

## **ST EDMUNDSBURY BOROUGH COUNCIL**

### **CABINET**

#### **Minutes of a meeting held on Wednesday 7 May 2008 at 5.00 pm in the Council Chamber, Borough Offices, Angel Hill, Bury St Edmunds**

PRESENT: Councillor Griffiths (Chairman)  
Councillors Aitkens, Mrs Alexander, Clements, Farmer,  
Mrs Mildmay-White, Ray and Stevens

BY INVITATION: Councillors Ereira-Guyer (Chairman of the Overview and Scrutiny  
Committee) and Spicer (Vice-Chairman of the Performance and  
Audit Scrutiny Committee)

#### **190. Apologies for absence**

No apologies for absence were received.

#### **191. Minutes**

The minutes of the meeting held on 19 March 2008 were confirmed as a correct record and signed by the Chairman, subject to the word "Joint" being added to recommendation 5 of Minute 182 regarding the Waste and Street Scene Services Joint Committee.

#### **192. Declarations of Interests**

Members' declarations of interests are recorded under the item to which the declaration relates.

#### **193. Report from the Performance and Audit Scrutiny Committee: 28 April 2008**

*Forward Plan Reference: N/A Cabinet Member: All Portfolios*

The Cabinet received and noted Report Y725 (previously circulated) which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny Committee on 28 April 2008:-

- (1) Audit Commission presentation of reports: Annual Audit and Inspection letter 2008 and Data Quality 2006/2007;
- (2) Annual Internal Audit Report 2007/2008, Outline Audit Plan 2008/2009 and Internal Audit Strategy;
- (3) Annual Governance Statement;
- (4) Key Performance Indicators: Fourth Quarter 2007/2008;
- (5) New National Indicators and Key Performance Indicators;
- (6) Publication of a Best Value Performance (BVPP);
- (7) Council Improvement Plan 2007/2008: Annual Progress Report;
- (8) Bi-annual Corporate Complaints Digest;
- (9) Corporate Budget Monitoring Report; and
- (10) Corporate Risk Register: Quarterly Monitoring Report.

Councillor Spicer, Vice-Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of Cabinet.

**194. Report from the Overview and Scrutiny Committee: 23 April 2008**

*Forward Plan Reference: N/A Cabinet Member: All Portfolios*

The Cabinet considered Report Y726 (previously circulated) which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 23 April 2008:-

- (1) Staff Survey 2007: Ipsos MORI final report and presentation;
- (2) Post Office Network Change: Proposed Closures in St Edmundsbury;
- (3) Review of the Reduction in the number of Animal Wardens from 2 to 1;
- (4) Cabinet Forward Plan: April to July 2008; and
- (5) Work Programme.

Councillor Ereira-Guyer, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet. The Scrutiny Manager also highlighted the recommendation relating to the minutes dated 5 March 2008 in connection to the Rural Action Plan 2008 to 2011.

Councillor Mrs Mildmay-White raised concern regarding the changes relating to stray dogs and the impact on the Borough Council of having taken over responsibility from the Police for dealing with strays at the weekends and evenings.

RESOLVED:-

That officers be given delegated authority to agree minor amendments to the updated Rural Action Plan for 2008 to 2011, as detailed in Report Y606, as amended.

**195. West Suffolk House, Bury St Edmunds: Storage and Records Management**

*Forward Plan Reference: May08/03 Cabinet Members: Nigel Aitkens and David Ray*

The Cabinet considered Report Y727 (previously circulated) which sought approval to progress with a joint storage solution at West Suffolk House.

Phase One of the Public Service Village Programme is the construction of West Suffolk House. The building will be jointly owned by St Edmundsbury Borough Council and Suffolk County Council and a Joint Committee was established to manage the building through procurement to occupation and beyond. In order to enable the floor space within the new offices to be effectively utilised, it is proposed to remove closed filing from a working area and adopt a joint storage and records management solution.

With a robust approach to removing duplication, unnecessary filing, greater use of electronic filing and the implementation of a destruction policy, it is estimated that for St Edmundsbury Borough Council, the amount of storage can be reduced to approximately 2,300 linear metres equating to 7,000 record management boxes. The assumption is based on information provided by Suffolk County Council's Record Management Service and the recent adoption of a similar approach by Ipswich Borough Council when moving into accommodation.

Councillor Farmer clarified that there would be dedicated staff employed to retrieve files and deliver them safely to the relevant officer.

RESOLVED:- That

- (1) Option 4, as contained within the Business Case for Joint Storage Solution at West Suffolk House (Appendix A to Report Y727) be adopted;
- (2) a capital budget allocation of up to £85,000, funded from the Building Repairs Reserve, be made for the conversion and fitting out of the existing depot as detailed in Table 3.1 of the Business Case for Joint Storage Solution at West Suffolk House (Appendix A to Report Y727); and
- (3) the Corporate Director of Resources, in consultation with the Portfolio Holders for Economy and Asset Management and Performance and Organisational Development, be given delegated authority to implement the measures necessary to deliver joint file storage and records management.

**196. Annual Review and Appointment of Cabinet Working Parties and Panels**  
*Forward Plan Reference: N/A Cabinet Member: John Griffiths*

The Cabinet considered Report Y728 (previously circulated) which sought approval for amendments to its Working Parties and Panels.

The Constitution states that the Cabinet may establish Working Parties and Panels to consider specific issues and to make recommendations. A number of Working Parties and Panels have been established and the Cabinet reviews the membership, terms of reference and continued need for them on an annual basis. On 23 May 2007 the Cabinet had agreed 12 Panels/Working Parties, however, some Panels were now defunct as the work had been completed and while in others there was a danger of overlap with other committees leading to potential duplication.

RESOLVED:- That

- (a) Bury St Edmunds Town Council Working Party (BSETCWP)**
  - (i) the Bury St Edmunds Town Council Working Party be disbanded with immediate effect; and
  - (ii) the Bury St Edmunds Town Centre and Cattle Market Working Party(or its successor) undertake functions of the Town Council Working Party as appropriate and its Terms of Reference be amended to include 'To consider service related and other issues and liaise with Bury St Edmunds Town Council as appropriate';
- (b) Bury St Edmunds Town Centre and Cattle Market Working Party**
  - (i) the Bury St Edmunds Town Centre and Cattle Market Working Party be renamed 'Bury St Edmunds Area Working Party'; and
  - (ii) the Terms of Reference detailed in Appendix A to Report Y728 be approved.
- (c) Joint Staff Consultative Panel/Central Safety Panel: Proposed Amalgamation**

Subject to satisfactory consultation, the Head of Legal and Democratic Services be authorised to amalgamate the Joint Staff Consultative and Central Safety Panels.

**(d) Sports and Leisure Development Panel**

The Sports and Leisure Development Panel be disbanded with immediate effect and that its functions be undertaken as outlined in Report Y728 and, specifically:-

- (i) the Policy Development Committee be requested to undertake any future leisure policy or strategy reviews as part of its remit to advise on the development of policy, taking into account the available space on the Committee's work programme;
- (ii) all other issues regarding leisure and sports development functions, including those relating to the Olympic Games 2012, be progressed through the Cabinet;
- (iii) the Overview and Scrutiny Committee be requested to carry out annual monitoring of the provision of leisure activities by Abbeycroft Leisure, and that for 2008/2009 monitoring be carried out as part of the Committee's planned monitoring of the Action Plan arising from its post implementation review of the Trust transfer;
- (iv) monitoring and negotiating management fees with Abbeycroft Leisure Board be formally allocated to the Grant Panel;
- (v) those matters with specific regard to the Bury St Edmunds and Haverhill Leisure Centres be considered by the Area Working Parties; and
- (vi) other issues, such as consideration of Capital Expenditure items, be considered by the Cabinet.

**(e) Sustainable Development Panel**

The Sustainable Development Panel deal with strategic issues only. Operational items to be considered by other bodies, such as the Bury St Edmunds Town Centre and Cattle Market (or its successor) and Haverhill Area Working Parties.

**(f) Procurement Standards Board**

A formal reporting arrangement be made involving the Performance and Audit Scrutiny Committee as part of its performance management role in monitoring the Procurement Strategy Action Plan.

**(g) Members' Health Panel**

The dissolution of the Members' Health Panel be endorsed.

**(h) Policy Development Committee: Service Delivery Review Panel**

The Service Delivery Review Panel's Terms of Reference be reviewed by the Policy Development Committee.

**(i) Appointment to Working Parties and Panels**

The Head of Legal and Democratic Services be authorised to appoint Members to the Working Parties and Panels in accordance with nominations put forward by the relevant Group Leaders and in consultation with the independent Members.

**197. Budget Monitoring Report 2007/2008: 29 February 2008**

***Forward Plan Reference: N/A Cabinet Member: Paul Farmer***

The Cabinet received and noted Report Y718 (previously circulated) which was the Budget Monitoring Report for the period to 29 February 2008.

Appendix A of the report was the General Fund Budget Monitoring Report which showed an overall underspend against the budget of £1,951,000 as at 29 February 2008. Appendix B to the report summarised the position in respect of Capital Expenditure. Actual Capital Expenditure totalled £12,532,000 compared to the Budget for the full year of £18,031,000.

Councillor Farmer stated that the figures relating to the Capital Disposal Programme needed updating to reflect receipts up until the end of April 2008 and should read £5.227m instead of £2.8m.

**198. Provision of Courier Services: Compliance with Contract Procedure Rules**

***Forward Plan Reference: N/A Cabinet Members: Nigel Aitkens***

The Cabinet received and noted a narrative item which informed members of an exemption to the Contract Procedure Rules, which had to be reported at the next meeting of the Cabinet.

The Corporate Director for Resources had authorised the exemption to Contract Procedure Rules as members of the Borough Council's courier service had resigned and the County Council were able to provide immediate, interim and experienced support. The Borough Council have already agreed to join with Suffolk County Council to deliver Facilities Management Services for West Suffolk House and the temporary arrangement would be subject to a formal procurement process a year into occupation of the new building.

**199. Sustainable Development Panel Recommendations: 15 April 2008**

***Forward Plan Reference: May08/04 Cabinet Members: Terry Clements and Peter Stevens***

The Cabinet considered Report Y729 (previously circulated) which contained the recommendations from the meeting of the Sustainable Development Panel held 15 April 2008.

The Cabinet noted the tabled correspondence received from residents in the South East of the Borough relating to the National Air Traffic Services (NATS) Consultation recommendation.

Councillor Clements stated that, in light of correspondence received from residents and additional information received since the meeting of the Sustainable Development Panel on 15 April 2008, he felt that the NATS recommendation needed to be amended to reflect the concerns raised by residents.

Councillor Spicer queried whether there was a group who could be contacted with complaints if residents felt the planes were flying too low or too quickly. The Planning Policy and Specialist Services Manager advised that the Civil Aviation Authority would be the correct organisation and details of the time of flight would need to be provided.

Councillor Mrs Mildway-White requested, from the Principal Environmental Health Officer, an indication of the level of noise expected from planes flying overhead arising from the proposed changes. The Principal Environmental Health Officer advised that information was available for members of the public on the NATS website, together with guidance relating to the maximum noise levels. He explained that a definite indication of noise was difficult to provide but if a plane were travelling at 4,000 feet then the noise level should be between 50 and 71 decibels, possibly rising to 76 decibels, which would compare to a lorry driving past.

Cabinet Members expressed their concern at the way the consultation undertaken by NATS relating to the proposed changes had been conducted and felt that Parish Councils should have been contacted directly.

Councillor Mrs Mildmay-White also queried, in relation to the Regional Spatial Strategy what the definition of a "pitch" was. The Planning Policy and Specialist Services Manager referred to the definition contained within Report Y686 considered by the Sustainable Development Panel, stating that it was possible for three caravans to be situated on a pitch, however the average was 1.7 caravans per pitch.

RESOLVED:- That

**(a) St Edmundsbury Replacement Local Plan 2016 – Policy RA2(b); Strategic Greenfield Site – Ixworth – Draft Concept Statement**

- (i) subject to there being no over-riding adverse comments from the landowners and Ward Member, the draft Concept Statement for Ixworth be approved for public consultation; and
- (ii) the Head of Planning and Engineering Services be authorised, in agreement with the Portfolio Holder for Transport and Planning, to incorporate into the Statement any further minor changes as are necessary to make any spelling, grammatical, factual, formatting and numbering corrections.

**(b) National Air Traffic Services: Consultation on Proposed Changes to Airspace**

- (i) National Air Traffic Services be thanked for consulting the Borough Council on the proposed changes to airspace and for making the presentation to the Sustainable Development Panel on 4 March 2008;
- (ii) the Council has concerns about the robustness of the consultation procedure adopted by NATS. Paragraph 3.9 of the consultation document encourages parish councils to

provide feedback through their relevant county or district council or via the questionnaire on the NATS website. This has not only caused considerable confusion but does not enable the local authority to take into account parish council comments received after the matter has gone through the democratic decision making process and prior to submission of its comments; and

- (iii) while the Council welcomes the significant environmental benefits that the proposals would have for Haverhill and the Stour Valley east of the town, it strongly objects to the proposal for the Stansted Western Hold as proposed and the subsequent change in routing for westerly arrivals to Stansted airport. It is the Council's opinion that the proposals will have an overall unacceptable environmental impact on residents in rural areas of the borough and will have a negative impact on the tranquillity of those areas.

**(c) Regional Spatial Strategy: Planning for Gypsy and Traveller Accommodation in the East of England**

- (i) no objection be made to the identification of a need for 15 additional pitches in St Edmundsbury by 2011;
- (ii) robust evidence would be required to demonstrate that a 3% annual increase of pitches in each district was needed beyond 2011; and
- (iii) the potential for local development documents to contain criteria based rural exception policies for the provision of sites is endorsed.

**(d) Replacement St Edmundsbury Local Plan 2016 Policy DS5: Design Guidance and Development Briefs – Draft protocol for Development Briefs**

the protocol for the preparation of design briefs, as set out in paragraph 3.2 of Report Y687, as amended, be approved.

**(e) St Andrews Street South, Bury St Edmunds: Environmental Enhancement Scheme**

- (i) the proposed changes to St Andrews Street South between Kings Road and Risbygate Street shown on the plan at Appendix B to Report Y688 be approved for construction;
- (ii) the town centre 20 mph zone be extended to include St Andrews Street South between Kings Road and Brentgoval Street;
- (iii) the cost of the works be funded from the capital allocation set out in Paragraph 5.1 of Report Y688; and
- (iv) a further report on the details of the street furniture for the area be submitted to a future meeting of the Bury St Edmunds Town Centre and Cattle Market Working Party for their approval.

*(Please note that the Bury St Edmunds Town Council & Cattle Market Working Party has been renamed as the Bury St Edmunds Area Working Party (as per minute 196).)*

**200. Haverhill Area Working Party Recommendations: 17 April 2008**

***Forward Plan Reference: May 08/02 Cabinet Member: Nigel Aitkens***

The Cabinet considered Report Y730 (previously circulated) which contained the recommendations from the meeting of the Haverhill Area Working Party held on 17 April 2008.

Councillor Aitkens advised that the PCT had met and formally approved the Health Centre. Councillor Mrs Mildmay-White added that the investment of £800,000 in a Health Centre in Haverhill was excellent news. She hoped local General Practitioners would see the Centre as a benefit to the community and would play a supportive role in its development.

RESOLVED:- That

- (1) the Council welcomes and supports the development of the Darzi Health Centre for Haverhill recognising an important investment in additional health care facilities which it represents; and
- (2) Members look forward to working in partnership with the Primary Care Trust to help shape the service provision at the centre and to facilitate the delivery of these important new facilities.

**201. Report of the Overview and Scrutiny Committee: Post Office Network Changes – Proposed Closures in St Edmundsbury (May 08/08)**

***Forward Plan Reference: May08/08 Cabinet Member: John Griffiths***

*(Councillor Clements declared a personal interest as he had submitted correspondence regarding the closure of post offices on behalf of residents, but remained in the meeting for the consideration of the item.)*

The Cabinet considered Report Y731 (previously circulated) which sought approval to submit the Borough Council's response to Post Office Limited regarding the proposed closures of post offices within St Edmundsbury.

In May 2007, the Government announced that 2,500 post offices must close due to falling customer numbers and declining profits. During August 2007, Clare and Cavendish post offices were assessed, and neither were proposed for closure. During January 2008, the remaining post offices in St Edmundsbury were assessed and, in March 2008, Post Office Limited recommended seven of the post offices for closure. On 23 April 2008 the Overview and Scrutiny Committee considered Report Y699 which contained information on all the Post Offices proposed for closure. Officers were concerned with the proposed closure of three of the post offices; namely Chalkstone in Haverhill, Fornham All Saints and Horringer.

Councillor Ereira-Guyer, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet. He stated that he was supportive of Fornham All Saints and Horringer post offices remaining open as they were located in expanding villages on the outskirts of Bury and had previously received Local Authority and community group support. He also requested that a copy of the Borough Council's response be sent to all post offices within St Edmundsbury.



Councillor Griffiths raised concern that, by proposing three of the seven post offices remain open, there were implications for other Post Offices in the area which could be identified for closure as alternatives and without the benefit of a period of consultation. However he felt the three post offices were vital to the areas and needed the support of the Borough Council.

RESOLVED:-

That the letter, attached as Appendix A to Report Y731, be sent as the Council's response to Post Office Ltd on their recommendation to close seven post offices in the Borough.

**202. Bury St Edmunds Town Centre and Cattle Market Working Party:**  
**24 April 2008**

*Forward Plan Reference: May08/01 Cabinet Member: Sara Mildmay-White*

*(The Chief Executive declared a prejudicial interest due to her new appointment at the East of England Development Agency and left the meeting for the consideration of the item.)*

The Cabinet considered Report Y732 (previously circulated) which contained the recommendations of the meeting of the Bury St Edmunds Town Centre and Cattle Market Working Party held on 24 April 2008.

RESOLVED:- That

**(a) Revised Impact Management Strategy**

The Cattle Market Impact Management Strategy be revised, in consultation with the partners who contributed to the first strategy, in order to maximise the benefits and minimize any negative effects of the opening of the redevelopment in Bury St Edmunds.

**(b) East of England Development Agency: Grant**

In accordance with the revised agreement with the East of England Development Agency in respect of its grant, the budget currently allocated in the Capital Programme for public realm works associated with the Cattle Market redevelopment in Bury St Edmunds, less £10,000, be vired to the Capital allocation for the construction of the public building on the Cattle Market site.

The meeting concluded at 6.25 pm

**J H M GRIFFITHS**  
**LEADER OF THE COUNCIL**