

Minutes of the Cabinet Meeting held at Riverside, 4 Canning Road,
Lowestoft on **Wednesday, 11 April 2018 at 6.30pm**

Cabinet Members present:

Councillors M Bee (Chairman), S Ardley, G Catchpole, M Ladd, B Provan, C Punt, C Rivett, D Ritchie and M Rudd.

Deputy Cabinet Members present:

Councillors P Ashdown, N Brooks, A Cackett, J Ceresa and C Topping.

Also in attendance:

Councillors S Allen, M Cherry, J Murray and S Woods.

Officers present:

J Berry (Economic Development Manager), G Butler (Building Surveyor), V Cotterill (Private Sector Housing Officer), S Eades (Valuer, Asset Management), M Fitzsimmons (Valuer, Asset Management), T Howarth (Principal Environmental Health Officer for Private Sector Housing), K Hurlock (Asset & Investment Manager), A Jarvis (Strategic Director), S Jones (Economic Regeneration Manager), N Khan (Strategic Director), P Wood (Head of Economic Development & Regeneration) and N Wotton (Democratic Services Manager).

Others in attendance:

S Buteux (Principal Adviser for Heritage at Risk – East of England, for Historic England).

1 APOLOGIES

There were no apologies for absence received on this occasion.

2 DECLARATIONS OF INTEREST

Councillor M Bee declared a Local Non Pecuniary Interest in Item 7 – Refurbishment of Beccles Bell Tower – as he was a Member of Beccles Town Council and was on the PCC of St Michaels Church in Beccles.

Councillor N Brooks declared a Local Non Pecuniary Interest in Item 7 – Refurbishment of Beccles Bell Tower – as he was a Member of Beccles Town Council.

Councillor G Catchpole declared a Local Non Pecuniary Interest in Item 7 – Refurbishment of Beccles Bell Tower – as he was a Member of Beccles Town Council.

Councillor C Topping declared a Local Non Pecuniary Interest in Item 7 – Refurbishment of Beccles Bell Tower – as she was a Member of Beccles Town Council and was the Chairman of the Beccles Town Council Assets Committee.

Councillor S Woods declared a Local Non Pecuniary Interest in Item 17 – Review of Options for the future of Bungay Local Office – as he was a Member of Bungay Town Council.

3 MINUTES

RESOLVED

That the Minutes of the Cabinet Meeting held on 14 March 2018 be approved as a correct record and signed by the Chairman.

4 ISSUES ARISING FROM THE OVERVIEW & SCRUTINY COMMITTEE OR THE AUDIT & GOVERNANCE COMMITTEE

(a) The Overview & Scrutiny Committee

There were no matters to report on this occasion.

(b) The Audit & Governance Committee

There were no matters to report on this occasion.

5 LOWESTOFT HERITAGE ACTION ZONE

The Cabinet Member for Tourism & Economic Development welcomed Mr Buteux, Principal Adviser for Heritage at Risk – East of England, for Historic England to the meeting. Mr Buteux stated that he commended the report. Lowestoft was a heritage rich area and would benefit significantly from heritage-led regeneration, via increased retail and residential development. The Heritage Action Zone would involve a broad partnership involving Waveney District Council, Historic England, Lowestoft Town Council, Lowestoft Vision and the East of England Building Preservation Trust. There were plans to undertake a wide ranging community engagement and a significant focus would be upon the future of the Town Hall and Triangle Market. Individuals would also be able to apply for grants to help renovate their properties within the Heritage Action Zone, which would help to improve the overall appearance of the area.

The Leader of the Council thanked Mr Buteux for his attendance at the meeting and his kind and inspiring words about the Heritage Action Zone. This would be an exciting opportunity to restore North Lowestoft to its former glory and preserve its history for future generations.

The Cabinet Member for Tourism & Economic Development reported that in 2017, following a bid submitted by Waveney District Council, North Lowestoft had been awarded Heritage Action Zone status by Historic England. The award had been granted on an 'in-principle' basis, subject to the submission of an agreed Delivery Plan and signed Memorandum of Understanding by May 2018. The report sought approval for Delegated Authority to be granted to the Head of Economic Development & Regeneration, in consultation with the Cabinet Member for Tourism & Economic Development, the Chief Finance Officer and Head of Legal & Democratic Services, to sign off the Heritage Action Zone Delivery Plan.

Members were advised that the Delivery Plan set out the project management and governance structure in which the outputs would be managed and monitored, the resources required for the projects; both financial and in staff time, and the individual

projects and timetable for the five year programme. It was noted that the Memorandum of Understanding was a non legally binding agreement, which detailed how the project partners – Historic England, Waveney District Council, Lowestoft Town Council, Lowestoft Vision and East Suffolk Building Preservation Trust will work together to deliver the plan.

As part of the Delivery Plan, a funding application would be made to Historic England for a 'Partnership in Conservation Repairs Scheme' for £150,000. Match funding would be required from Waveney District Council over a three year period, once the project had commenced in 2019/20.

The key objectives set out in the Heritage Action Zone Delivery Plan were to:

- Enhance the vitality and viability of the historic High Street as part of the Lowestoft Town Centre
- Improve the natural, historic and built environmental quality of the area
- Bring back under utilised and derelict land and property into positive use
- Enhance the tourism offer of the area
- Improve connections and permeability within the area
- Enhance the quality of design and the public realm, providing quality spaces that meet the needs of the community
- Deliver new housing bringing a better mix of tenures and types of housing to the area
- Engender pride in place and engage the local community in the history of the area

A Member queried whether there were any areas nearby, which had also gone through the Heritage Action Zone process, so that Members could see what the area was like 'before' and 'after' the process. It was reported that Kings Lynn, Great Yarmouth and Peterborough had all achieved Heritage Action Zone status, however they had had a different focus, mainly on unlocking brownfield sites for residential development. The Economic Regeneration Manager advised that she had been in contact with those Councils prior to submitting the bid and had sought their advice and guidance in this respect. All of the Action Zones had seen an improvement in their general appearance, including shop fronts, and the Partnerships had worked closely with the shop owners during the whole process.

In response to a query from a Member, reassurance was provided that the match funding required from the Council would be secured and would continue when the new Council for East Suffolk came into being.

Members were pleased that the Heritage Action Zone would be able to improve and regenerate the Scores, the High Street and the East of England Park. The Cabinet Member for Housing advised that there was significant potential for the development of residential dwellings above many of the shops in the High Street, which would bring life back into that part of the town. It was noted that a dwelling had recently been successfully created above a shop in Beccles, which was very positive.

A Member commented that this was an exciting project for Lowestoft and they stressed the importance of developing local art and culture, which could lead to the creation of galleries and museums and provide a much needed boost to the local economy.

RESOLVED

1. That Delegated Authority be granted to the Head of Economic Development & Regeneration, in consultation with the relevant Cabinet Member, and the Chief Finance Officer and Head of Legal & Democratic Services to sign off the Heritage Action Zone Delivery Plan.
2. That Delegated Authority be granted to the Head of Economic Development & Regeneration, in consultation with the relevant Cabinet Member, and the Chief Finance Officer and Head of Legal and Democratic Services, for individual project bids made within the Heritage Action Zone over the project period.
3. That within the Delivery Plan a funding application will be made to Historic England for a “Partnership in Conservation Repairs Scheme (PSiCA)” for £150,000. That Match Funding by Waveney District Council be approved, over a three year period, during the project (currently projected for 2019/20). The match required is £25k year 1, £50k year 2 and £75k in year 3, making a total of £150,000.

N.B. Mr Buteux and the Economic Regeneration Manager left the meeting at this point in the proceedings.

6 AMENDMENT TO DISCRETIONARY BUSINESS RATE RELIEF POLICY

The Cabinet Member for Tourism & Economic Development presented the report which sought approval to make amendments to the Local Discretionary Rate Relief Policy in order to accommodate an extension to the Enterprise Zone Business Rate Discount Scheme beyond the current deadline of 31 March 2018. It was noted that confirmation had been received from the Ministry of Housing, Communities and Local Government (formerly the DCLG) that they were not countenancing any extension to the Enterprise Zone funding regime from central government sources. They have suggested that Local Authorities use their own resources and mechanisms from the current rating system to do this.

Members were advised of the rationale for a limited extension to the Business Rate Discount Scheme, which was important for the delivery of the Enterprise Zone and Council’s economic growth objectives, as set out in the East Suffolk Business Plan and the East Suffolk Economic Growth Plan. It was noted that since 2013, 17 new businesses and 280 jobs had been created in the Enterprise Zone.

A Member commented that it had taken time for the Enterprise Zone to become fully established, due to the recession and economic situation. A Member queried whether Ellough formed part of the Enterprise Zone and it was confirmed that it did.

RESOLVED

That the proposed Local Discretionary Rate Relief (LDRR) Policy amendments, to include a 3 year extension to the current rate relief incentives offered by Enterprise Zone status, be approved.

7 REFURBISHMENT OF BECCLES BELL TOWER

The Cabinet Member for Resources presented the report which sought approval for additional funding to complete the works to Beccles Bell Tower. It was noted that Waveney District Council owns the freehold to St Michael's Bell Tower and Beccles Town Council have been granted a licence to occupy the premises for five years from the date of the licence (29 April 2016.) Health and safety risks from falling masonry had prompted a survey and subsequent works to the tower. A pre-tender budget for the works was estimated at £70,000, whilst the subsequent winning tender was accepted at £98,000. The works have taken longer than programme to execute, due to issues with the roof and this had led to the potential risk of increased costs, mainly due to the extra time for hire of the scaffold.

A Member took the opportunity to thank the Council for spending funds on improving the condition of the Bell Tower and they asked whether the final bill was currently known. It was reported that the current estimate was £123,000, however that could increase. Clarification was provided that the payments were staged and a quantity surveyor would need to sign off the works undertaken, prior to the final payment being made.

The Member stated that they were concerned that the replacement of the lead above the door had not been completed and it was urgently required and had been on the list of tasks to do. They requested that when the replacement of the lead was undertaken, that there was consultation with the Church and the Town Council, to try and to keep the disturbance caused by the scaffolding to a minimum. Confirmation was provided that the lead work would be undertaken sympathetically and consultation would be taken with all users, prior to any dates being fixed. It was noted that many lessons had been learned from this project, which would be taken forward to assist with future projects.

A Member raised concerns that the costs of this project could continue to creep upwards and they suggested that the proposed increase in costs should be capped, to provide additional certainty in this respect. It was also suggested that consultation should be taken with the Cabinet Member for Resources, prior to the funds being paid. Following discussions, it was moved and seconded that Recommendation 1 would be amended to:

'That, in consultation with the Cabinet Member for Resources, further funds be made available to complete the project, up to £150,000.'

A Member requested additional information about the reasons for the increase in costs. It was reported that the Bell Tower was around 500 years old and once the work had commenced, it had become apparent that there was more defective stone work throughout the building than originally thought. There had been a survey undertaken prior to the work, however it was not possible to investigate the whole of the tower, due to the height involved. Members were reassured that lessons had been learnt from this project and a full review would be undertaken to make future planned projects as robust as possible.

A Member commended the work undertaken on the Bell Tower, which was 500 years old and 98 feet tall. They also suggested that the new East Suffolk Council should have a comprehensive list of all its assets, which could then be monitored closely to ensure that they met Health and Safety regulations and that they were maintained on a regular basis.

A Member sought reassurance that there were regular condition surveys on the Council's assets, to ensure that they did not unnecessarily fall into disrepair. It was confirmed that the Asset Management & Investment Manager was looking into updating the programme of inspections and future information would be available in due course.

A Member queried whether any external funding streams could be used for this sort of project, now or in the future. It was reported that the Economic Regeneration Team were regularly bidding and applying for external funding and further information could be provided in this respect outside of the meeting. Clarification was provided that the Council was only responsible for the Bell Tower at St Michaels Church, not the church itself. It was noted that all churches were subject to a quinquennial inspection, which was programmed by the diocese.

RESOLVED

1. That, in consultation with the Cabinet Member for Resources, further funds be made available to complete the project, up to £150,000.
2. That a review be carried out by the Procurement Team, looking at the reasons for the overspend, in order to improve control measures in future projects.

8 EAST SUFFOLK ECONOMIC GROWTH PLAN 2018-23

The Cabinet Member for Tourism & Economic Development presented the report, which sought approval of the new East Suffolk Economic Growth Strategy. It was noted that economic growth was one of the three central pillars of the East Suffolk Business Plan and as such an effective economic growth strategy was required, to ensure that all of the Council's ambitions were achieved in this area. The new growth strategy supports the Council's objectives for achieving economic growth by identifying the key growth sectors, growth areas and thematic priorities upon which a successful growing economy was based.

The Head of Economic Development & Regeneration advised that a number of the new Strategies, including the LEP-led Norfolk & Suffolk Economic Strategy, had a significant focus upon East Suffolk to improve its economic growth. Therefore it was extremely important for this area to capitalise on this and grow its economy as much as possible over the coming months and years.

RESOLVED

- 1) That the refreshed vision and objectives for supporting economic growth in East Suffolk be approved.

- 2) That the new East Suffolk Economic Growth Strategy be approved.
- 3) That Delegated Authority be granted to the Head of Economic Development & Regeneration, in consultation with the Cabinet Members for Economic Development & Tourism to make any minor changes to the East Suffolk Economic Growth Strategy ahead of final publication.

9 TRANSFER OF OPEN SPACES / PLAY AREAS AT WORLINGHAM

The Cabinet Member for Resources presented a report which sought permission in principle to allow a freehold transfer of open spaces / play areas currently owned by Waveney District Council, to Worlingham Parish Council, which would allow the final details to be negotiated.

It was noted that the Council currently owned four play areas in Worlingham:

- All Saints Green
- Bluebell Way (also known as Foxglove Close)
- Woodfield Park (also known as Cedar Drive)
- Werels Loke (also known as Pepy's Avenue or Janet Hadenham Close)

In support of its process of divesting suitable assets to Town and Parish Councils, a transfer was being negotiated. Members noted that Worlingham Parish Council required certain works to be carried out at all of the sites prior to the transfer, and for 24 months maintenance of the sites after the transfer, via Waveney Norse. It was reported that this request for 24 months of maintenance was a recent request and was not therefore in the heads of terms at Appendix B to the report. It was noted that Worlingham Parish Council had previously requested 12 months maintenance. They also required the replacement of a roundabout item at the All Saints Green site.

A Member queried who had instigated this transfer. It was reported that Worlingham Parish Council had been very keen to take on these play areas and it would also assist the District Council with other ongoing matters. It was noted that this had been a long term issue and the Council had a policy of divesting these sites, wherever it was appropriate.

Confirmation was provided that it was part of the agreement that Waveney Norse would continue to maintain the play areas for a 2 year period.

RESOLVED

- 1 That the freehold transfer of the various open spaces identified in Appendix A be approved, in principle, to Worlingham Parish Council, subject to the necessary advertisements required under the Open Spaces Act 1906 being placed and responses to them being considered further.
- 2 That if no objections to the necessary advertisements referred to in recommendation 1 above are received, Delegated Authority be granted to the Head of Operations Strategic Management, acting in consultation with the Cabinet Member for Resources, and Head of Legal and Democratic Services, to

finalise all aspects of the transfer on terms that best protect the Council's interests.

- 3 That if objections to the necessary advertisements referred to in recommendation 1 above are received, they be reported back to Cabinet for its further consideration.

10 PROPOSED TRANSFER OF LAND AT GUNTON WARREN, LOWESTOFT TO LOWESTOFT TOWN COUNCIL

The Cabinet Member for Resources presented a report which sought permission for the transfer of land at Gunton Warren, Lowestoft to Lowestoft Town Council. It was reported that as part of the establishment of Lowestoft Town Council, several property assets were transferred freehold to the Town Council. It had been intended to include the land at Gunton Warren during the transfer, however it was incorrectly omitted from the transfer process at the time.

The site under consideration was an area of beach/dunes/heathland to the north of Links Road, Lowestoft. The vast majority of the land was currently being leased to Suffolk Wildlife Trust. Members were advised that there may be no legal obligation upon Lowestoft Town Council to accept the transfer, however whether or not they would choose to accept the land could only realistically be established if Waveney District Council resolved to transfer the land. However, it would seem unlikely that the transfer of land would be refused, as the vast majority of the area was tenanted at present. Therefore any obligations falling to Lowestoft Town Council as the landlord / freeholder would be very limited.

A Member queried whether the Pathfinder Funding of £68,000 for this area would also transfer to Lowestoft Town Council. It was confirmed that the funding would transfer and the funding would last for 10 years, the same as the length of the lease with Suffolk Wildlife Trust, who currently managed the land.

A Member queried whether Lowestoft Town Council were aware that they would be receiving this piece of land. It was confirmed that they were aware of the omission and that they were aware that the land would be transferred shortly.

RESOLVED

1. That the freehold transfer of the land at Gunton Warren Lowestoft shown edged in red on Plan B plan be approved, in principle, to Lowestoft Town Council, subject to the necessary advertisements required under the Open Spaces Act 1906 being placed and responses to them being considered further.
2. That if objections to the necessary advertisements referred to in recommendation 1 above are received, they be reported back to Cabinet for its further consideration.
3. That if no objections to the necessary advertisements referred to in recommendation 1 above are received, Delegated Authority be granted to the Head of Operations Strategic Management, acting in consultation with the

Cabinet Member for Resources, and Head of Legal and Democratic Services, to finalise all aspects of the transfer on terms that best protect the Council's interests.

11 PROPOSED TRANSFER OF LAND AT NORMANSTON ALLOTMENTS, LOWESTOFT TO LOWESTOFT TOWN COUNCIL

The Cabinet Member for Resources presented a report which sought permission for the transfer of land at Normanston Allotments, Lowestoft to Lowestoft Town Council. It was reported that as part of the establishment of Lowestoft Town Council, several property assets were transferred freehold to the Town Council. This was intended to include land at Normanston Allotments, however it was incorrectly omitted from the explanatory note to the order.

Members were advised that all of the relevant Waveney District Council allotment sites were leased to Lowestoft and District Allotments Ltd ie the 'allotment association' and the lease would expire in 2023.

Members were advised that there may be no legal obligation upon Lowestoft Town Council to accept the transfer, however whether or not they would choose to accept the land could only realistically be established if Waveney District Council resolved to transfer the land. However, it would seem unlikely that the transfer of land would be refused.

Following discussions with Members, it was confirmed that the omitted sites were the access paths to the allotments.

RESOLVED

1. That the freehold transfer of the land at Normanston Allotments identified in Plan C shown edged in red, blue and green to Lowestoft Town Council be approved.
2. That Delegated Authority be granted to the Head of Operations Strategic Management, acting in consultation with the Cabinet Member for Resources, and Head of Legal and Democratic Services, to finalise all aspects of the transfer on terms that best protect the Council's interests.

12 EXEMPT/CONFIDENTIAL ITEMS

RESOLVED

That, under Section 100(A)(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, 2 and 3 of Part 1 of Schedule 12A of the Act.

13 RECYCLING CREDITS: PROPOSAL FOR A NEW INTER-AUTHORITY AGREEMENT FROM SUFFOLK COUNTY COUNCIL FROM 2019

The Cabinet Member for Operational Partnerships presented a report which sought approval of the proposed new Inter-Authority agreement from 2019 onwards, as a package.

RESOLVED

1. That the new Inter-Authority agreement from 2019 be approved.
2. That officers are requested to negotiate the length of the settlement period.
3. That Waveney District Council continues its support for the Joint Suffolk Waste Partnership manager role and the Resource Efficiency Fund.

14 PURCHASE OF LAND IN LOWESTOFT

The Cabinet Member for Resources presented a report which sought approval to purchase the site in Lowestoft, as part of the wider AAP initiative.

RESOLVED

1. That the purchase of the land in Lowestoft be approved.
2. That Delegated Authority be granted to the Strategic Director, acting in consultation with the Cabinet Members for Tourism & Economic Development, Housing and Resources, and the Chief Finance Officer and Head of Legal & Democratic Services to complete the purchase of the site, up to a maximum value, as discussed at the meeting.

15 COMPULSORY PURCHASE ORDER PROPOSAL

The Cabinet Member for Housing presented a report, which sought approval to use a Compulsory Purchase Order to bring a long term empty property back into occupation.

RESOLVED

1. That the relevant Strategic Director, in consultation with the Cabinet Member for Housing, Head of Legal & Democratic Services and the Chief Finance Officer, be authorised to make a Compulsory Purchase Order under Section 17 of the Housing Act 1985.
2. That the Head of Legal & Democratic Services be authorised to incur legal expenditure up to the value as discussed at the meeting, for the associated legal costs and fees for the Compulsory Purchase Order and Basic Loss Payment.
3. That the Strategic Director be authorised, in consultation with the Cabinet Member for Housing, to spend up to the figure as discussed at the meeting, for the compensation and refurbishment of the property.
4. That the Strategic Director be authorised, at their discretion, to offer a unilateral undertaking under Section 106 of the Town and Country Planning Act 1990, securing

the bringing back into use of the property by the current owners, which if breached will lead to the Council implementing the CPO to secure ownership and the bringing back into use of the property.

5. That, if the property is acquired pursuant to a Compulsory Purchase Order, that the retention of the property as Local Authority housing stock, following the successful acquisition and subsequent renovation to a habitable standard be approved.

16 FORMER LIFEGUARD SHELTER, THE ESPLANADE, LOWESTOFT

The Cabinet Member for Resources presented a report which sought approval to renovate the former Lifeguard Shelter at The Esplanade, Lowestoft.

RESOLVED

1. That the expenditure of the sum as discussed at the meeting, to refurbish the former Lifeguard Shelter on the Esplanade, Lowestoft, be approved.
2. That the granting of a concession at the shelter, after its refurbishment, be approved.

17 REVIEW OF OPTIONS FOR THE FUTURE OF BUNGAY LOCAL OFFICE

The Cabinet Member for Resources presented a report, which considered the future options for the Bungay Local Office.

RESOLVED

1. That Delegated Authority be granted to the Head of Operations, in consultation with the Cabinet Member for Mergers and Communities and the Cabinet Member for Resources, to enter into discussion and negotiations with Bungay Town Council on the future of the assets at 1A Broad Street, with a view to transferring the property to the Town Council at a figure that is deemed to represent Market Value, this to be confirmed by further independent valuation, if required.
2. That if terms are not agreed for the transfer to Bungay Town Council for the amount as discussed at the meeting, then the property would be placed on the open market for disposal at a value to be confirmed at the time the property is offered for sale.

18 PROPOSED DISPOSAL OF LAND ADJACENT TO 16 BARNABY GREEN, SOUTHWOLD

The Cabinet Member for Resources presented a report which sought approval for a way forward in relation to the proposed disposal of land, adjacent to 16 Barnaby Green in Southwold.

RESOLVED

1. That the current offer of the sum as discussed at the meeting be declined.
2. That the Council submits a response to the Land Registry.
3. That Delegated Authority be granted to the Head of Operations, acting in consultation with the Cabinet Member for Resources and Head of Legal &

Democratic Services, to resolve the matter in a manner which best protects the Council's interests.

19 REDEVELOPMENT OF FORMER MODEL YACHT POND, FERRY ROAD, SOUTHWOLD

The Cabinet Member for Resources presented the report which sought approval for an outline business case for the redevelopment of the former Model Yacht Pond at Ferry Road, Southwold.

RESOLVED

1. That the outline business case for the redevelopment of the former Yacht Pond on Ferry Road be approved, based on an anticipated development budget of the sum as discussed at the meeting, subject to an agreed financial business case with Financial Services being in place, confirming that the project is financially viable.
2. That the Council continues to work up a detailed design scheme, apply for planning permission and draws up a detailed management specification for tender to specialist agencies.
3. That, should planning permission be secured, Delegated Authority be granted to the Chief Finance Officer and Strategic Director to proceed with the development, provided it can be delivered within budget.

20 REDEVELOPMENT OF FORMER PILLBOX, NORTH PARADE, SOUTHWOLD

The Cabinet Member for Resources presented the report which sought approval for an outline business case for the redevelopment of the former Pillbox, North Parade, Southwold.

RESOLVED

1. That the outline business case to develop the former pillbox, as outlined within the report, be approved based on the anticipated development budget of the sum as discussed at the meeting and subject to an agreed financial business case with Financial Services being in place.
2. That the Council continues to work up the detailed design, submit a planning application and draw up a detailed tender specification and agreed a strategy for the ongoing management of the facility.
3. That if planning permission can be secured, that the Strategic Director be authorised to proceed with the development, provided it can be delivered within budget.

21 CONFIDENTIAL MINUTES

RESOLVED

That the Exempt Minutes of the Cabinet Meeting held on 14 March 2018 be approved as a correct record and signed by the Chairman.

The meeting concluded at 8.30 pm.

Chairman