

CABINET DECISION NOTICES FOR THE MEETING HELD ON WEDNESDAY, 11 APRIL 2018

Decision Notice Publication Date: Friday, 13 April 2018

Call-in period: Monday, 16 April 2018 to Friday, 20 April 2018

Implementation Date: Monday, 23 April 2018

(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 Area | Tourism & Economic Development |
|------------------|--------------------------------|
| Title of Report | Heritage Action Zone Update |
| Report Reference | REP1830 |

Purpose of Report

To seek approval of the Heritage Action Zone Delivery Plan, which sets out the project management and governance structure in which the outputs would be managed and monitored, the resources required both financial and staff time and the projects and timetable for the five year programme. A funding application would be made to Historic England for a 'Partnership in Conservation Repairs Scheme' for £150,000 and approval would also be sought for match funding from Waveney District Council.

Options Considered

Two alternative options have been 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 in a conservation area that is already on the national At Risk Register.

Option 2 - Do not proceed with the 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.

Reasons for Decision

It was identified in 2017 that there was 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 the Council to work with the local community to engender pride in the area, reduce the number of vacant shops, bring buildings back into use, remove the conservation area from the At Risk Register, and to deliver housing that is sensitive in the conservation area.

The Delivery Plan and MOU set out a robust way of working in partnership to deliver the five year programme. It will also allow the Council to harness Historic England's expertise and resources in order to deliver the vision.

CABINET DECISIONS:

- 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.

| Declarations of Interest / | None |
|----------------------------|------|
| Conflicts of Interest | |

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| Cabinet Area | Tourism & Economic Development |
|------------------|--|
| Title of Report | Amendment to Discretionary Business Rate Relief Policy |
| Report Reference | REP1845 |

Purpose of Report

To seek approval to make amendments to the Local Discretionary Rate Relief (LDRR) Policy in order to accommodate an extension to the Enterprise Zone business rate discount scheme beyond the current deadline of 31 March 2018.

Options Considered

- 1. Do nothing: Without the necessary incentives for developers to attract investment, it is likely that appetite for further investment will fade, and we are likely to be left with a number of speculative build work spaces on the market that will take longer to fill, and have an impact on the longer term income for the EZ. There is also a reputational risk here that we may not be able to achieve our output targets for job and business creation.
- 2. Option 2- Like for like replacement scheme: We could extend the existing parameters for to facilitate units which are currently under construction. This would offer five years' worth of rate relief with a 'cut-off' of the end of March 2019 to qualify. However, a five year proposal would have a greater impact in the EZ income projections, which have a negative impact on the Council's ability to invest in infrastructure in the longer term.
- 3. **Option 3 Use the existing Local Discretionary Rate Relief:** Allow businesses to apply for the current scheme. This would be assessed on a case by cases basis with set criteria measuring the assistance provided. The criteria would line up against the aims and objectives of the project, prioritising businesses that offered a greater return on jobs. This however, is not likely to offer the security to developers who want to market their sites offering the incentives that the EZ provides.
- 4. **Option 4 Lobby central Government:** Make a case that central Government extends the existing scheme to bring it in line with other tax incentives offered in the EZs (ie to March 2020). This was the preferred option and was supported at a local political level, but has been rejected by central Government.

Reason for Decision

Our recommendation to extend the existing rate relief incentives within the enterprise zones by a further 3 years represents the most cost effective way of providing businesses the confidence they need to invest in these key sites. The income generated through these investments over the longer term will assist in unlocking future growth and allow partners to overcome barriers to the remaining undeveloped land.

CABINET DECISION:

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.

| Conflicts of Interest | | |
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Councillor M Bee Leader of the Council

(If no Call-In activated)

Declarations of Interest / None



| Cabinet Area | Resources |
|------------------|-------------------------------------|
| Title of Report | Refurbishment of Beccles Bell Tower |
| Report Reference | REP1861 |

Purpose of Report

To consider the approval of an increase in the cost of works to repair the bell tower. A pre-tender budget for the works was estimated at £70,000. The subsequent winning tender was accepted at £98,000. The ongoing works have taken longer than programmed, which has led to the potential risk of increased costs mainly duel to the extra time for the hire of scaffolding.

Options Considered

Not to pay the additional funds for the work. This was rejected, as the Council has a duty of care to ensure that the building meets health and safety standards, to ensure public safety.

Reason for Decision

The Council has a duty of care to ensure that the building meets health and safety standards, to ensure public safety. This project will also help the Council to achieve its aim of maintaining and restoring historic assets, to preserve and enhance the environment, to promote leisure and culture within the community, supporting local partners and businesses in the market town of Beccles.

CABINET DECISIONS:

- 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.

| Declarations of Interest / | Councillors Bee, Brooks, Catchpole and Topping declared Local Non |
|----------------------------|--|
| Conflicts of Interest | Pecuniary Interests as Members of Beccles Town Council. Councillor Bee |
| | also declared he was on the PCC of St Michaels Church. Councillor |
| | Topping also declared she was Chairman of Beccles Town Council Assets |
| | Committee. |

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| Cabinet Area | Tourism & Economic Development |
|------------------|------------------------------------|
| Title of Report | East Suffolk Growth Plan 2018-2023 |
| Report Reference | REP1844 |

Purpose of Report

To seek approval of the new East Suffolk Growth Strategy, which supports the refreshed vision and objectives for facilitating economic growth in East Suffolk.

Options Considered

None. It is in the Council's interest to have a refreshed East Suffolk Growth Strategy to help improve the economy of the district.

Reason for Decision

The East Suffolk Business Plan recognises the importance of economic growth and its role in improving the quality of life for east Suffolk residents, businesses, employees and visitors alike. In order to drive forward our economic growth aspirations an up to date economic growth strategy is required reflecting current economic conditions, the opportunities we need to explore and the challenges to growth we need to address. Therefore Cabinet is asked to approve the new plan to ensure that the Council has the correct framework to meet its business plan actions to facilitate economic growth across East Suffolk.

CABINET DECISIONS:

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

| Declarations of Interest / | None |
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| Conflicts of Interest | |
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| Cabinet Area | Resources |
|------------------|--|
| Title of Report | Transfer of Open Spaces / Play Areas at Worlingham |
| Report Reference | REP1751 |

Purpose of Report

To consider granting approval 'in principle' of the freehold transfer of open spaces / play areas currently owned by Waveney District Council to Worlingham Parish Council, to allow the final details of the negotiation to be progressed.

Options Considered

The main alternative to the proposed transfer would be for WDC to continue to own and manage the various open spaces. This is not favoured given the commitment in the East Suffolk Business Plan to continue to transfer amenity and community assets to town and parish councils. This option would also mean that WDC would continue to incur management and maintenance costs indefinitely.

Another alternative might be use of the land by WDC for other purposes. No formal enquiries as to alternative uses have been made of WDC Planners. Informal discussions have indicated that there might be very limited development opportunities. Most of the various sites are subject to restrictions in respect of the Open Spaces Act 1906 meaning any opportunities for alternative used would be severely restricted. Part of the Woodfield Park site is not covered by such a restriction, but is within a site noted in the Local Plan as protected as Open Space under Development Management policy DM25. Alternative uses for this area would therefore also be very limited. In the case of the Bluebell Way/Foxglove Close site there are no such restrictions, but WDC has no proposals for alternative uses. Any development opportunities which do exist may in any case require agreements with adjacent owners. Action would be taken to protect WDC's interests under the proposed transfer through restrictive covenants as to use or other suitable legal means.

Reasons for Decision

- 1. The recommendation will support the actions in the East Suffolk Business Plan.
- 2. The recommendation will allow the completion of final negotiations.
- 3. The recommendation will allow the consideration of any objections to the proposed disposal by the Cabinet in due course.

CABINET DECISIONS:

- 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.

| Declarations of Interest / Conflicts of Interest | None |
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| Cabinet Area | Resources |
|------------------|---|
| Title of Report | Proposed Transfer of Land at Gunton Warren, Lowestoft to Lowestoft Town Council |
| Report Reference | REP1852 |

Purpose of Report

To seek approval of the transfer of Gunton Warren land to Lowestoft Town Council, which was incorrectly omitted from the transfer process, when Lowestoft Town Council was established.

Options Considered

None as the proposal is the only option in line with WDC's intended position under the Order.

To protect WDC's interests in such cases it is often sought to apply restrictive covenants to the transfer in respect of future use of the land and/or future disposals. It is not proposed to do so in this case. Had the transfer been achieved through the Order, no specific restrictive covenants would have been applied. Any redevelopment or change of use would be subject to the usual Planning regime.

It may be necessary to consider other options should approval be given but LTC decline to accept the transfer.

Reasons for Decision

The proposed freehold transfer is by way of addressing an omission made in Schedule 2 of the Waveney District Council (Reorganisation of Community Governance) Order 2017.

The proposed disposal would be subject to the statutory Open Space Disposal process under the Open Spaces Act 1906.

CABINET DECISIONS:

- 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.

| Declarations of Interest / | None |
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| Cabinet Area | Resources |
|------------------|---|
| Title of Report | Proposed Transfer of Land at Normanston Allotments, Lowestoft to Lowestoft Town Council |
| Report Reference | REP1851 |

Purpose of Report

To seek approval of the transfer of Normanston Allotment land to Lowestoft Town Council.

Options Considered

The situation could be allowed to rely upon the Local Government (Parishes and Parish Councils) (England) Regulations 2008. It is however unclear if this would apply to all of the red, blue and green outline areas. It is felt that the lack of clarity would not be beneficial to WDC, LTC or Lowestoft and District Allotments Limited.

To protect WDC's interests in such cases it is often sought to apply restrictive covenants in respect of future use of the land and/or future disposals. It is not proposed to do so in this case. If the transfer was allowed to rely upon the Local Government (Parishes and Parish Councils) (England) Regulations 2008 no specific restrictive covenants would apply.

It may be necessary to consider other options should approval be given but LTC decline to accept the transfer.

Reasons for Decision

The proposed freehold transfer would clarify the current ownership position by way of addressing a lack of clarity in the Waveney District Council (Reorganisation of Community Governance) Order 2017.

CABINET DECISIONS:

- 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.

| Declarations of Interest / | None |
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OPEN CABINET DECISION NOTICE - FOR EXEMPT ITEM

| Cabinet Area | Operational Partnerships |
|------------------|---|
| Title of Report | Recycling Credits: Proposal for a new Inter Authority Agreement from Suffolk County Council from 2019 (Exempt Report) |
| Report Reference | REP1850 |

Purpose of Report

To consider the approval of the proposed new Inter-Authority agreement from 2019 onwards, as a package.

Options Considered

Other options were not considered to be advantageous to the Council and were therefore rejected.

Reason for Decision

The proposed new Inter-Authority agreement from 2019 onwards offers the best value for the Council.

CABINET DECISIONS:

- 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.

| Declarations of Interest / | None |
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| Conflicts of Interest | |

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OPEN CABINET DECISION NOTICE - FOR EXEMPT ITEM

| Cabinet Area | Resources |
|------------------|---|
| Title of Report | Purchase of Land in Lowestoft (Exempt Report) |
| Report Reference | REP1855 |

Purpose of Report

To consider the purchase of land in Lowestoft, as part of the wider AAP initiative.

Options Considered

Not to purchase the land. This was rejected as not being in the best interests of the Council and it would not assist in the regeneration of the AAP.

Reason for Decision

The purchase of the land would enable the Council to assist in the regeneration of part of Lowestoft.

CABINET DECISIONS:

- 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.

| Declarations of Interest / | None |
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| Conflicts of Interest | |

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OPEN CABINET DECISION NOTICE – FOR EXEMPT ITEM

| Cabinet Area | Housing |
|------------------|--|
| Title of Report | Compulsory Purchase Order Proposal (Exempt Report) |
| Report Reference | REP1699 |

Purpose of Report

To consider the use of a Compulsory Purchase Order to bring a long term empty property back into occupation.

Options Considered

To leave the property in its current poor state of repair. This was rejected, as the property in its current condition creates issues for the local community.

Reason for Decision

The property has remained empty for a number of years and had been subject to complaints from neighbours. The property had also been used for unsocial and unlawful activity, which had required Police intervention at times. The property had the potential to be returned to a residential use and provide much needed housing for the district.

CABINET DECISIONS:

- 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.
- 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.

| Declarations of Interest / | None |
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| Conflicts of Interest | |
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OPEN CABINET DECISION NOTICE - FOR EXEMPT ITEM

| Cabinet Area | Resources |
|------------------|--|
| Title of Report | Former Lifeguard Shelter, The Esplanade, Lowestoft (Exempt Report) |
| Report Reference | REP1762 |

Purpose of Report

To consider the proposal to renovate the former Lifeguard Shelter at The Esplanade, Lowestoft.

Options Considered

To do nothing. This was rejected as the structure would be subject to further deterioration, which would lead to loss of potential income and ultimately the loss of the amenity.

Reason for Decision

The proposed renovation would improve a heritage asset, which would provide both economic and financial benefit to the Council.

CABINET DECISIONS:

- 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.

| Declarations of Interest / | None |
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| Conflicts of Interest | |

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OPEN CABINET DECISION NOTICE – FOR EXEMPT ITEM

| Cabinet Area | Leader of the Council, Merger & Communities, Resources |
|------------------|---|
| Title of Report | Review of Options for the Future of Bungay Local Office (Exempt Report) |
| Report Reference | REP1358 |

Purpose of Report

To consider the future options for the Bungay Local Office, as presented within the report.

Options Considered

None. The property is no longer required by the Council and should therefore be disposed of.

Reason for Decision

The property is no longer required by the Council and should therefore be disposed of. This would enable the asset to be used more appropriately within the local community.

CABINET DECISIONS:

- 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.

| Declarations of Interest / | None |
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OPEN CABINET DECISION NOTICE - FOR EXEMPT ITEM

| Cabinet Area | Resources |
|------------------|---|
| Title of Report | Proposed disposal of land adjacent to 16 Barnaby Green, Southwold (Exempt Report) |
| Report Reference | REP1843 |

Purpose of Report

To consider the way forward in relation to the proposed disposal of land, adjacent to 16 Barnaby Green, Southwold.

Options Considered

All other options were considered and were rejected as not being in the best interests of the Council.

Reason for Decision

The future of the land needs to be resolved and the Council's interests need to be protected.

CABINET DECISIONS:

- 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.
- 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.

| Declarations of Interest / | None |
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OPEN CABINET DECISION NOTICE – FOR EXEMPT ITEM

| Cabinet Area | Resources |
|------------------|---|
| Title of Report | Redevelopment of former Model Yacht Pond, Ferry Road, Southwold (Exempt Report) |
| Report Reference | REP1624 |

Purpose of Report

To consider an outline business case for the redevelopment of the former Model Yacht Pond at Ferry Road, Southwold.

Options Considered

All other options for the site were considered and were rejected as not being in the best interests of the Council.

Reason for Decision

The proposed redevelopment would bring an un-used asset back into operation, which would provide a significant boost to the local economy and tourist offer in the area.

CABINET DECISIONS:

- 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.
- 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.

| Declarations of Interest / | None |
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OPEN CABINET DECISION NOTICE – FOR EXEMPT ITEM

| Cabinet Area | Resources |
|------------------|--|
| Title of Report | Redevelopment of former Pillbox, North Parade, Southwold (Exempt Report) |
| Report Reference | REP1404 |

Purpose of Report

To consider an outline business case for the redevelopment of the former Pillbox, North Parade, Southwold.

Options Considered

All other options for the site were considered and were rejected as not being in the best interests of the Council.

Reason for Decision

The proposed redevelopment would provide a unique opportunity, which would aid the self sufficiency of the Council and improve the aesthetics of the structure.

CABINET DECISIONS:

- 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.

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Councillor M Bee Leader of the Council

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