

Confirmed



Minutes of an Extraordinary Meeting of the **Full Council** held in the Deben Conference Room, East Suffolk House, on **Wednesday, 28 June 2023 at 6.30 pm**

Members present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Edward Back, Councillor David Beavan, Councillor Seamus Bennett, Councillor Peter Byatt, Councillor Jan Candy, Councillor Jenny Ceresa, Councillor Janet Craig, Councillor Tom Daly, Councillor Mike Deacon, Councillor Deborah Dean, Councillor Julia Ewart, Councillor John Fisher, Councillor Amanda Folley, Councillor Tess Gandy, Councillor Andree Gee, Councillor Louise Gooch, Councillor Katie Graham, Councillor Alan Green, Councillor Owen Grey, Councillor Toby Hammond, Councillor Mark Jepson, Councillor Beth Keys-Holloway, Councillor George King, Councillor Vince Langdon-Morris, Councillor Stuart Lawson, Councillor Geoff Lynch, Councillor Stephen Molyneux, Councillor Mike Ninnmey, Councillor Sally Noble, Councillor Graham Parker, Councillor Keith Patience, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Lee Reeves, Councillor Craig Rivett, Councillor Keith Robinson, Councillor Sheryl Rumble, Councillor Myles Scrancher, Councillor Rachel Smith-Lyte, Councillor Rosie Smithson, Councillor Anthony Specca, Councillor Ed Thompson, Councillor Caroline Topping, Councillor Geoff Wakeling, Councillor Sarah Whitelock, Councillor Tim Wilson, Councillor Kay Yule

Officers present:

Chris Bally (Chief Executive), Jason Beck (Principal Planner (Policy and Delivery)), Chris Bing (Head of Legal and Democratic Services), Kerry Blair (Head of Operations), Kate Blakemore (Strategic Director), Ian Johns (Planner (Policy and Delivery)), David Johnson (Asset and Investment Consultant), Nick Khan (Strategic Director), Matt Makin (Democratic Services Officer (Regulatory)), Andrea McMillan (Planning Manager (Policy, Delivery and Specialist Services)), Sue Meeken (Labour Political Group Support Officer), Adam Nicholls (Principal Planner (Policy and Delivery)), Dickon Povey (Principal Planner (Policy and Delivery)), Philip Ridley (Head of Planning and Coastal Management), Isabel Rolfe (GLI Political Group Support Officer), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure)), Nicola Wotton (Deputy Democratic Services Manager)

1 Apologies for Absence

Apologies for absence were received from Councillor Dan Clery, Councillor Colin Hedgley, Councillor James Mallinder, Councillor Mark Packard, and Councillor Jamie Starling.

2 Declarations of Interest

Councillor Janet Craig declared an Other Registerable interest in item 7 of the agenda as a member of Lowestoft Town Council, and said she would leave the meeting for this item.

Councillor Graham Parker declared an Other Registerable interest in item 7 of the agenda as a member of Lowestoft Town Council, and said he would leave the meeting for this item.

Councillor Keith Patience declared an Other Registerable interest in item 7 of the agenda as he sat on a number of bodies with individuals named in the report, and said he would leave the meeting for this item.

Councillor Caroline Topping declared an Other Registerable Interest during the discussions of item 4 of the agenda, as she was the Ward Member for Beccles and Worlingham.

3 Announcements

Chair of the Council

The Chair of the Council announced that since the last Full Council meeting, he had attended the following civic engagements:

- The Suffolk Show on 31 May 2023, including the President's Lunch
- The Red Wheel Plaque unveiling at Long Shop Museum in Leiston on 17 June 2023
- The First Light Festival Supporters Drinks in Lowestoft on 17 June 2023
- The Mayor of Felixstowe's civic service on 18 June 2023
- The Suffolk Armed Forces Day in Woodbridge on 22 June 2023

The Chair announced that the Constitution Review Working Group had been established and would be holding its first meeting on 7 July 2023.

Vice-Chair of the Council

The Vice-Chair of the Council announced that since the last Full Council meeting, he had attended the following civic engagements:

- The Suffolk Show on 1 June 2023
- Suffolk Day on 21 June 2023

The Vice-Chair noted that at Suffolk Day 2023, Rebecca Crerar, Chief Executive of Suffolk Refugee Support, and Dr Jonathan Adams OBE were both awarded medals for their service to Suffolk.

Leader of the Council

The Leader of the Council announced that with effect from 9 June 2023, four further Assistant Cabinet Members had been appointed as follows:

- Councillor Julia Ewart - Assistant Cabinet Member for Community Health
- Councillor Seamus Bennett - Assistant Cabinet Member for Communities, Leisure and Tourism
- Councillor Dan Clery - Assistant Cabinet Member for Economic Development and Transport
- Councillor Tim Wilson - Assistant Cabinet Member for Resources and Value for Money

The Leader announced that the Chairs for each of the eight Community Partnerships had been appointed as follows, with effect from 1 June 2023:

- Aldeburgh, Leiston, Saxmundham and villages - Councillor John Fisher
- Beccles, Bungay, Halesworth and villages - Councillor Beth Keys-Holloway
- Carlton Colville, Kessingland, Southwold and villages - Councillor Alan Green
- Felixstowe Peninsula - Councillor Rosie Smithson
- Framlingham, Wickham Market and villages - Councillor Sally Noble
- Kesgrave, Rushmere St Andrew, Martlesham, Carlford and Fynn Valley - Councillor Ed Thompson
- Lowestoft and northern parishes - Councillor Paul Ashdown
- Melton, Woodbridge and Deben Peninsula - Councillor Stephen Molyneux

The Leader advised that with effect from 2 June 2023 Councillors Sarah Plummer and Ed Thompson had replaced Councillors Beth Keys-Holloway and Sheryl Rumble on the Scrutiny Committee. The Leader added that with effect from the same date, the Council had been advised that the name of the Internal Drainage Board had been changed to the East Suffolk Water Management Board and that the Council had four places rather than six; as a result Councillors Rosie Smithson, David Beavan, Julia Ewart and Sarah Plummer had been duly appointed, and Councillor Peter Byatt was the named substitute for Councillor Smithson.

The Leader announced that with effect from 6 June 2023, the Council's representatives to the Suffolk Police and Crime Panel were Councillors Owen Grey and Sarah Whitelock.

The Leader confirmed that the vacant GLI seats on the Member Development Group had been appointed to with effect from 12 June 2023, with Councillors Anthony Specia, Sarah Whitelock and Julia Ewart duly appointed.

The Leader concluded her announcements by advising that there had been a typographical error in the tabled list of outside bodies presented to the Council's Annual meeting on 24 May 2023; Councillor Paul Ashton was confirmed as the substantive member appointed to the Anglia Revenues Partnership, with Councillor Peter Byatt as the named substitute.

Cabinet Members

Councillor David Beavan - Deputy Leader and Cabinet Member with responsibility for Housing

Councillor David Beavan noted the ongoing issues he had experienced in the previous term when asking supplementary questions at Full Council meetings, considering that he was interrupted repeatedly and did not receive as much time as members of the previous administration.

Councillor Beavan referenced to one such incident at the meeting of the Full Council in January 2023 and acknowledged it was remiss of him to have a "red mist moment" and raise his voice to ask his question quickly. Councillor Beavan stated that the integrity of the Chair must be respected at all times, even when they are wrong. Councillor Beavan said he was grateful that other allegations made against him during the allegation by Conservative councillors, relating to bullying and harassment, had been rejected by the Monitoring Officer.

Councillor Beavan expressed gratitude for being re-elected by the people of his ward and stated that the administration would not treat the opposition like it had treated them in the previous term, allowing them a voice and respecting them as elected councillors.

Chief Executive

The Chief Executive was pleased to share great news for the Council from the East of England Royal Town Planning Institute (RTPI) Awards that had taken place the previous week. The Council's Cycling and Walking Strategy had been highly commended in the category of Best Plans, receiving excellent feedback from the judging panel.

The Chief Executive continued and announced that Beth Rance, who worked in the Council's Energy team, had been awarded the prestigious Young Planner of the Year Award for the East of England and would go forward to the National Finals in November 2023. The Chief Executive explained that Beth's award followed a submission and then an interview; he was certain that the Council would agree that Beth could be very proud of this achievement.

The Chief Executive announced that the Council had been invited by the RTPI to host its Presidential visit to the East of England; this offer had been accepted and it was hoped that the visit would be hosted in October 2023.

4 Adoption of the East Suffolk Community Infrastructure Levy (CIL) Charging Schedule, East Suffolk CIL Instalment Policy and East Suffolk CIL Discretionary Social Housing Relief Policy

The Council received report **ES/1543** of the Cabinet Member with responsibility for Planning and Coastal Management, which sought the adoption of the East Suffolk Community Infrastructure Levy (CIL) Charging Schedule, along with the East Suffolk CIL Instalment Policy and the East Suffolk CIL Discretionary Social Housing Relief Policy.

Councillor Yule introduced the report and summarised the requirement for a new CIL Charging Schedule; she explained that there were currently two CIL Charging Schedules in place, one covering the former Waveney area adopted in 2013 and one covering the former Suffolk Coastal area adopted in 2015.

The Council was advised that the formation of East Suffolk Council and the adoption of the current Waveney and Suffolk Coastal Local Plans necessitated the need for a new schedule and Councillor Yule noted that local planning authorities were required review their CIL Charging Schedules periodically to ensure continuing viability.

Councillor Yule highlighted that if the new CIL Charging Schedule was not adopted, there was no possibility to adjust the final proposed CIL rates without significant further viability work, more public consultation and another independent examination, with no guarantee that revised figures would be reached.

The Council was informed that to keep the existing CIL charging rates in place would risk some sites, including strategic sites, not being viable for development; Councillor Yule cautioned that this could result in developers seeking a reduction in affordable housing on these sites, which would delay the introduction of much needed affordable housing and threaten the ability of the Council to maintain a five-year housing land supply.

There being no questions, the recommendations in the report were proposed by Councillor Yule and seconded by Councillor Langdon-Morris, who elected to open the debate.

Councillor Langdon-Morris reiterated the statement made by the Cabinet at its meeting of 6 June 2023, noting that having reviewed the documentation, formulated and finalised in the previous term, it was appreciated how much hard work from officers had been made to prepare the proposal. Councillor Langdon-Morris said it would be necessary to further review the wider implication of future CIL revenues in the coming months and how it can be used across the district for infrastructure development.

Councillor Pitchers highlighted he had sat on the Local Plan Working Group (LPWG) for many years and had been part of the process to formulate the CIL Charging Schedule. Councillor Pitchers noted that many on the LPWG did not agree with the decision of the Examiner to conclude that the Beccles & Worlingham Garden Neighbourhood site was not viable for CIL (and therefore a zero CIL rate would apply). He outlined the significant development on that site, which would now not generate any CIL and so Beccles Town Council and Worlingham Parish Council would not receive any CIL money from it either.

Councillor Pitchers pointed out that the LPWG (and the Council as a whole) had recommended a CIL charge for the area, which the Examiner had disagreed with. Councillor Pitchers said he could not support this and therefore would not support the recommendations.

Councillor Ashdown noted his own long experience on the LPWG and considered that the Beccles & Worlingham Garden Neighbourhood was a major site that would need significant infrastructure, no different to other strategic sites in the district that would benefit from a positive CIL rate. Councillor Ashdown said he had supported a positive CIL rate for the Garden Neighbourhood and highlighted that councillors had encouraged their towns and parishes to formulate Neighbourhood Plans to both have influence on local development and to receive the enhanced 25% share of CIL monies

raised.

NOTE: Councillor Lynch arrived at this point during the meeting at 6.55 pm.

Councillor Ashdown pointed out that the Beccles & Worlingham Neighbourhood Plan had recently been “made” and was very disappointed with the Examiner's decision for a zero rating to be applied to the area. Councillor Ashdown said he could not support the recommendations.

NOTE: At this point in the meeting, Councillor Caroline Topping declared a Non-Registerable Interest in the item as Ward Member for Beccles & Worlingham.

The Leader referred to the recent Cabinet meeting where the CIL Charging Schedule had been considered and expressed her dismay on the zero rating for the Beccles & Worlingham Garden Neighbourhood site; she noted the community was very upset about this and highlighted the amount of time and effort spent to create the Beccles and Worlingham Neighbourhood Plans to benefit from the enhanced CIL rate. The Leader highlighted that she had undertaken significant work in her ward to explain that if the document fell, it would do so across the entire district.

The Leader thanked the Planning Manager (Development Management, Major Sites and Infrastructure) for engaging with Beccles Town Council and Worlingham Parish Council to support them in bidding to the central (district) CIL pot to prioritise infrastructure funding in the area, noting previous projects funded from this source. The Leader considered that other areas in the district which were also zero CIL rated would benefit from similar support.

Councillor Deacon concurred with the points already made in the debate and shared in his disappointment with the zero CIL rate for the Beccles & Worlingham Garden Neighbourhood site; he was aware there was little the Council could do to address this without causing major disruption but was saddened that the Council and one of its communities was in this position.

Councillor Plummer echoed the comments of the Leader about working with Beccles Town Council and Worlingham Parish Council to mitigate the zero CIL rate for the site. Councillor Plummer said her initial reaction to this element of the CIL Charging Schedule had been one of shock but understood the wider implications of rejecting the document, so was reluctantly supporting it.

Councillor Byatt said his group was concerned about the lack of ability to appeal the Examiner's decision, citing there was no process to challenge a conclusion the Council considered to be incorrect. Councillor Byatt acknowledged that there would be variation in CIL charging rates across the district but considered there should have been a charge levied on the Beccles & Worlingham Garden Neighbourhood site. Councillor Byatt said he and his group considered this decision was being imposed upon the Council with no recourse to challenge it and could not support the recommendations.

Councillor Rivett agreed with much of what had been raised during debate and was cognisant of the frustrations and complexities of the situation, noting that the document had to be approved in its entirety or not at all. Councillor Rivett highlighted

that councillors had a role to acknowledge the frustrations but also remind their communities of the CIL process and ways to feed into and influence the planning process, empowering residents to feel more understood.

Councillor Beavan was in agreement with Councillors Byatt and Rivett and considered the situation a difficult one. Councillor Beavan said that the Council needed to look at the bigger picture as to not adopt the CIL Charging Schedule would impact negatively on affordable housing, and with regrettable support the recommendations. Councillor Beavan suggested that the concerns raised in debate be fed back as appropriate.

The Chair invited Councillor Yule to close the debate. Councillor Yule said there was a need to move forward and echoed the Leader's comments regarding encouraging towns and parishes to bid for CIL funding from the central pot.

There being no further debate the Chair moved to a vote on the recommendations and it was by a majority

RESOLVED

1. That Council approved:
 - a. the East Suffolk CIL Charging Schedule (allowing for the modifications recommended by the Examiner to address the areas of non-conformity with the legislative drafting requirements);
 - b. the East Suffolk CIL Instalment Policy; and
 - c. the East Suffolk CIL Discretionary Social Housing Relief Policy, and bring these three documents into effect on 1 August 2023.
2. That the Head of Planning and Coastal Management be authorised, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, to make any relevant presentational and typographical amendments to the East Suffolk CIL Charging Schedule, East Suffolk CIL Instalment Policy and East Suffolk CIL Discretionary Social Housing Relief Policy prior to them coming into effect.
3. That the Head of Planning and Coastal Management be authorised, in consultation with the Cabinet Member for Planning and Coastal Management, to remedy any “correctable errors” to the East Suffolk CIL Charging (should any be discovered in the period up to six months after the CIL Charging Schedule has been approved).

5 Rushmere St Andrew and Shadingfield, Sotterley, Willingham and Ellough Neighbourhood Plans

The Council received report **ES/1544** of the Cabinet Member with responsibility for Planning and Coastal Management, which sought the making of both the Rushmere St Andrew and Shadingfield, Sotterley, Willingham and Ellough Neighbourhood Plans.

NOTE: The Chair asked that the report be taken in two parts, to determine each Neighbourhood Plan separately.

Councillor Yule introduced the report in respect of the Rushmere St Andrew Neighbourhood Plan, highlighting a minor error in the report, that the wards affected include Kesgrave as the Neighbourhood Plan covers part of that ward. Councillor Yule noted the significant work of Rushmere St Andrew Parish Council to formulate the plan. Councillor Yule highlighted that of those who voted, 89% voted in favour of making the Rushmere St Andrew Neighbourhood Plan.

Councillor Yule summarised the process of engagement and consultation that took place when formulating the Neighbourhood Plan and the various policies it set to influence development in the area. Councillor Yule thanked Council officers for supporting Rushmere St Andrew Parish Council throughout the development of the Neighbourhood Plan.

There being no questions Councillor Yule proposed the first recommendation set out in the report, which was seconded by Councillor Dean. Councillor Dean did not reserve her right to speak and advised she had nothing to state in debate.

The Chair invited the Council to debate the first recommendation. The Leader congratulated all who took part in the development of the Neighbourhood Plan, stating that this was first and foremost a community initiative, and commended the three years' hard work to put the Neighbourhood Plan together.

The Chair invited Councillor Yule to close the debate; she advised she had nothing further to add.

There being no further debate the Chair put the first recommendation to a vote and it was unanimously

RESOLVED

That the Rushmere St Andrew Neighbourhood Plan (Referendum version, December 2022) be made part of the statutory Development Plan for East Suffolk for the whole of the Rushmere St Andrew Neighbourhood Area.

The Chair invited Councillor Yule to introduce the report in respect of the Shadingfield, Sotterley, Willingham and Ellough Neighbourhood Plans. Councillor Yule informed the Council that this Neighbourhood Plan had taken five-and-a-half years to develop and congratulated all involved for their work to reach this stage. Councillor Yule noted that there had been a high turnout and vote in favour of the Neighbourhood Plan at referendum and summarised the policies set out in the plan that would influence development in the area.

The Chair invited questions to Councillor Yule. Councillor Byatt referenced the proposed waste incinerator at Ellough and asked if residents had been consulted on this proposal. Councillor Yule invited the Head of Planning and Coastal Management to answer this question, who advised that the application would be determined by Suffolk County Council as the Waste Authority; the Council was advised that Suffolk County Council had undertaken public consultation on the application in accordance with its own statement of community involvement.

There being no further questions Councillor Yule proposed the second recommendation in the report which was seconded by Councillor Hammond, who elected to open debate and commended the residents for their hard work in developing the Local Plan.

Councillor Gooch echoed the comments made about this and the previous Neighbourhood Plan and considered both documents to be fascinating, providing a sense of community and history in their respective areas.

Councillor Byatt noted comments regarding a lack of public transport and suggested that the community be encouraged to engage with bus companies to discuss this.

There being no further debate the Chair moved to a vote on the second recommendation and it was unanimously

RESOLVED

That the Shadingfield, Sotterley, Willingham and Ellough Neighbourhood Plan (Referendum Version, February 2023) be made part of the statutory Development Plan for East Suffolk for the whole of the Shadingfield, Sotterley, Willingham and Ellough Neighbourhood Area.

6 Exempt/Confidential Items

On the proposition of Councillor Specca, seconded by Councillor Yule, it was by a unanimous vote

RESOLVED

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

NOTE: Councillor Janet Craig and Councillor Graham Parker left the meeting at this point, at approximately 7.22 pm as per their Declarations of Interest, which were made at the start of the meeting.

7 Acquisition of a Commercial Asset - Lowestoft

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

The meeting concluded at 7.50 pm.

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