

CABINET held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 23 AUGUST 2023 at 7.00 pm

Present: Councillor P Lees (Chair)
Councillors J Evans, N Hargreaves and M Sutton

Officers in attendance: P Holt (Chief Executive), J Etherington (Director of Finance, Revenues and Benefits), B Ferguson (Democratic Services Manager), D Hermitage (Strategic Director of Planning) and A Webb (Strategic Director of Finance, Commercialisation and Corporate Services).

Also Present: Councillors R Freeman (Ward member for Saffron Walden, Castle Ward), N Gregory (Chair of Scrutiny Committee) and G Sell (Leader of the Liberal Democrat Group)

CAB18 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Reeve and Coote as members of Cabinet.

Apologies were received from Councillors Barker and Pavitt as leaders of the opposition groups.

There were no declarations of interest.

CAB19 REQUEST FROM ASPIRE (CRP) LTD FOR ADDITIONAL FUNDING FOR FURTHER DEVELOPMENT AT CHESTERFORD RESEARCH PARK

Councillor Evans presented the report regarding the request from Aspire (CRP) Ltd for funding to further develop Chesterford Research Park. He said the request was to facilitate the building of Unit 800 and a solar farm, for which planning permission had already been obtained, and that the Council's partner, Aviva, had committed to the proposal. He said if the Council were not willing to permit additional funding, the Council's percentage of the land holding in the joint venture would be diluted. In regards to the terms of borrowing, the loan would be borrowed on an interest only basis and the funds would be taken in tranches. He asked that the minutes of the Investment Board meeting held on 22 August 2023 be appended to the minutes to evidence that the risks and benefits of the investment had been fully considered. He proposed approval of the recommendations set out in the report.

Councillor Hargreaves seconded the recommendation. He said the valuation of the Council's asset would increase following the proposed works on the park.

For clarity, the Strategic Director of Finance, Commercialisation and Corporate Services said it would be the Director of Finance Revenues and Benefits, not the

S151 Officer, who would have delegated authority to finalise the terms of the loan facility, due to a conflict of interest.

Councillor Sell said he supported Chesterford Research Park but was concerned with the costs of borrowing and the impact on Blueprint Uttlesford.

In response, the Strategic Director of Finance, Commercialisation and Corporate Services said a report would be considered by the Investment Board regarding the pros and cons, and the valuation, of each of the Council's investment assets. He said the cost of the loan for the first three years was £2.3million as set out in paragraph 45 of the report.

The Chief Executive highlighted the use of reserves and said it was not in place solely to fund repayments but also to mitigate against any potential loss of future rental income. He said the reserves would be increased by £1million annually.

In response to a question from the Leader, the Strategic Director of Finance, Commercialisation and Corporate Services said this borrowing would not jeopardise the Housing Revenue Account, nor council house building targets, as the Council would look for alternative means of funding other than the Public Works Loan Board if necessary.

The proposal was approved unanimously.

RESOLVED to:

- I. Approve a new loan facility of up to £21,060,000 be made available to Aspire (CRP) Ltd, to be drawn down in tranches over a period of up to 2 years, subject to Full Council agreeing to make funding available for this purpose;
- II. note the implications of making the loan on the Council's access to Public Works Loan Board, as set out in paragraphs 50 to 57 of the report, and;
- III. delegate authority to the Director of Finance, Revenues & Benefits (in consultation with the Portfolio Holder for Finance and the Economy and the Council's external treasury advisers) to agree the final terms of the loan facility, including the interest rate to be charged (such rate to be no less than 7.5%).

CAB20 **PLANNING AND ENVIRONMENTAL HEALTH ISSUE – ELECTRICITY SUB-STATION, MORTIMER'S GATE, SAFFRON WALDEN**

The Leader said Cabinet would adjourn and reconvene on the rise of the Extraordinary Council meeting scheduled for 24 August to consider the recommendation of Council regarding the environmental health problem at Mortimer's Gate, Saffron Walden.

The meeting was adjourned at 7.30pm.

The meeting was reconvened on 24 August at 8.15pm. Councillors Lees, Hargreaves and Evans were present as members of Cabinet.

Councillors Freeman (ward member for Castle Ward, where the sub-station was located), Gregory and Sell were also in attendance.

The Leader said the meeting had been reconvened following the recommendation of Full Council to fund the Mortimer's Gate remedial works without acceptance of liability. She proposed approval of the recommendation.

Councillor Evans seconded the proposal. He said the Council's view mirrored that of Cabinet members and the administration would ensure planning measures were in place so such a situation could not happen again.

Councillor Sell said he was disappointed with the developer and wondered what could be done to point out to them that the Council was not happy with having to pick up the cost.

Councillor Gregory requested that developer obligations be looked at on an overall level, for instance, the placement of playgrounds in new developments.

Councillor Hargreaves said the developer made no mention of the statutory noise nuisance emanating from the electricity sub-station in their own noise assessment of the site. He said this was not good enough.

The Leader thanked officers and the Chief Executive for bringing this long standing matter to a close. The proposal was approved unanimously.

RESOLVED to agree to fund the remedial works without acceptance of liability up to the cash maximum provided for by Full Council, detailed in appendix C of the report.

The meeting was closed at 8.25pm.