

# **CABINET DECISION NOTICES FOR THE MEETING HELD ON WEDNESDAY, 13 SEPTEMBER 2017**

**Call-in period:  
Friday, 15 September 2017 to  
Thursday, 21 September 2017**

**Implementation Date:  
Friday, 22 September 2017**

(For clarity, where an item is 'to be noted', 'received' or 'recommended to Council' this is deemed not to be a formal Executive decision and so the call-in provisions will not apply)

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## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Housing
<b>Title of Report</b>	Private Rented Sector – Implementing the Housing and Planning Act 2016
<b>Report Reference</b>	REP1667

### Purpose of Report

The Housing and Planning Act 2016 (HPA) introduces new provisions which are intended to penalise unscrupulous and irresponsible landlords, who fail to provide safe and healthy accommodation. The Government has made it clear that it endorses the majority of landlords who it believes provide good standard accommodation. The HPA allows Local Housing Authorities to impose financial penalties, of up to £30,000, on landlords, as an alternative to prosecution, for certain offences. The report seeks approval to adopt the imposition of civil penalties for landlords committing certain housing offences, as shown in Appendix A to the report.

### Options Considered

None. The Council is obliged to implement the Housing and Planning Act 2016.

### Reason for Decision

To enable the Council to impose Civil Penalties against landlords and letting agents who fail to comply with the relevant legislative requirements to achieve a consistent and measured enforcement policy.

### CABINET DECISIONS:

1. That the new policy for the imposition of civil penalties be adopted.
2. That penalty charges are utilised for Private Sector Housing Enforcement.
3. That the policy is published on the East Suffolk website.

### Declarations of Interest / Conflicts of Interest

None

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**Councillor M Bee**  
**Leader of the Council**

## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Housing
<b>Title of Report</b>	Changes to the delivery of Disabled Adaptations under the Regulatory Reform (Housing Assistance) Order
<b>Report Reference</b>	REP1686

### Purpose of Report

To consider and approve a new policy to deliver Disabled Facilities Grants (DFG) to residents requiring adaptations, which will provide a more efficient and effective service for residents in our area needing disabled adaptations.

### Options Considered

1. The Council can continue with the existing policy but this would miss the opportunity to develop a more efficient remodelled service in line with the Business Plan.
2. The Council could offer fast track grants with no financial declaration but this would increase the risk of fraud with little chance of successful action.

### Reason for Decision

To enable simple adaptations to be fast tracked and reduce the delays to residents awaiting adaptations.

### CABINET DECISIONS:

1. That the new Disabled Facilities Grant fast tracking policy detailed in this report be implemented forthwith and reviewed as part of the annual performance monitoring.
2. That Head of Housing be authorised, in consultation with the Cabinet Member for Housing, to approve cases which fall outside of the policy but which would benefit from fast tracking.
3. That the Head of Service be authorised, in consultation with the Cabinet Member for Housing, to amend the financial criteria for eligibility for a fast tracked application.
4. That the policy be published on the East Suffolk website.

### Declarations of Interest / Conflicts of Interest

None

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## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Tourism & Economic Development
<b>Title of Report</b>	Heritage Action Zone External Funding Bid
<b>Report Reference</b>	REP1676

### Purpose of Report

To seek approval to resubmit a bid to Historic England for the north end of the Lowestoft Town Centre to become a Heritage Action Zone, an initiative created to help transform towns and improve local communities and economies in areas with rich architectural heritage.

### Options Considered

Option 1 - Do nothing: The end of the town centre forms some of the oldest part of Lowestoft, however the quality of the historic environment is under threat from insensitive development, poorly maintained buildings and a lack of investment. There is a higher than average shop vacancy rate at this end of town, lower footfall and it is within one of the 10% most deprived areas in the country. To do nothing will mean further deterioration putting the conservation area and buildings at risk.

Option 2 - Do not apply for the area to become a HAZ, but consider individual grant applications to Historic England funding for each project: The disadvantages of this option is that whilst we may receive funding support from Historic England it would not bring them to the table as a partner where we could take advantage of their full range of support services - planning, research, listing, training & enabling. In addition it would require match funding and resources for each individual scheme which may not offer the same value for money. There is also a higher risk of us not receiving funding for all the applications without having the HAZ designation, which offers greater weight both to Historic England, but also to other funders such as the Heritage Lottery Fund.

The preferred option of the HAZ scheme would have allow for a more holistic approach to the regeneration of the conservation area, including community engagement activity to ensure pride in the area and long term sustainability of the projects. The partnership working the scheme promotes should help with further delivery and sharing of ideas and resources beyond the HAZ delivery plan, giving us additional value.

### Reason for Decision

There is an opportunity to group existing and proposed projects together into an overall single vision which will help enhance the vitality and viability of the northern end of Lowestoft Town Centre. It will enable us to work with the local community to engender pride in the area, reduce the number of vacant shops, bring buildings back into use, and to deliver housing that is sensitive in the conservation area. It will allow us to harness Historic England's expertise and resources in order to deliver the vision over a five year period.

The team at Historic England encouraged us to reapply as they are keen to see strong bids from the region. The national panel will be assessing the proposals this autumn, with announcements made later this year.

**CABINET DECISIONS:**

1. That Waveney District Council, as the Accountable Body, resubmit a bid to Historic England for a designated area around the historic High Street and Scores in North Lowestoft to become a Heritage Action Zone.
2. That, in the event of the bid being successful, Waveney District Council develops a Partnership Delivery Plan, with Historic England, Lowestoft Town Council, Lowestoft Vision, and East Suffolk Building Preservation Trust. This will set out in detail the five year regeneration plans and will be presented back to Cabinet for approval in 2018.

**Declarations of Interest /  
Conflicts of Interest**

None

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## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Operational Partnerships
<b>Title of Report</b>	Car Park Management for Waveney
<b>Report Reference</b>	REP1689

### **Purpose of Report**

To seek approval to undertake the first stage of consultation in relation to implementing Civil Parking Enforcement in Waveney from April 2019.

### **Options Considered**

Not to introduce Civil Parking Enforcement in Waveney. This was rejected as not being in the best interests of the Council or the District.

### **Reason for Decision**

A variation to the Waveney District Council (Off-Street Parking Places) Order is required and therefore a first stage of consultation is recommended to take the opportunity to explore local aspirations for improvements.

### **CABINET DECISION:**

That a first stage of consultation is carried out to seek the views of Ward Councillors, Town and Parish Councils and Business Associations to changes proposed to be made by WDC to the management of parking and to capture any views the Town and Parish Councils may have regarding on and off street policy, in so far as it might affect parking locally.

<b>Declarations of Interest / Conflicts of Interest</b>	None
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## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Planning & Coastal Management
<b>Title of Report</b>	Community Infrastructure Levy Spending 2017/18
<b>Report Reference</b>	REP1474

### **Purpose of Report**

To agree the Community Infrastructure Levy Plan 2017 and how Community Infrastructure Levy funds should be spent for the financial year 2017/18.

### **Options Considered**

Members have the option of not agreeing the CIL Infrastructure Plan or making amendments to it. However, advice from the infrastructure providers has revealed a lack of projects in addition to the cycle and pedestrian bridge over the Oulton Broad railway line that are in a position to commence.

### **Reason for Decision**

To ensure that funding is made available to finance the first phase of the pedestrian and cycle bridge across the Oulton Broad railway line and that CIL funds are available in future years to help meet the cost of infrastructure needed to support the development outlined in the Council's Local Plan.

### **CABINET DECISIONS:**

1. That the Community Infrastructure Levy Infrastructure Plan, included in Appendix A, be approved.
2. That £120,000 be made available to enable the design phase of the cycle and pedestrian bridge across the Railway Line at Normanston Park.
3. That the remaining funds should be banked for use in future years. This will enable more funding to be available for critical and essential projects in the future when they are ready to be delivered.

<b>Declarations of Interest / Conflicts of Interest</b>	None
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## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Resources
<b>Title of Report</b>	Southwold Harbour Fender Repair
<b>Report Reference</b>	REP1673

### **Purpose of Report**

To seek approval to undertake repairs to Southwold Harbour North Pier Fender.

### **Options Considered**

From autumn 2016 the Coastal Management team, working with term contractor JT Mackley, identified 4 options for repair as follows:

Option 1: Remove or restrain the damaged fender part ~£20k.

Option 2: Replace the damaged part only using the original 1992 design ~£120k.

Option 3: Renew all remaining parts built in 1992 to the original design ~£700k.

Option 4: Renew all parts to a new improved design to simplify maintenance and extend life ~£900k.

All options include significant temporary works that are required to provide secure access for equipment to build the permanent works.

All options bar #1 will require consultation with and approvals from a number of organisations. The slowest consent process (MMO licence) typically has a 13 week duration.

Options 1 and 2 are based on the extent of damage current as of July 2017 which may increase prior to the start of works.

Options 1 and 2 can be designed and delivered by in-house resource however options 3 and 4 will require external support for design and supervision at additional cost of £150k.

These options were discussed in spring 2017 with officers involved in the management of Southwold Harbour and were considered in negotiations between WDC and Southwold Town Council on the longer term works required to ensure the viability of Southwold harbour.

It was the officer view that a substantial repair at the cost of £120,000 was preferable to a minimal repair (or the 'Do Nothing' option which was felt to present a significant risk to the council in the case of damage to vessels), but that the Options 3 or 4 should be considered as part of a longer term plan for the harbour.

### **Reason for Decision**

In June 2017 it was decided by the Operations HoS that a major rebuild was preferred but is not able to be funded and so the repair (option 2 above) should be advanced to construction in spring / summer of 2018. The start date will be governed by the time required to obtain consents.

**CABINET DECISIONS:**

1. That damage to the Southwold Harbour North Pier fender is repaired at a cost of £120k.
2. That the work is funded from a combination of existing Waveney Coastal Management capital and existing General Fund budgets.
3. That the longer term maintenance programme for Southwold Harbour and the wider Estuary is considered as part of the planning for the future management arrangements of the facility.

**Declarations of Interest /  
Conflicts of Interest**

None

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## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Leader
<b>Title of Report</b>	Section 113 Agreement for Waveney District Council staff assisting Lowestoft Town Council and Oulton Broad Parish Council
<b>Report Reference</b>	REP1679

### **Purpose of Report**

To seek authority for Waveney District Council (WDC) to enter into S113 agreements with the newly created Lowestoft Town Council (LTC), and Oulton Broad Parish Council (OBPC), so that certain members of Waveney District Council staff may be placed at the disposal of LTC and OBPC to facilitate the transfer of functions, services and assets to the new Councils.

### **Options Considered**

Do nothing – this option was rejected as it would be likely to jeopardise the successful implementation of the LTC and OBPC.

LTC and OBPC require information to be passed over to them from WDC to enable the transfer of assets, services and responsibilities. This information will not be available from any other source.

The LTC and OBPC require support in understanding current arrangements, setting up new arrangements, and transferring contracts and services.

WDC are committed to ensuring the successful implementation of the new councils, including supporting the councils with any transitional legal and asset related queries. As such, no other options are deemed appropriate in these circumstances.

### **Reason for Decision**

In order to facilitate the successful creation and implementation of LTC and OBPC, it is recommended that WDC enters into a S113 agreement with each of the new Councils, to enable the sharing of staff to support the new Councils.

### **CABINET DECISION:**

That approval be granted for Waveney District Council to enter into an agreement under S113 of the Local Government Act 1972 with Lowestoft Town Council, and Oulton Broad Parish Council, on terms that best protect Waveney District Council's interests, and to Delegate Authority for the Head of Legal and Democratic Services to sign the agreements on behalf of Waveney District Council, in consultation with the Leader of the Council.

<b>Declarations of Interest / Conflicts of Interest</b>	None
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## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Resources
<b>Title of Report</b>	Treasury Management Outturn Report 2016/17 and Mid Year Report 2017/18
<b>Report Reference</b>	REP1598

### **Purpose of Report**

The Treasury Management Policy Statement requires an annual and a mid-year report to be produced by 30 September 2017 and approved at Council. The report reviewed performance of the Treasury Management Function including prudential indicators in 2016/17 and a mid-year review of the first half of 2017/18.

### **Options Considered**

None. The Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code requires an annual and a mid-year report to be provided by 30 September 2017 and approved at Council.

### **Reason for Decision**

The CIPFA Treasury Management Code requires a report to be produced covering the Council's Treasury Management activities during 2016/17 and a Mid Year Review of the Treasury Management activities that have taken place during the first half of 2017/18. These reports must be approved by 30 September 2017.

### **RECOMMENDATION TO FULL COUNCIL:**

1. That the Annual Report on the Council's Treasury Management activity for 2016/17 incorporating the Mid Year review for 2017/18 be approved.
2. That the Prudential Indicators Outturn position for 2016/17 in Appendix A be noted.

<b>Declarations of Interest / Conflicts of Interest</b>	None
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<b>Meeting Date</b>	Wednesday, 13 September 2017
<b>Call-In Period</b>	The Call-In provisions will not apply to the above recommendations, as they are not a Cabinet level decision.
<b>Implementation Date (If no Call-In activated)</b>	Not Applicable

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## CABINET DECISION NOTICE

<b>Cabinet Area</b>	Leader
<b>Title of Report</b>	Appointment of a named Substitute to the Suffolk Health and Wellbeing Board (Executive Function)
<b>Report Reference</b>	REP1692

<b>Purpose of Report</b> To consider the appointment of a named Substitute to the Suffolk Health and Well Being Board.	
<b>Options Considered</b> None – The Council needs to engage and work with external organisations to deliver the priorities identified within the Council’s East Suffolk Business Plan for 2015 – 2023.	
<b>Reason for Decision</b> To enable Council representation on Outside Bodies for Executive functions deemed relevant to the Council’s community and business interests.	
<b>CABINET DECISION:</b> That Councillor M Ladd, Cabinet Member for Tourism & Economic Development, be appointed as a Named Substitute for the Suffolk Health and Well Being Board, for the remainder of the 2017/18 municipal year.	
<b>Declarations of Interest / Conflicts of Interest</b>	None

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## OPEN CABINET DECISION NOTICE – FOR EXEMPT ITEM

<b>Cabinet Area</b>	Tourism & Economic Development
<b>Title of Report</b>	Normanston Rail Crossing Project (Exempt Report)
<b>Report Reference</b>	REP1678

<b>Purpose of Report</b> To seek approval to procure and award consultancy services, in line with the Council's Contract Procedure Rules.	
<b>Options Considered</b> Not to procure consultancy services. This was rejected as not being in the best interests of the project, as expertise was required from suitably qualified bridge design agencies.	
<b>Reason for Decision</b> To enable the project to progress, which meets the ambitions identified in the East Suffolk Business Plan and AAP, as adopted.	
<b>CABINET DECISION:</b> That the request to procure and award consultancy support, with a budget cost of the sum as discussed at the meeting, subject to receiving CIL funding, be approved. This, and other consultancy services detailed, will be procured in line with the Council's Contract Procedure Rules.	
<b>Declarations of Interest / Conflicts of Interest</b>	None

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## OPEN CABINET DECISION NOTICE – FOR EXEMPT ITEM

<b>Cabinet Area</b>	Resources
<b>Title of Report</b>	Acquisition of Land in Lowestoft (Exempt Report)
<b>Report Reference</b>	REP1685

### Purpose of Report

To seek approval to undertake a land assembly exercise in Lowestoft, for the purposes of general area regeneration.

### Options Considered

Not to take an interventionist approach. This was rejected as not being in the best interests of the Council or the District.

### Reason for Decision

The Council has power to acquire land by agreement, under S120 of the Local Government Act 1972 and by so doing, could deliver a revised and more interventionist approach, which would address the barriers to development and regeneration in Lowestoft.

### CABINET DECISION:

1. That the revised and more interventionist approach to the delivery of regeneration in Lowestoft, be approved.
2. That the general principle of and policy (criteria at paragraph 7.1 in the report) for land acquisition and assembly in Lowestoft, be approved.
3. That Delegated Authority be given to the Strategic Director, acting in consultation with the Cabinet Members for respectively Tourism/Economic Development, Housing and Resources and the Chief Finance Officer and Head of Legal and Democratic Services, to make conditional purchase offers for sites, ie subject to a business case and final Cabinet approval.

### Declarations of Interest / Conflicts of Interest

None

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## OPEN CABINET DECISION NOTICE – FOR EXEMPT ITEM

<b>Cabinet Area</b>	Housing
<b>Title of Report</b>	Albany Road, Lowestoft and Duncan's Place, Southwold Updates on Project Spend (Exempt Report)
<b>Report Reference</b>	REP1694

<b>Purpose of Report</b> To receive a project update on 2 housing developments in Albany Road, Lowestoft and Duncan's Place, Southwold.	
<b>Options Considered</b> Not to approve the additional costs – this was rejected as it would have resulted in further delays and increased costs.	
<b>Reason for Decision</b> The development of these schemes will deliver a number of new homes for rent, offers the Council value for money and will contribute to the delivery of a number of the Council's key priorities, as set out in the East Suffolk Business Plan.	
<b>CABINET DECISION:</b> <ol style="list-style-type: none"> <li>1. That the additional costs, of the sum as discussed at the meeting, towards the development of new homes at Albany Road, Lowestoft be approved.</li> <li>2. That the expenditure, up to the sum as discussed at the meeting, for the development of new homes at Duncan's Place, Southwold be approved.</li> </ol>	
<b>Declarations of Interest / Conflicts of Interest</b>	None

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## OPEN CABINET DECISION NOTICE – FOR EXEMPT ITEM

<b>Cabinet Area</b>	Housing
<b>Title of Report</b>	Purchasing Section 106 Properties
<b>Report Reference</b>	REP1550

### Purpose of Report

To seek approval for the Council to purchase a number of affordable homes, under a S106 agreement.

### Options Considered

Not to purchase a number of affordable homes. This was rejected as not being in the best interests of the Council, as it would not provide much needed affordable homes for local residents.

### Reason for Decision

The purchase of these properties will deliver new homes for rent, offer the Council value for money and will contribute to the delivery of a number of the Council's key priorities, as set out in the East Suffolk Business Plan.

### CABINET DECISION:

1. That the purchase of new affordable housing properties to be built by an external Building Company, at the location shown on the plan marked attached to this report, to a specification to be agreed between the parties, and for the sum as agreed at the meeting, be approved.
2. That the allocation of, up to the sum as discussed at the meeting, from the Housing Revenue Account Capital Programme, and the sum as discussed at the meeting, of Right to Buy receipts to purchase the properties, be approved.
3. That Delegated Authority be granted to the Head of Housing Services, in consultation with the Cabinet Member for Housing, the Head of Legal and Democratic Services and the Chief Finance Officer, to enter into all necessary contracts/transfers on terms that best protect the Council's interests, to purchase the properties, within the sums approved in Recommendations 1 and 2 above.

### Declarations of Interest / Conflicts of Interest

None

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