5	To attract younger people and families to join the community	1,7,8



## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

### Environmental Objectives

	Objective	Policy
Env 1	To enhance the rural character of the parishes through new community environmental planting projects, additional footpaths, cycle routes and bridleways.	2,5
Env 2	To enhance access to the open countryside.	2,5
Env 3	To keep as much of our local agricultural land as possible for agriculture.	9
Env 4	To maintain our existing open countryside and rural views.	2,3,5
Env 5	To protect and maintain the existing heritage assets; the many listed buildings and the Somerleyton Conservation area.	4
Env 6	To protect and enhance the rural, and historic qualities, the scenic beauty of the upland countryside and its margins with the Broads	2, 3, 4

### Economic Objectives

	Objective	Policy
Econ 1	To maintain and expand our existing services.	8
Econ 2	To support existing employers in the area.	9
Econ 3	To support the diversification of suitable redundant agricultural, brownfield and previously used sites.	9
Econ 4	To make the parish an appealing location for small businesses and entrepreneurs by supporting suitable development sites for business start-ups.	9
Econ 5	To support tourism and leisure businesses.	9

### **6. Policies included in this Neighbourhood Plan**

Policy LAHS 1 - Housing Mix and Size	Page 8
Policy LAHS 2 - Development of Allocated Sites	Page 11
Policy LAHS 3 - Open Space in new Residential Developments	Page 15
Policy LAHS 4 - Design of new Residential Developments	Page 16
Policy LAHS 5 - Provision of Public Rights of Way	Page 18
Policy LAHS 6 -Parking Provision for new Residential Developments	Page 19
Policy LAHS 7 - Provision of new Somerleyton Village Hall and Changing Rooms	Page 24
Policy LAHS 8 - Support of Local Community Facilities	Page 25
Policy LAHS 9 - Support of Local Businesses	Page 26

## **7. Housing**

### **7.1 Housing Provision**

- 7.1.1 The Area currently consists 362 dwellings of a reasonably even mix of detached, semi-detached and terraced dwellings with a typical home described as detached with 3 bedrooms.
- 7.1.2 Most of the dwellings (59%) are owner occupied whilst 38% are rented. The residual 3% being occupied either under a shared ownership arrangement or as rent free. Somerleyton, Ashby and Herringfleet have a significantly higher proportion of privately rented dwellings compared to Lound, and to national averages.
- 7.1.3 Future housing provision will be the major factor in promoting a measure of growth in the Area. The types of housing provided will influence the range of people attracted to live in the Area and to promote and ensure sustainable communities. There is a desire to encourage younger people and families.
- 7.1.4 Responses from the Neighbourhood Plan Questionnaire show that small homes (1-2 bedrooms) and low-cost homes are favoured, followed by dwellings suitable for older people, with larger homes (4 or more bedrooms) less favoured.
- 7.1.5 Given that the movement of older people from larger underutilised homes to smaller homes serves to release the housing stock for family accommodation, the provision of homes that are adaptable and accessible, which meets the requirements for both older residents in the Area as well as younger people and families, would help encourage this movement.
- 7.1.6 Responses from the Neighbourhood Plan Questionnaire indicate a desire to maintain more independent living across all age ranges and status. Policy LAHS 1 seeks to capture this important local consideration in a policy context. In general terms, it requires that the mix of housing proposals should reflect local housing need and offers specific support for the development of smaller houses. The policy should be read in the wider context of the development plans. It has been designed to supplement policy guidance where residential development is appropriate.

#### **Policy LAHS 1 Housing Mix and Size**

The mix of house sizes in development proposals should respond positively to identified up to date housing need in the neighbourhood area. Development proposals which include provision of 1, 2 and 3 bed dwellings will be particularly supported.

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

### 7.2 **Housing Development**

- 7.2.1 The nature of the Area is one of well-established and varied housing stock. There are only a small number of discrete developments built in recent years, and all of these are limited in size. (eg. Brickfields and Morton Peto Close in Somerleyton, and “The Green” in Lound.)
- 7.2.2 Responses from the Neighbourhood Plan Questionnaire indicate that proposals for large groups of new dwellings in excess of 10 are considered inappropriate but smaller groups of new dwellings would be accepted; however, this would not bring affordable dwellings as the threshold would not be met. Nevertheless, this configuration is endorsed in the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines, AECOM, June 2019. Limiting the number of new houses will ensure that the villages are not overwhelmed by any single group or site and will assist in the integration challenges that each scheme will need to address. The design guide has been prepared to apply to the East Suffolk area only and therefore will not apply to development proposals in the Broads area.
- 7.2.3 Planning applications that are in accordance with the relevant policies DM12: Reuse of Historic Buildings and DM48: Conversion of Building in the Broads Authority Local Plan or WLP8.11: Conversion of Rural Buildings to Residential Use in the Waveney Local Plan and the NPPF support the community’s aspirations.
- 7.2.4 Future housing development must reflect open spaces and rural surroundings commensurate with the Villages’ character.



**Modern housing with green open space and parking is highly visible**

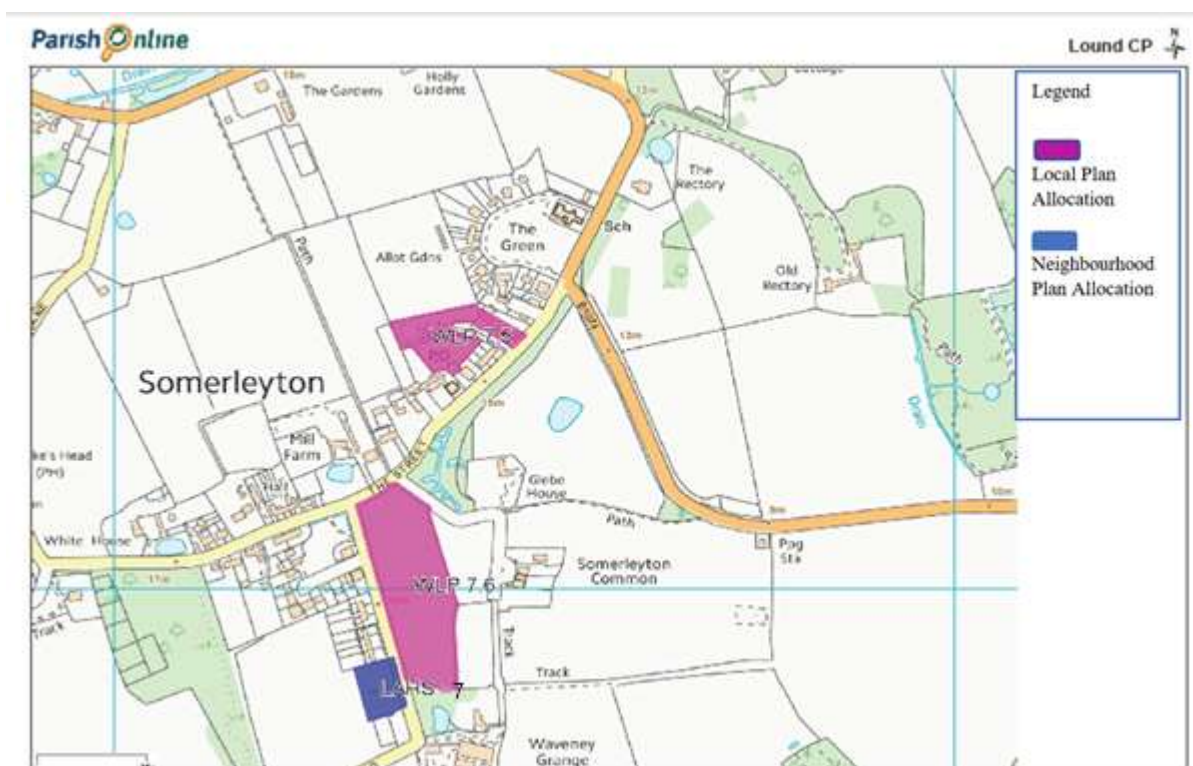
**7.3 Sites for Development (Refer also Appendix 1, Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines, AECOM, June 2019)**

7.3.1 Each of the allocated sites and any future proposals for other sites shall adopt the principles of the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines, AECOM, June 2019.

7.3.2 Two sites in Somerleyton are allocated in the East Suffolk Council (Waveney) Local Plan for housing development. They are:

- WLP7.5 Somerleyton - Land north of The Street; approximately 10 new homes
- WLP7.6 Somerleyton - Mill Farm Field; approximately 35 new homes and open space

These sites were included within the Neighbourhood Plan Questionnaire. The majority of responders to the questionnaire supported the two allocations in principle.

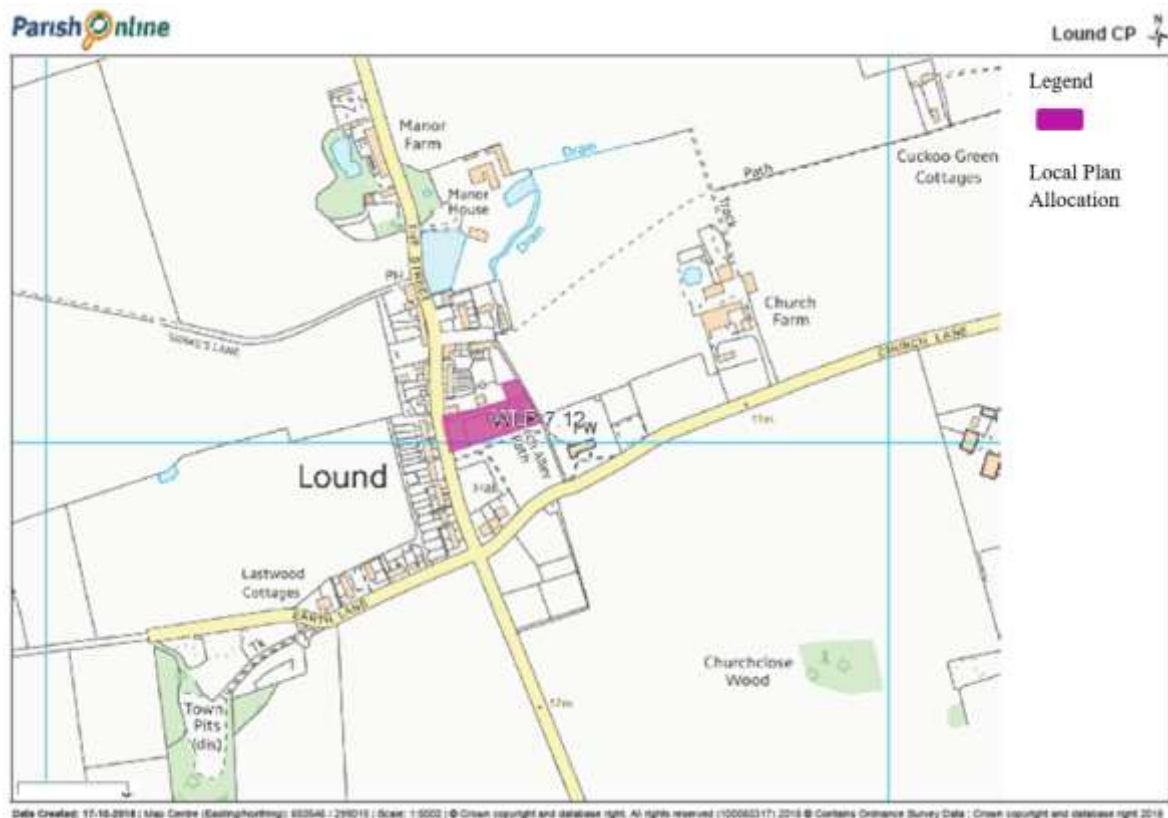


**Somerleyton Map indicating Local Plan allocations and indicative location for village hall and changing rooms**

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

7.3.3 One site in Lound is identified in the adopted East Suffolk Council (Waveney) Local Plan as suitable for housing development, and this was supported by the majority of responders to our questionnaire.

- WLP7.12 Lound - Land east of The Street; approximately 10 new homes



**Lound Map indicating Local Plan allocation**

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7.3.4 Policy LAHS 2 applies the work on Masterplanning and Design Guidance to the development of the three Waveney Local Plan housing sites. It requires that the development of each site responds positively to the relevant section of the Design Guidance. Nevertheless, a degree of flexibility could be necessary where detailed work on the preparation of planning applications may cause the concept masterplans for each site to be refined and/or updated. Plainly East Suffolk Council will consider the contents of the development plan and all material considerations as it determines planning applications.



**Policy LAHS 2 Development of Allocated Sites**

Development proposals for each of the allocated sites in the East Suffolk Council (Waveney) Local Plan should respond positively to the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines, AECOM, June 2019, in general, and in particular -

In relation to WLP7.5 Land North of The Street, Somerleyton to the concept masterplan in section 6.2 and the design features in section 6.3 of the Masterplanning and Design Guidelines.

In relation to WLP7.6 Mill Farm Field to the concept masterplan in section 6.4 and the design features in section 6.5 of the Masterplanning and Design Guidelines

In relation to WLP7.12 Land East of The Street, Lound to the concept masterplan in section 5.2 and the design features in section 5.3 of the Masterplanning and Design Guidelines

- 7.3.5 Other sites were suggested either as part of the East Suffolk Council (Waveney) Local Plan process or from the Neighbourhood Plan process. However, none of these alternative sites were identified for development, and only the three sites listed in the East Suffolk Council (Waveney) Local Plan are included as residential development sites in this Neighbourhood Plan.
- 7.3.6 Any further proposed sites will be considered on their merits, taking account of the policies in the East Suffolk Council (Waveney) Local Plan, the Broads Authority Local Plan 2019 and the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines (AECOM, June 2019). For clarity, the Design Guide applies only to the East Suffolk part of the neighbourhood area. As such, the requirement to apply the design guide in those parts of the neighbourhood area within the Broads Authority Executive Area has been excluded from the contents of Policies LAHS4, LAHS5 and LAHS7 of this Plan.
- 7.3.7 The Broads Authority has allocated 10 marine residential moorings at Somerleyton marina, that are subject to the Broads Authority requirements, ref. "Local Plan for the Broads".

**7.4 Existing Building Styles and Designs**

- 7.4.1 Somerleyton's character is created largely by the Victorian houses and School around The Green. Deliberately designed as a "Model Village" these were intended to look good and to be memorable.

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

7.4.2 Other Victorian terraces along The Street share similar brick details and are of similar scale.

7.4.3 Somerleyton is linked with the parishes of Herringfleet and Ashby for administrative purposes but each of these is very small, consisting simply of an ancient church with its adjacent farm and manor house groups of historic buildings. Herringfleet is located along the St Olave's Road while Ashby has its church isolated in the fields with a farm group of traditional buildings to the north on Blocka Road.



**Victorian Estate Housing in Somerleyton**

7.4.4 In Lound the village character is clearly linear, as The Street runs north south, with a slight sinuosity. The character is created by slight variations of the historic street frontage and by the elevation of some of the houses at the southern end of the village above street eye level.

7.4.5 Lound also has smaller dependent settlements, but these are without churches or other dominant buildings.

7.4.6 The composition and character of Somerleyton and Lound are described in more detail in Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan Supporting Evidence document and represents the local understanding of the quality of each place. Village residents have acquired local knowledge and opinion on the development of the neighbourhood plan area. Their views should contribute towards the formulation of development schemes for their villages and should be taken into account alongside the design guidelines.



**The Street, Lound**

## **7.5 Design Styles for new residential development**

- 7.5.1 With existing buildings dating from the mid seventeenth to the twenty first centuries there is no single style of building within the area.
- 7.5.2 Both Somerleyton and Lound are largely linear in character and any new buildings need to relate to the dominance of The Street in each village.
- 7.5.3 The key to good design for each village, however innovative, is to be found in a correct understanding of their present shape and the traditional forms of their buildings.
- 7.5.4 The natural and planted landscape around and in each village is a major contributor to its character. Additions to either village will need to continue this integration.
- 7.5.5 The character of the two villages is not enhanced by their modern road engineering details. Wherever possible new roads and paths should be edged and paved using traditional materials and details.
- 7.5.6 Neighbourhood Plan Questionnaire responses indicate the importance of new developments harmonising with the existing, pleasantly varied styles and design of houses in the villages and surrounding countryside. The design of new development in the area should therefore ensure visual continuity, particularly in relation to the Somerleyton Conservation Area.
- 7.5.7 A detailed narrative explanation of the style, design and character of the existing villages which can guide future development proposals, is given in sections Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan Supporting Evidence document included with this Plan. Paragraphs 7.5.1 to 7.5.6 have set out particular design characteristics in the neighbourhood area. They are included in this part of the Plan for guidance purposes only. Policy LAHS 4 sets out the Plan's policy on this matter.



## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

7.5.8 The Neighbourhood Plan expresses the wishes of the local community and the design principles which it has chosen to guide future appropriate development within the Neighbourhood Plan Area. These design principles are summarised from the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines, AECOM, June 2019. These principles consider the aspects which both settlements share. They are:

- Street Patterns and Layout
- Connectivity
- Green Space and Public Realm
- Gateways and landmark features
- Land Use
- Boundary Treatments
- Built Form
- Views

7.5.9 The allocated sites do not impact the Broads Authority, but any future development that does should take the Broads Authority requirements into account.

### 7.6 **Open Space**

7.6.1 All new development where public open space is a policy requirement will be expected to reflect the villages' existing character, and protecting and promoting the improvement of existing open spaces is important for the well-being of our local community. Policy LAHS 3 identifies what will be expected in terms of open space provision within new development schemes. In this context planning applications for development which includes public open space should provide details about how this open space will be appropriately managed and maintained.

7.6.2 Policy LAHS3 expands and supports the following development plan policies - Local Plan policies WLP8.23 (Protection of Open Space) of the East Suffolk (Waveney) Local Plan and DM7 (Open space on land, play space, sports fields and allotments) of the Broad Authority Local Plan.

#### **Policy LAHS 3 Public Open Space in new Residential Developments**

Proposals for areas of public open space within development proposals should be designed in a manner which maintains and enhances the existing character of the village in which they are located.

The provision of public open green space should incorporate appropriate native trees and planting to enhance biodiversity.

## **7.7 Design of new Residential Developments**

- 7.7.1 The Villages have a range of architectural styles as identified in Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan Supporting Evidence Section 5 – Character of existing Somerleyton village and Section 6 – Character of existing Lound village and the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines, AECOM, June 2019. LAHS 4 seeks to ensure that new developments reflect existing styles and enhance the character of the Villages.
- 7.7.2 The key design principles for new residential developments shall be those regarding street patterns and layout, boundary treatment and built form. All proposals shall demonstrate that these principles have been understood and incorporated into their design and demonstrated in the associated Design and Access Statement. This approach is consistent with the design led approach as captured in national planning policy. The Neighbourhood Plan sets out the Parish Councils' approach towards a clear design and expectations for development sites. This will ensure that applicants have as much certainty as possible about what is likely to be acceptable.

### **Policy LAHS 4 Design of new Residential Developments**

New residential developments should harmonise with and reflect the character of the existing houses in the immediate locality. New dwellings should be similar in scale, type, and use similar materials to either match or complement existing vernacular houses.

As appropriate to their scale, nature and location, development proposals within the East Suffolk administrative part of the neighbourhood area should respond positively to the requirements of the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines.

## **8. Environment**

### **8.1 General**

- 8.1.1 The Neighbourhood plan area is rural, and our objective is to maintain and protect its tranquil and rural nature. In particular we need to protect the environmentally sensitive areas such as the River Waveney, the marshes in the Waveney valley, and the lakeside areas at Lound Waterworks along with the Broads Authority executive area. The area has high landscape value, with open views across farmland, and clumps of woodland in private ownership.
- 8.1.2 New developments will be expected to take into account and mitigate the impact of climate change via appropriate measures and further enhance biodiversity and challenge climate change. New developments shall be in accordance with the relevant policies of the East Suffolk (Waveney) and Broads Authority local Plans.
- 8.1.3 There are a number of historic listed buildings, and the Somerleyton Conservation area, which is a key feature to be preserved and enhanced.
- 8.1.4 New developments must, as a requirement of the East Suffolk (Waveney) Local Plan Policy WLP8.40 and show SCC Archaeological Service requirements are met. Any developments within the Broads Authority area must comply with policy SP5 (Historic Environment) and DM11 (Heritage Assets).
- 8.1.5 Residents and visitors particularly value The Mardle in Lound with its duck feeding area, Somerleyton village pond, the Lound Lakes nature area, and the village greens in Lound and Somerleyton.
- 8.1.6 Our survey showed that many residents appreciate the opportunity to take part in healthy outdoor activities, with walking, cycling, gardening, and attending allotments being particularly popular.
- 8.1.7 The area also acts as a leisure area for the wider community, with weekly cycle events being organised during the summer months, and visits by a number of walking groups.

### **8.2 Footpaths and Bridleways**

- 8.2.1 The Neighbourhood Plan Area enjoys a network of public footpaths and bridleways which link the villages, settlements and landmarks. This network is ancient in origin, has evolved over many centuries and is still in the process of change.
- 8.2.2 A list of these public rights of way is included in section 16 of the supporting evidence. The map shown in section 16 is an extract from the Suffolk County Council definitive Public Rights of Way. More details can be found online at:

<https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/definitive-maps-of-public-rights-of-way>

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

- 8.2.3 In response to our questionnaire virtually everyone said they walk these footpaths and bridleways regularly, with 30% saying they also use them for cycling, and 10% using them for horse-riding. Many people said they would like to see enhancements to this network of footpaths, with better maintenance and some additional routes.



**Snakes Lane approaching Lound**

### **Policy LAHS 5 Provision of Public Rights of Way**

Development Proposals should safeguard existing footpaths, bridleways and cycle paths and where appropriate, include new provision on the site to connect to the existing network. As appropriate to their scale, nature and location development proposals within the East Suffolk administrative area of the neighbourhood area should also incorporate the requirements of Section 4.1.2 (Connectivity) of the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines.

### **8.3 Traffic and Parking**

- 8.3.1 In general, as car ownership has increased parking cars at existing residential addresses has become more and more problematic. This is especially true in the rural area covered by this Plan as there is limited access to public transport and alternative forms of transport such as walking or cycling are not normally viable means of commuting due to distances and unsuitable roads. Somerleyton has 14 rail services per day between Lowestoft and Norwich and Norwich to Lowestoft. There are no bus services in any of the villages. New residential developments should make adequate provision for the anticipated need for car parking in these circumstances and ensure that it is an integral part of the overall design of the development.
- 8.3.2 The B1074 runs through Herringfleet and Somerleyton. This road carries fairly heavy commuter traffic between Lowestoft and Norwich. The recently imposed 40mph speed restriction has improved safety, although accidents caused by vehicles leaving the road at sharp corners are still common occurrences.
- 8.3.3 Parking on The Street in Lound can be a problem, with vehicles on both sides of the road restricting its width. This has led to difficulties for wide farm machinery.
- 8.3.4 Parking on The Street in Somerleyton and at Somerleyton school is also a problem, with parked cars reducing the B1074 to a single lane at school start and finish times. Some off-road parking for the school would be welcomed however this is outside the sphere of the Neighbourhood Plan and may be a future plan for the school.
- 8.3.5 The recognition that garages provided for dwellings are often repurposed for storage or extra accommodation, additional parking space is required on site to compensate.
- 8.3.6 In addition to compliance with Suffolk County Council "Suffolk Guidance for Parking 2019", new residential development should meet the higher parking standards set out in policy LAHS 6.

#### **Policy LAHS 6 Parking Provision for new Residential Developments**

For all new residential developments, in addition to any garages provided, the following minimum standards shall apply for the provision of off road parking

1 bedroom dwelling = 1 off road car parking space

2 bedroom dwelling = 2 off road car parking spaces

3 or more bedroom dwelling = number of off road car parking spaces equal to number of bedrooms minus 1

A proportion of visitor parking should be provided on-street within any new developments in a way which is well designed, located and integrated into the scheme and avoids obstruction to highway users or a restriction of visibility.

Proposals should include provisions for safe and secure cycle storage, in accordance with adopted cycle parking standards.

#### **8.4 Renewable Energy**

- 8.4.1 The responses to our questionnaire showed that large scale renewable energy schemes would not be welcomed. However, the East Suffolk Council (Waveney) and the Broads Local Plans provide adequate protection of the rural landscape against any unsuitable development within the parishes and for these reasons our Neighbourhood Plan does not have a policy on Renewable Energy.
- 8.4.2 Furthermore this is also covered in the Broads Authority Local plan and it is considered that this adequately covers this issue and all development in both authority areas will need to consider energy demand and sources of energy.

#### **8.5 Flooding**

- 8.5.1 New developments should not result in water run-off that would add to or create surface water flooding and shall include the use of above ground open Sustainable Drainage Systems (SuDS) unless inappropriate, which could include wetland and other water features, that can help reduce flood risk whilst offering other benefits including water quality, amenity/recreational areas and biodiversity benefits.
- 8.5.2 There are general aspirations within the Broads Local Plan for first time rural sewage provision to reduce the nutrient input into the waterways via the groundwater and thus protecting the Broads and its ecology and biodiversity.



**9 Community Facilities**

**9.1 Lound Village Hall**

- 9.1.1 In the late 1980s it was realised that the old wooden building which had served as a meeting room for Lound for over 70 years had reached the end of its life. The meeting room also lacked basic facilities, having no toilets or kitchen. It was agreed that a new village hall was needed, and many meetings were held to discuss how to raise the necessary funds, and how to create a modern village hall that would be financially viable.
- 9.1.2 It proved difficult to raise enough money to have the hall built professionally, although there were many offers of support from local residents. It was finally agreed that the new hall would be a self-build project. As much work as possible was carried out by volunteers, with tradesmen being used as required for the specialist tasks. This enabled the community to replace its village hall without leaving a large outstanding loan to be repaid by future residents.
- 9.1.3 The new village hall was opened in 1996 and is managed as a charity for the benefit of all parishioners.
- 9.1.4 There are many regular users, with classes for Yoga, Pilates, Drawing & Painting, Sewing, and Computing, together with band rehearsals and dancing classes. During the winter there are monthly film evenings. The hall is also available for private parties and meetings.



**Lound Village Green**

- 9.1.5 The village green in Lound was created in 2005 between the village hall and the church. It provides an open green space in the heart of the village which can be enjoyed by everyone. The hall is owned and managed by the Village Hall committee and in recent years it has been used as the site for an annual village fete, held in June.

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

### **Lound Church**

- 9.1.6 The parish church in Lound is dedicated to St John the Baptist. A traditional form of worship is followed, with Sung Eucharist on the first three Sundays of each month. The grade II\* listed building has Medieval origins with many later additions and restorations. The interior was remodelled in the early 20<sup>th</sup> century by the Scottish church architect Sir Ninian Comper, and is richly gilded in the Gothic style. It is known locally as the “Golden Church”, and visitors come from far and wide to view the sumptuous interior which is unusual in a small village church.

### **The Mardle**

- 9.1.7 The village pond in Lound is known as “The Mardle”. This is a local dialect word meaning a pond, or alternatively to chat or gossip. The Mardle is owned by the Parish Council and attracts many visitors who like to sit by the water, chat with their friends, and feed the ducks.

### **Allotments**

- 9.1.8 There are two sets of allotments in Lound; one off Earth Lane owned and managed by the Parish Council, and the other off Church Lane owned and managed by the Village Hall committee. Both sets are fully occupied with local residents enjoying the health benefits of working outside and eating fresh fruit and vegetables.

### **Other Lound Facilities**

- 9.1.9 The Village Maid in Lound is a long-established pub and restaurant. Just along The Street is the Mardle Café. On Jay Lane there is a residential nursing home, and next to this is an East Coast College campus. There are also two garden centres in the village.

## **9.2 Existing Community Facilities in Somerleyton**

### **Somerleyton Playing Field**

- 9.2.1 The Playing Field in Somerleyton is a well-used facility providing an all weather tennis court and 5 a side football pitch. The cricket field is used regularly in the summer both for league matches and training. Currently it has very basic changing and toilet facilities housed in accommodation with only temporary planning permission. There is also a children’s play area on the field which is valued by the community.

### **Somerleyton Green**

- 9.2.2 Somerleyton Green is used by the Primary School for recreation and sport as well as more informal use by residents. The recently upgraded play equipment is suitable for a wide age range and well used at all times but particularly appreciated after school. The Green is also the setting for the Somerleyton School annual fete.





**Cricket on Somerleyton Playing Field**

#### **Somerleyton Village Hall**

- 9.2.3 Somerleyton Village Hall is a valuable asset; it is however in need of repairs and improvements. Despite this it has a Pre-School and offers a range of activities including a badminton group, ukulele group, quiz nights, film nights, jumble sales, art exhibition and the venue for Parish Council meetings and Women's Link, all well supported by the wider community. A site for a new village hall has been long identified by the local community as being best located off Station Road on the existing playing field.

#### **Somerleyton Community Association**

- 9.2.4 Somerleyton Community Association, a registered charity, provides play facilities on the field, and manages the Village Hall.

#### **Somerleyton School**

- 9.2.5 The Primary School in Somerleyton has a good reputation and serves not only the villages but attracts pupils from a wider area.

#### **Parish Churches**

- 9.2.6 The villages of Somerleyton, Ashby and Herringfleet each have a fine listed church. These are part of a group of six churches who share a priest.

#### **Other Somerleyton Facilities**

- 9.2.7 There is a public house/restaurant in Somerleyton called the Dukes Head with an adjoining function room. There is also a Marina and a recently opened bicycle hire shop. Somerleyton has a railway station serving the Norwich to Lowestoft line and a weekly community bus service.
- 9.2.8 Somerleyton Hall and gardens is a heritage attraction popular with visitors and available for private hire. Somerleyton also has a railway station.

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

- 9.2.9 The closure of the village shop and post office in 2016 was of considerable concern and regret to the community. This facility provided a service and a community hub not only to Somerleyton but also to the surrounding villages.
- 9.2.10 There is also a well-established Bowls Club and much appreciated allotments.

### **9.3 Community Aspirations for Somerleyton and Lound**

#### **Somerleyton Playing Field and Village Hall**

- 9.3.1 Somerleyton Community Association is actively pursuing the creation of a new community centre on the playing field, immediately to the south of number 8 Station Road, to provide improved changing and village hall facilities in support of community use and enjoyment of the field, which is designated as Open Space within the East Suffolk Council (Waveney) Local Plan. A new building will permit the removal of the temporary portacabins on the field, will improve the amenity of the field in accordance with Policy WLP8.23 - Protection of Open Space and will be a replacement for the existing village hall thus improving the provision of built community facilities and enabling more activities in accordance with Policy WLP8.22 - Built Community Services and Facilities without compromising the Open Space characteristics of the playing field.

#### **Policy LAHS 7 Provision of new Somerleyton Village Hall and Changing Rooms**

Development proposals for a new community centre including changing facilities on the playing field will be supported subject to the provisions of the Waveney Local Plan, including Policy WLP8.29 - Design, Policy WLP8.30 – Design of Open Spaces and the general principles of the Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines, AECOM, June 2019

#### **Somerleyton School**

- 9.3.2 A key objective of the Neighbourhood Plan is to attract and retain young people and families to the villages; improved facilities will promote this intention.
- 9.3.3 Somerleyton Primary School is also essential in this objective continuing to provide both education and a social and community hub in the future.

#### **Village Shop**

- 9.3.4 It is anticipated that the Somerleyton village shop will be re-established as a community enterprise to serve the surrounding villages, visitors and holidaymakers.

## Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan

### **Railway Station**

- 9.3.5 The regular train service to Norwich and Lowestoft is expected to be maintained for the foreseeable future. There are currently 14 rail services between Norwich and Lowestoft

### **Bus Services**

- 9.3.6 No commercial bus services are provided to the Villages, but community services are currently provided by volunteers.

### **Mobile Library**

- 9.3.7 The Suffolk County Council mobile library currently provides an amenity for residents.

### **Communications**

- 9.3.8 A good and reliable mobile phone coverage and broadband is essential to the majority of residents and businesses and this will improve.

### **Children's Play Equipment**

- 9.3.9 There is currently no children's play area in Lound, children's play area in Lound, and it is an aspiration of the village that a play area will be created on the village green.

## **9.4 Other Facilities**

### **Hospitals**

- 9.4.1 The James Paget University Hospital is around 6 miles away in Gorleston. It provides acute care for the population of Great Yarmouth, Lowestoft and the South Waveney area, and for visitors to the area, and serves a population of approximately 230,000.

### **Doctor's Surgeries**

- 9.4.1 There is no doctor's surgery within the Neighbourhood Plan area. Although some residents would like to see a local surgery, most accept that the villages are too small for a surgery to be viable. There are a number of surgeries within 5 miles, including surgeries at Bradwell, Gorleston, Hopton, Oulton Broad, and North Lowestoft. Most of these surgeries offer home visits for patients who are unable to travel to appointments.

### **Pharmacies.**

- 9.4.2 There are no pharmacies within the plan area, but a number are located within a few miles. Home delivery of medication is available.

## **Policy LAHS 8 Support of Local Community Facilities**

Proposals that retain, enhance or provide local services and community facilities such as meeting places, village halls, sports venues, public houses and places of worship will be supported.

## **10. Business and Employment**

### **10.1 Existing Businesses**

- 10.1.1 In the 1930s farming and market gardening were the main source of employment in the area. There were many separate farms or smallholdings, and most of the working men in the village earned a living from agriculture or horticulture.
- 10.1.2 Through a process of consolidation farms have become larger, and machinery has replaced the manual labour and horses which used to work the land. Although the population of the area has not changed much over the last 80 years, most working people now have to find employment outside the villages.
- 10.1.3 Farming and Market Gardening continue to be important businesses in the area, and their activities shape the countryside we live in. The Somerleyton Estate has a number of business interests in the area, including the Estate farms, a boatyard & marina, and Somerleyton Hall & Gardens, which is a popular heritage visitor attraction.
- 10.1.4 Other businesses in the area include the Lound Waterworks, the Lound Nursing Home, two pubs, two garden centres, a café, and a tree surgery business. There are also a number of smaller businesses based mainly at domestic addresses.

### **10.2 Broadband**

- 10.2.1 Improved broadband speeds and improved mobile phone coverage will enable more residents to work from home and will encourage an increased number of small start-up businesses.

#### **Policy LAHS 9 Support of Local Businesses**

Development proposals for small scale employment uses within the settlement boundaries or adjacent to the settlement boundaries, and the expansion of existing employment premises will be supported provided that:

- any such development is of an appropriate scale and sensitive to the character of the area.
- the employment development concerned should reflect the provisions of the East Suffolk (Waveney) local plan, and if appropriate the Broads Authority local plan.

## **11 Health**

### **11.1 Promotion of Healthy Activity**

11.1.1 Our survey showed that many residents appreciate the opportunity to take part in healthy outdoor activities, with walking, cycling, gardening, and tending allotments being particularly popular.

11.1.2 The area also acts as a leisure area for the wider community, with weekly cycle events being organised during the summer months, and visits by a number of walking groups.

11.1.3 Access to green outside spaces is recognised as contributing to improvements to both physical and mental health and wellbeing for the population as a whole, including increasing the quality of life for the elderly, working age adults, and for children.



**Cyclists signing in for weekly time trial**

**Lound with Ashby, Herringfleet and Somerleyton  
Neighbourhood Plan**

**Appendix 1**

**Lound and Somerleyton, Suffolk, Masterplanning and Design Guidelines,  
AECOM, June 2019**

**Preface**

The production of the Masterplanning and Design Guidelines was a requirement of site allocations contained within East Suffolk Council (Waveney) Local Plan. It was developed on behalf the Lound with Ashby, Herringfleet and Somerleyton Neighbourhood Plan committee by AECOM Infrastructure and Environment Ltd. Cambridge.

The Masterplanning and Design Guidelines were well received by East Suffolk Planning officers who commented on "the very high standard of the Design Guidelines by AECOM. Its structure, analysis, approach, details and layout are clear, comprehensible and supportable. It would serve very well as a model for other Neighbourhood Plans to follow.

The Design Guide does not refer to any developments within the Broads Authority area which will be subject to the provisions of the Broads Local Plan 2019.





**FULL COUNCIL**

**Wednesday, 27 July 2022**

<b>Subject</b>	Cabinet Members' Report and Outside Bodies Representatives' Report to Council
<b>Report by</b>	Councillor Steve Gallant Leader of the Council

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable.
<b>Wards Affected:</b>	All Wards
<b>Purpose of Report:</b> To receive the Cabinet Members' Report and the Outside Bodies Representatives' Report to Council, for information.	
<b>Options:</b> Not applicable.	

## Cabinet Members' Reports to Council

<b>Cabinet Member:</b>	Councillor Craig Rivett – Deputy Leader and Cabinet Member with responsibility for Economic Development
<b>Contact Details:</b>	<a href="mailto:craig.rivett@eastsoffolk.gov.uk">craig.rivett@eastsoffolk.gov.uk</a> Tel: 07831 370806

An Economic Development update is attached as Appendix A to this report.

<b>Cabinet Member:</b>	Councillor Mary Rudd, Cabinet Member with responsibility for Community Health
<b>Contact Details:</b>	<a href="mailto:mary.rudd@eastsoffolk.gov.uk">mary.rudd@eastsoffolk.gov.uk</a> Tel: 07867 372976

This report is slightly different from normal as I have been to two different venues and seen what other activities help mental health in all ages.

I was invited to the Special Olympics National Summer Series of Sport Waveney Open Gymnastics Competition 2022. This was held at Waveney Gymnastics Club in Lowestoft. This event was special version of four elements adapted for people with intellectual disabilities to help maintain healthy lives. The biggest emphasis of which is supporting the mental wellbeing of the athletes and help prepare them to return to sport and activity once it is safe to do so.

Together with two other Councillors and a third joined us later we were able to see what all these young people were able to do on all the equipment which was available to them. These were not just local people but came from all over the country, some from Jersey. I have to say they did extremely well in what they were able to do on the floor exercises, bars, rings etc. Fortunately for me I was not asked to join in! After they had all been judged, it was time for the medal ceremony. Every competitor who had won a medal was so happy and I am surprised some of them could walk afterward as they had so many medals around their necks. I know they appreciated their families watching them and cheering them on.

It was a very good day to see what a difference the day made to them all and they all left very happy people.

A couple of days after this I visited a centre for older people and as with my other visit the difference it made to these people was very noticeable. In the morning there were exercises for them all sitting on chairs, everyone joined in with everything asked of them. When I spoke to them, they all agreed it was really great for them to see other people and have a chat as lockdown had left several of them very lonely. Many of them stayed for lunch, some left and others arrived for an afternoon session which was singing. It was quite unbelievable how they all seem to come to life when they were singing, fortunately for them I had to leave before I could be asked to join in as apparently, I cannot sing in tune!



These couple of days I spent with all age ranges really made a difference to them all and sometimes it is quite small things which make a huge difference.

<b>Cabinet Member:</b>	Councillor Letitia Smith, Cabinet Member with responsibility for Communities, Leisure and Tourism
<b>Contact Details:</b>	<a href="mailto:letitia.smith@eastsuffolk.gov.uk">letitia.smith@eastsuffolk.gov.uk</a> Tel: 07824 865973

### Communities Update

I am delighted that each of our eight Community Partnerships is now meeting face to face and using interactive workshop sessions to revise their priorities for the current year, based on partly updated data packs and local insight (including about the impacts of the Cost of Living crisis). In response to the recommendations from the Peer Challenge last year, these priorities will be more specific and measurable to enable us to further demonstrate the impact of the partnerships across the District. I am particularly pleased with the level of engagement from Town and Parish Councils in these sessions and hope that this continues.

Our new Community Partnerships newsletter provides a really good overview of the work of the Board and partnerships for each Councillor to use in their ward, and this is part of a broader push to raise the profile of the Community Partnerships, for example, the local Community Partnership is now being promoted in parish newsletters in Beccles and Bungay and also enjoys a monthly column in the Beccles and Bungay Journal.

There is growing collaboration between the Integrated Neighbourhood Teams (INTs) and the Community Partnerships in the south of the District, which is fantastic to see as it helps avoid duplication. They are currently working together on a dental project, providing dental hygiene packs and advice to thousands of local children in schools. To make collaboration and identifying best practice much easier, we have created a central project register for all projects delivered by the Community Partnerships.

I'm always encouraged by the breadth and depth of the support our Community Partnerships deliver. Our Men's Sheds, Slipper Swaps and Virtual Walks continue to be popular, as do our Chinwags events, where sometimes over 100 older people get together for coffee and a chat.

In the Kesgrave, Martlesham and Villages Community Partnership, SPOT Wellbeing delivered a course of workshops where 90% of attendees reported improved health and wellbeing – and, during the same period, we delivered nearly 2,000 hi-vis safety vests to local children to keep them safe on their walks to school. In the Melton, Woodbridge and Deben Peninsular Community Partnership area, Melton Parish Council was awarded funding toward new play equipment on their sports field and additional planting to improve biodiversity, and Rendlesham Community Radio was supported to help young performers explore their potential in performing arts and express the challenges they face. The Framlingham, Wickham Market and Villages Community Partnership helped fund a wheelchair accessible vehicle for Hour Community which has already completed nearly 200

trips covering 6,000 miles delivered by 10 volunteer drivers. As you can see, there is an incredibly diverse range of projects, both large and small, that make a huge difference to communities.

Community Partnerships have started to consider the suggestions emerging from the new Youth Voice webpage, which includes a simple form for young people to have their say. This will be alongside Youth Voice 'collection boxes' which have previously been placed in a variety of locations and used successfully to develop new ideas. The ideas raised are collated by the Communities Team and fed to the relevant partners and the Community Partnerships for consideration and action to address the issues raised. The form can be found at [https://my.eastsuffolk.gov.uk/service/Youth\\_voice](https://my.eastsuffolk.gov.uk/service/Youth_voice) Alongside this engagement with younger people in our District, the Communities Officers are working to expand the membership of their individual partnerships to draw in additional talent to help deliver on the more specific objectives currently being created.

The new single Citizens Advice East Suffolk (CAES) is now in place and Chiara Saunders appointed as Chief Officer. The single organisation replaces the three bureaux that previously covered the District. We will be working closely with CAES as it evolves, particularly around the emerging 'Ease the Squeeze' programme.

To date more than £160,000 have been allocated through the Boost Grants that are part of the Council's Covid Community Recovery Programme. These grants focus on two groups identified as particularly vulnerable during the Covid-19 pandemic – those with disabilities (and their carers) and people with dementia (and their carers). The other three themes focussed on mental health, keeping fit and active and sustainable food. More than 30 local groups have benefited from grants of up to £5,000. The unspent funding from this programme will be rolled into the Food and Essentials theme of the Cost of Living programme.

## Outside Bodies Representatives' Reports

Broads Authority	
<b>Representative:</b>	Councillor Andree Gee
<b>Contact Details:</b>	<a href="mailto:andree.gee@easstsuffolk.gov.uk">andree.gee@easstsuffolk.gov.uk</a> Tel: 07825 272985

Please find below a link to an article from the National Geographical Magazine, which appeared recently regarding the Broads, for your information.

Norfolk Broads: wildlife-watching on a wetland safari

<https://www.nationalgeographic.co.uk/travel/2022/05/norfolk-broads-wildlife-watching-on-a-wetland-safari>

Sizewell Site Stakeholder Group	
<b>Representative:</b>	Councillor Craig Rivett
<b>Contact Details:</b>	<a href="mailto:craig.rivett@easstsuffolk.gov.uk">craig.rivett@easstsuffolk.gov.uk</a> Tel: 07931 341440

The following documents are attached as Appendices to this report:

- Sizewell Site Stakeholder Group Report January to May 2022 (Appendix B)
- Office for Nuclear Regulation Site Report for Sizewell A (Appendix C)
- Office for Nuclear Regulation Site Report for Sizewell B (Appendix D)

## Appendices

Appendices:	
<b>Appendix A</b>	An Economic Development Update from Councillor Rivett
<b>Appendix B</b>	Sizewell Site Stakeholder Group Report
<b>Appendix C</b>	Office for Nuclear Regulation Site Report for Sizewell A
<b>Appendix D</b>	Office for Nuclear Regulation Site Report for Sizewell B

Background reference papers:	
None.	

# Quarter 4 Update

2021—2022



## Key Performance Indicators



2100

Target  
425

### Businesses Engaged

Figures exceeded target for Q4, this can be attributed to the better than predicted results of the East Suffolk Business Festival as well as Lowestoft Creative Hub holding 6 workshops.



142

### Businesses Supported

Of the 2100 engagements, 142 businesses received direct support.



£20,000

### External Funding Secured

During this quarter, £20,000 of income was generated through a successful C-CARE Towns Challenge Fund bid. The project will pilot a young people's engagement strategy in Framlingham to support town event succession planning.

# Key Performance Indicators

## Supporting Businesses



● **East Suffolk Digital Business Festival** — which ran from 7th – 18th February consisted of new digital business support programmes, digital tech demos, information on local digital projects and a wide range of workshops, webinars and learning seminars – with 53 events in total. It directly supported (as of 24th March) 1,811 businesses and continues to receive views online.

● **Freeport East**—As Lead Authority ESC continue to lead the development work of Freeport East. In April the Full Business Case was submitted to government setting how we will deliver the FE objectives. This is a significant milestone as once the FBC is approved it will result in the release of £25m of Capital Seed Funding to invest in the three Tax Sites and mark our formal commitment, via a MoU with government, to deliver the objectives of the FBC in relation to boosting trade, levelling up, attracting significant inward investment, achieving net zero and enabling skills development.

● **ESTI and Business Association Development Fund (BADF)** — Within Q4, two BADF projects were awarded funding totalling £2,648 resulting in a total of £19,334 being awarded under that grant scheme, which has now closed. Under ESTI, four projects were awarded funding totalling £32,383.96 resulting in a total of £74,289.56 being awarded so far during 2021/22 under that grant programme.

● **Welcome Back Fund programme** — has come to financial completion and outputs were – delivery of the Towns Celebration programme, Towns and Digital Trails package, a 5 and half month trial for Click It Local, Town Guides, Think Local Campaign, Survey of East Suffolk town centre businesses, East Suffolk Economic Growth Plan refresh and East Suffolk Visitor Economy Strategy. Pilots to be analysed on completion.

● **Town Development Co-ordinators** — are in place and are working with Bungay, Halesworth and Saxmundham and currently reviewing and mapping priorities.

# Key Performance Indicators



## Regenerating East Suffolk

● **Enterprise Zones** — have secured 3 new businesses, securing 4 units in total and the Enterprise Zone marketing meetings have been re-established.

● **Towns Fund Business Cases** — approval has been received from Cabinet for the Historic Quarter, Station Quarter, Seafront and Port Gateway businesses cases. Cultural Quarter is being worked up ready for Cabinet in May. Work in general is continuing on the Towns Fund projects.

● **Restoration Work** — has commenced on the Lowestoft Post Office and Crown Score.

● **PowerPark** — the Newcombe Road development is being worked up for planning, contractor has been secured and surveys are being carried out. A working group has been formed for the PowerPark.

● **Lowestoft Creative Hub** — concluded on 31st March. Due to its success and areas that have been identified for further development, we are seeking further funding to continue the programme.

● **Martello Café** – £1.5m Iconic Felixstowe south seafront café/restaurant construction shell build completed Oct 2021. Internal fitout being finalised by new operating partner and new business set to open in May 2022.

● **Beach Village & Activity Park** – new accessible beach hut pods for hire, new beach huts for sale, and an outdoor gym, climbing wall, boule courts and fitness space. Architects design, planning permission and detailed QS all completed in second half of 2021. Procurement of main build contractor now underway and construction starts Sept 2022 with all new facilities to open by April 2023.

● **Leiston Masterplan** — East Suffolk Council are working closely with partners in Leiston to develop a Town centre masterplan to consider the regeneration and high-level urban planning opportunities within an agreed town centre masterplan boundary. The project will build on the positive work already completed and progressing by the Leiston Community Land Trust and the Town Council including the Neighbourhood Plan, Transport Strategy and the CLT business plan. This will provide a clear vision for Leiston Town Centre which will serve as a catalyst for further development and inward investment. It is anticipated that the masterplan will be completed winter 2022.



# Sizewell Sites Stakeholder Group Report

**This report covers the Environment Agency's regulation of Sizewell A & Sizewell B nuclear sites and related issues for the period January 2022 to May 2022.**

## Our Regulation

We regulate radioactive waste disposals and discharges to the environment. We do this by placing limits and conditions in environmental permits, which helps us to ensure that radioactive waste discharges are minimised, and that the environment is protected. We carry out a variety of regulatory activities to check for compliance with our regulatory requirements, including site inspection, review of documents and arrangements and any reports of events.

Details of our assessments and any non-compliances identified are included in Radioactive Substances Compliance Assessment Reports (RASCARs), which are placed on our public register. See the 'further information' section at the end of this document to find out how to request documents from our public register.

We regulate and control other activities through our environmental permits, including surface water discharges to surrounding water bodies and emissions to air from emergency diesel generators. We are also the joint competent authority, alongside the Office for Nuclear Regulation (ONR), for the Control of Major Accident Hazard (COMAH) regulations that apply to Sizewell B.

## Nuclear regulation operational update

In March 2022, the chairs of the Environment Agency, the ONR, and the Health and Safety Executive (HSE) took part in a planned visit to the Sizewell B and prospective Sizewell C sites. The visit was part of a routine engagement programme that takes place between the chairs where they discuss topics of mutual interest and collaboration. Further information is available at: <https://news.onr.org.uk/2022/03/three-uk-regulators-in-joint-chairpersons-nuclear-site-visit/>

## Site Regulation

### Sizewell A

We continue to hold monthly meetings with Magnox to discuss work underway at Sizewell A that has an environmental impact. We review routine reports produced by Magnox including discharge reports and event reports. We attended the annual review of safety, security, and the environment (ARRoSSE) for sites in south-east England, held at Sizewell A.

In March we carried out a joint inspection with ONR on solid waste management arrangements at Sizewell A, concentrating on waste minimization, minimizing secondary waste generated while waste is in storage, and the site's plans for waste retrieval. We did not identify any non-compliances during this inspection.

We met with Magnox staff in May to discuss the implementation of the Magnox Sustainability Strategy at Sizewell A.

**customer service line 03708 506 506**

**floodline 03459 88 11 88**

**incident hotline 0800 80 70 60**

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## **Sizewell B**

Alongside our inspection programme, we have maintained bi-weekly telephone and regular email contact with EDF, and routine review of returns. In April 2022 we carried out an inspection of gaseous effluent management, sampling, and discharge at Sizewell B. It indicated that gaseous wastes continue to be appropriately managed and minimised at the site. Sampling arrangements ensure that EDF-NGL understands the gaseous discharges from the site and is able to comply with the conditions of its permit. The plant and facilities visited were in good condition, and the operational staff demonstrated detailed understanding of arrangements, responsibilities, and permit compliance. No non-compliances were identified.

We were made aware of the reactor automatic shutdown on 18 April 2022. During post-shutdown operation of the Power Operated Relief Valves (PORV), steam is released from the secondary circuit to maintain steady plant conditions. Trace amounts of tritiated water may be present in the steam, which EDF is able to discharge under a minor outlet specified in the permit. Discharges from all minor outlets combined must be less than 5% of the relevant annual limit for all outlets. EDF calculations estimate the tritium associated with the steam release to be <0.13% of the total gaseous tritium discharge from the site for April 2022.

In May 2022 we carried out an inspection of liquid effluent management, sampling, and discharge at Sizewell B. We also carried out a joint inspection with the ONR on training and individual site authorisations. We are currently reviewing our assessment in these areas, but the inspections did not present any significant concerns. Following a previous liquid system inspection, we asked EDF to review oil interception capability within the liquid radioactive system. We are satisfied that the subsequent review provides a long-term assessment of oil management and that the risk is better understood by the operator.

We require the operator to submit information in relation to disposals of radioactive waste. EDF submitted a report on efforts to reduce radioactive waste disposals in 2021. We found the report to demonstrate that waste is minimised, and Best Available Technique (BAT) is applied at Sizewell B in the management and disposals of waste. EDF also supplied annual reports as to testing of filters used to reduce discharges of gaseous wastes during 2021. The reports demonstrated that filters were appropriately tested and managed at Sizewell B during 2021.

## **Enforcement**

We have not taken any enforcement actions at Sizewell A or Sizewell B in the period since the previous SSG meeting. The operators have remained compliant with the requirements of their permits, or with the requirements and standards of our Regulatory Position Statements, where applicable and in use.

## **Environmental Permitting**

### **Sizewell A**

There have been no changes to Magnox's Sizewell A radioactive substance permit in the period since the previous SSG meeting. No changes are planned in the near future.

A minor variation to the site's water discharge activities permit was made to extend by three months the date for certifying the flow meter measuring discharges from the sewage treatment plant. The flow meter has now received its MCERTS certification.

**customer service line**      **03708 506 506**

**floodline**      **03459 88 11 88**

**incident hotline**      **0800 80 70 60**

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## **Sizewell B**

There have been no changes to EDF's Sizewell B permits in the period since the previous SSG meeting. No changes are planned in the near future.

## **Discharge Reports**

The sites' environmental permits require the operators to use BAT to manage their operations and ensure their impacts on the public and wider environment are minimised. Disposal of wastes – as solids, liquids, or gases – can only be made via permitted routes or by transfer to permitted sites. Magnox and EDF are required to report liquid and gaseous discharges to the environment to us on a regular basis. These reports are placed on the public register. We examine these reports and detail our assessment of their performance through RASCARs.

### **Sizewell A**

At Sizewell A Magnox are required to report liquid and gaseous discharges to the environment to us on a quarterly basis, within 30 days of the end of the quarter. Reports received in January and April 2022, covering the reporting period October 2021 to March 2022 showed that all liquid and gaseous discharges from Sizewell A were at levels well within permitted limits.

No discharges were made via the main radioactive effluent route during the reporting period.

Low volumes of treated effluent were discharged from the sewage treatment plant, which serves both Sizewell A and Sizewell B sites. The plant is managed by Magnox. Effluent is monitored at quarterly intervals for the presence of tritium or caesium-137. No radioactivity above limits of detection was reported in samples taken during the period covered in this report.

Variations in gaseous discharges from Sizewell A are small as the reactors are now “breathing” passively - There is no forced flow of air through the reactors. Discharges are low and follow a seasonal pattern.

### **Sizewell B**

Liquid and gaseous discharges from Sizewell B have remained within permitted limits for the period October 2021 to March 2022, and returns were submitted to us within the required timescales. 12-month cumulative gaseous discharges of carbon-14 remained less than 62% of the annual limit, with other gaseous discharges less than 16% of respective annual limits. Liquid discharges were in-line with expected levels and remain well below annual limits.

## **Environmental Monitoring**

We carry out sampling and analysis under our independent environmental monitoring programme, in association with the Food Standards Agency. The results of this work are published in our annual Radioactivity in Food and the Environment (RIFE) report. The Sizewell sites are considered together for the purposes of environmental monitoring.

The monitoring data for the calendar year 2020 was published in RIFE report 26 (RIFE 26) in November 2021, and can be found at:

<https://www.gov.uk/government/publications/radioactivity-in-food-and-the-environment-rife-reports>

For Sizewell, the total dose for the representative person was 0.017mSv in 2020. This corresponds to less than 1% of the average dose across the UK population of 2.7mSv, received from all sources including from natural radiation and medical sources.

In parallel to this programme, the operators are required to carry out their own programme of environmental monitoring and to submit the results of this programme to us on a periodic basis. This is carried out jointly by Magnox and EDF. The results continue to be consistent with our independent programme, and do not indicate any concerning results or trends. We make the information from both operator and our own environmental monitoring programmes available on our public register.

## Further Information

The Environment Agency's Nuclear Regulation Group (South) (NRG(S)) is responsible for the environmental regulation of radioactive waste disposals on or from nuclear licensed sites in southern England and Wales. We work closely with local Environment Agency teams as well as external bodies such as the Office for Nuclear Regulation.

The Environment Agency's Lead Regulators for the Sizewell A and B sites are Peter Reynolds and Alex Lord, respectively.

<b>NRG(S) Address</b>	Environment Agency, Nuclear Regulation Group, Red Kite House, Howbery Park, Wallingford, Oxfordshire, OX10 8BD
<b>Email</b>	<a href="mailto:nrg.south@environment-agency.gov.uk">nrg.south@environment-agency.gov.uk</a>
<b>Local Office Address</b>	Environment Agency, Icen House, Cobham Road, Ipswich, Suffolk, IP13 9JD

A public register service is available on the GOV.UK website at:

<https://environment.data.gov.uk/public-register/view/index>

Alternatively you can request access to public documents directly by contacting the Customers and Engagement Team in the Wallingford office. Please email:

[WTenquiries@environment-agency.gov.uk](mailto:WTenquiries@environment-agency.gov.uk)

Further information on our role in regulating the use of radioactive substances and related activities on nuclear licensed sites can be found on the Environment Agency pages of the GOV.UK website at:

<https://www.gov.uk/government/publications/nuclear-regulation-in-the-environment-agency>

Our enforcement and sanctions policy is publicly available on the GOV.UK website at:

<https://www.gov.uk/government/publications/environment-agency-enforcement-and-sanctions-policy/environment-agency-enforcement-and-sanctions-policy>

Public Health England has placed guidance on ionising radiation dose comparisons on the GOV.UK at:

<https://www.gov.uk/government/publications/ionising-radiation-dose-comparisons>

**customer service line**      **03708 506 506**

**floodline**      **03459 88 11 88**

**incident hotline**      **0800 80 70 60**

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# Office for Nuclear Regulation (ONR)

## Site Report for Sizewell A

**Report for period 1 January – 31 March 2022**

### **Foreword**

This report is issued as part of ONR's commitment to make information about inspection and regulatory activities relating to the above site available to the public. Reports are distributed to members for the Sizewell Site Stakeholder Group and are also available on the ONR website (<http://www.onr.org.uk/lrc/>).

Site inspectors from ONR usually attend Sizewell Site Stakeholder Group meetings where these reports are presented and will respond to any questions raised there. Any person wishing to inquire about matters covered by this report should contact ONR.

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# 1. Inspections

## 1.1. Dates of Inspection

The ONR site inspector made inspections on the following dates during the report period 1 January – 31 March 2022:

Licence Conditions 10, 12, 24,26, 32, 34 & 35 on 8 March 2022

# 2. Routine Matters

## 2.1. Inspections

Inspections are undertaken as part of the process for monitoring compliance with:

- the conditions attached by ONR to the nuclear site licence granted under the Nuclear Installations Act 1965 (NIA65) (as amended);
- the Energy Act 2013
- the Health and Safety at Work Act 1974 (HSWA74); and
- regulations made under HSWA74, for example the Ionising Radiations Regulations 2017 (IRR17) and the Management of Health and Safety at Work Regulations 1999 (MHSWR99).

The inspections entail monitoring the licensee's actions on the site in relation to incidents, operations, maintenance, projects, modifications, safety case changes and any other matters that may affect safety. The licensee is required to make and implement adequate arrangements under the conditions attached to the licence in order to ensure legal compliance. Inspections seek to judge both the adequacy of these arrangements and their implementation.

In this period, routine inspections of Sizewell A covered the following:

- radioactive waste management

This planned inspection was carried out jointly with the Environment Agency and was a wide-ranging inspection covering all aspects of radioactive waste management at the site, including training and supervision of waste management staff and contractors and all radioactive waste management facilities at the site. The inspection was rated as Green under the ONR inspection rating guide.

Members of the public, who would like further information on ONR's inspection activities during the reporting period, can view site Intervention Reports at

[www.onr.org.uk/intervention-records](http://www.onr.org.uk/intervention-records) on our website [www.onr.org.uk](http://www.onr.org.uk). Should you have any queries regarding our inspection activities, please email [contact@onr.gov.uk](mailto:contact@onr.gov.uk).

In addition to the inspection the site inspector received an update on decommissioning projects at the site. Generally satisfactory progress is being made with risk and hazard reduction. It was noted that funding for the forthcoming financial year will enable more decommissioning to be carried out than in recent years.

### 3. Non-Routine Matters

Licensees are required to have arrangements to respond to non-routine matters and events. ONR inspectors judge the adequacy of the licensee's response, including actions taken to implement any necessary improvements.

There were no such matters or events of significance during the period.

### 4. Regulatory Activity

ONR may issue formal documents to ensure compliance with regulatory requirements. Under nuclear site licence conditions, ONR issues regulatory documents, which either permit an activity or require some form of action to be taken; these are usually collectively termed 'Licence Instruments' (LIs) but can take other forms. In addition, inspectors may take a range of enforcement actions, to include issuing an Enforcement Notice.

- No LIs, Enforcement Notices or Enforcement letters were issued during this period.

### 5. News from ONR

For the latest news and information from the Office for Nuclear Regulation, please read and subscribe to our regular email newsletter 'ONR News' at [www.onr.org.uk/onrnews](http://www.onr.org.uk/onrnews)

## 6. Contacts

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Published 04/2022

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# **Office for Nuclear Regulation (ONR)**

## **Site Report for**

### **Sizewell B**

**Report for period 1 October to 31 December 2021**

#### **Foreword**

This report is issued as part of ONR's commitment to make information about inspection and regulatory activities relating to the above site available to the public. Reports are distributed to members for the Sizewell SSG and are also available on the ONR website (<http://www.onr.org.uk/llc/>).

Site inspectors from ONR usually attend Sizewell SSG meetings where these reports are presented and will respond to any questions raised there. Any person wishing to inquire about matters covered by this report should contact ONR.



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# 1. Inspections

## 1.1. Dates of Inspection

The ONR site inspector made inspections on the following dates during the report period 1 October to 31 December 2021:

- 5 to 7 October
- 2 to 4 November
- 16 to 18 November
- 1 to 2 December

## 2. Routine Matters

### 2.1. Inspections

Inspections are undertaken as part of the process for monitoring compliance with:

- the conditions attached by ONR to the nuclear site licence granted under the Nuclear Installations Act 1965 (NIA65) (as amended);
- the Energy Act 2013;
- the Health and Safety at Work Act 1974 (HSWA74); and
- regulations made under HSWA74, for example the Ionising Radiations Regulations 2017 (IRR17) and the Management of Health and Safety at Work Regulations 1999 (MHSWR99).

The inspections entail monitoring licensee's actions on the site in relation to incidents, operations, maintenance, projects, modifications, safety case changes and any other matters that may affect safety. The licensee is required to make and implement adequate arrangements under the conditions attached to the licence in order to ensure legal compliance. Inspections seek to judge both the adequacy of these arrangements and their implementation.

In this period, routine inspections of Sizewell B covered the following:

- examination, maintenance, inspection and testing;
- management of operations including control and supervision;
- emergency preparedness;
- incidents on the site.

Members of the public, who would like further information on ONR's inspection activities during the reporting period, can view site Intervention Reports at [www.onr.org.uk/intervention-records](http://www.onr.org.uk/intervention-records) on our website [www.onr.org.uk](http://www.onr.org.uk). Should you have any queries regarding our inspection activities, please email [contact@onr.gov.uk](mailto:contact@onr.gov.uk).

#### **Examination, maintenance, inspection and testing**

Throughout 2021-22, ONR has been carrying out a Chief Nuclear Inspector's (CNI) themed inspection on the management of ageing assets. This comprises a series of inspections across nuclear site licensees, the purpose of which is to seek evidence of sustainable programmes for the management of ageing assets against four themes:

- monitoring of ageing;
- organisational capability;
- obsolescence;
- ongoing investment.

During the reporting period two teams of specialist inspectors visited the site to inspect Sizewell B as an example of EDF Energy's arrangements for the management of ageing assets.

The first team consisted of specialist inspectors from the fault studies, electrical engineering and structural integrity disciplines, and considered monitoring of ageing and obsolescence. The inspection sampled EDF's arrangements for ageing management and their implementation for the systems under consideration; for the purposes of the inspection, these were the:

- condensate storage transfer system;
- reactor protection system;
- perimeter intruder detection system.

The inspection included discussions with various responsible members of EDF staff, both at Sizewell B and at the central corporate headquarters. This included system engineers, senior management, and independent nuclear assurance evaluators. Overall, the team concluded that the arrangements for ageing management had been adequately implemented in line with ONR's expectations, and some examples of good practice in the proactive ageing management of plant were identified.

The second team consisted of specialist inspectors from the leadership and management for safety and quality and supply chain management disciplines, and considered organisational capability and ongoing investment. The inspection comprised discussions with EDF staff (both at Sizewell B and in the corporate headquarters), a walkdown of ongoing investment projects at the site relevant to ageing, and a review of plant records and other documentation. Overall, the team considered that EDF demonstrated that it was maintaining adequate arrangements and organisational capability to support the management of ageing assets at Sizewell B.

### **Management of operations including control and supervision**

The nominated site inspector carried out an inspection of Sizewell B's implementation of its technical specifications, which are the means by which the site ensures that it complies with the limits and conditions of its safety case. The inspection was carried out by sampling some of the activities underpinning compliance with those technical specifications, and by discussing the conduct of these operations with control room staff.

The site inspector considered that the requirements of the technical specifications were well captured in surveillance test procedures, and even when those requirements were complex the test procedures and supporting documents and databases provided sufficient information and cross-references that it was easy to confirm that the requirements had been met. It was also clear from the ease with which the control room staff explained the various procedures and databases, and navigated the technical specifications, that they were very familiar with the contents and format of the technical specifications.

### **Emergency preparedness**

During December Sizewell B performed its annual demonstration of its emergency arrangements to ONR. The scenario tested was a straightforward security threat coupled with an independent plant fault, complicated by the fact that the scenario took place outside of normal working hours and made use of the off-site alternate emergency control centre.

Overall the ONR assessment team considered the exercise to be an adequate demonstration of the site's arrangements, and noted a very strong performance by the teams in a number of the control centres.

### **Incidents on the site**

The nominated site inspector carried out an inspection of Sizewell B's arrangements for notifying, recording, investigating and reporting incidents on the site. He spoke to members of the licensee organisation, viewed incident reports and other follow-up and summary reports, and interrogated the licensee's own databases to gather information for his inspection. He concluded that the licensee has robust procedures in place to identify, categorise and report incidents on the site. In particular, he considered that events were being reported to ONR in accordance with our guidance, and were being investigated by suitably qualified and experience persons.

He also noted that the various departments within the licensee's organisation were able to demonstrate ownership of their own trending data, and were able to point to specific improvements they had made as proof of the efficacy of their trending.

### 3. Non-Routine Matters

Licensees are required to have arrangements to respond to non-routine matters and events. ONR inspectors judge the adequacy of the licensee's response, including actions taken to implement any necessary improvements.

Matters and events of particular note during the period were:

- In November 2021, during the ongoing dry fuel store campaign, ONR was notified that routine checks had revealed the presence of a damaged fuel element in the dry fuel store cask that was currently being loaded.

The safety case for long-term storage of fuel at the dry fuel store currently only covers undamaged fuel. As a result, as fuel from the spent fuel pond is loaded into casks for long-term storage in the dry fuel store, there are a number of checks to ensure that the fuel that has been loaded is not damaged. It was one of these checks that identified the damaged fuel. The checks prevent casks with damaged fuel from being sent to the dry fuel store, but do not stop it from being stored in the spent fuel pond building.

There was no immediate safety consequence to this discovery, and at present the fuel remains sealed in the cask in the spent fuel pond building. We have no regulatory concerns about the safety of the cask in its current location, and are engaging with EDF as it considers its options for dealing with the affected cask.

## 4. Regulatory Activity

ONR may issue formal documents to ensure compliance with regulatory requirements. Under nuclear site licence conditions, ONR issues regulatory documents, which either permit an activity or require some form of action to be taken; these are usually collectively termed 'Licence Instruments' (LIs) but can take other forms. In addition, inspectors may take a range of enforcement actions, to include issuing an Enforcement Notice.

No LIs, Enforcement Notices or Enforcement letters were issued during this period.

## 5. News from ONR

For the latest news and information from the Office for Nuclear Regulation, please read and subscribe to our regular email newsletter 'ONR News' at [www.onr.org.uk/onrnews](http://www.onr.org.uk/onrnews)

## 6. Contacts

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