

ST EDMUNDSBURY BOROUGH COUNCIL

CABINET

**Minutes of a meeting held on Wednesday 17 September 2008 at 5.00 pm
in the Council Chamber, Borough Offices, Angel Hill, Bury St Edmunds**

PRESENT: Councillor J H M Griffiths (Leader of the Council) (in the Chair)
Councillors Aitkens, Clements, Farmer, Mrs Mildmay-White and Ray

BY INVITATION: Councillor Houlder, Chairman of the Policy Development Committee, Councillor Oliver, Vice-Chairman of the Overview and Audit Scrutiny Committee, Councillors Cox and Nettleton
John Farman, Havebury Housing Partnership (minute 75)
Lois Wreathal, Suffolk Primary Care Trust (minute 73)

51. Apologies for absence

Apologies for absence were received from Councillors Mrs Alexander and Stevens.

52. Minutes

The minutes of the meeting held on 30 July 2008 were confirmed as a correct record and signed by the Chairman.

53. Declarations of Interests

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

54. Report of the Overview and Scrutiny Committee: 3 September 2008

Forward Plan Reference: N/A Cabinet Members: All Portfolio Holders

The Cabinet received and noted Report Z227 (previously circulated) which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 3 September 2008:-

- (1) Presentation from NHS Suffolk;
- (2) Annual Report on the Impact of the West Suffolk Local Strategic Partnership and Community Strategy;
- (3) Supporting People;
- (4) Cabinet Forward Plan: September to December 2008;
- (5) Work Programme; and
- (6) Local Government Review and the Scrutiny Work Programmes.

Councillor Oliver, Vice-Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet.

55. Report of the Overview and Scrutiny Committee: Responding to the Staff Survey

Forward Plan Reference: Sep08/08 Cabinet Member: Cllr David Ray

The Cabinet considered Report Z228 (previously circulated) which sought approval for the Key Action Areas arising from the 2007 staff survey being progressed.

On 23 April 2008 the Overview and Scrutiny Committee received a presentation from Ipsos MORI on the final report of the 2007 Staff Survey. At that time it was agreed that an action plan be developed. The results of the survey had since been further analysed and considered, in order to provide a framework of key areas and actions to be further developed through consultation and engagement with staff, and this was considered by the Committee on 3 September 2008.

It was noted that since the survey had been undertaken there has been considerable change, and the move to West Suffolk House and the Local Government Review made this a period of complex and substantial change and uncertainty for staff. It was, therefore, important that the response to the survey be developed and adapted to fit the current environment, and how it would change during this period, with appropriate actions being included.

Councillor Oliver, Vice-Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet.

RESOLVED:-

That the potential Key Action Areas arising from the 2007 staff survey, as set out in Appendix A to Report Z190, be approved.

56. Report of the Policy Development Committee: 10 September 2008

Forward Plan Reference: N/A Cabinet Members: All Portfolio Holders

The Cabinet received and noted Report Z229 (previously circulated) which informed the Cabinet of the following items discussed by the Policy Development Committee on 10 September 2008:-

- (1) Housing Strategy;
- (2) Homelessness Strategy;
- (3) Cabinet Forward Plan: September to December 2008;
- (4) Work Programme;
- (5) Local Government Review and the Scrutiny Work Programmes; and
- (6) Cemeteries Service Review: Update.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet.

The Cabinet agreed that as the Housing and Homelessness Strategies were such important documents that all Members should be reminded that these were currently the subject of consultation until 1 October 2008 and that comments should be forwarded to the appropriate officers.

57. Report of the Policy Development Committee: National Fraud Initiative Strategy

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

The Cabinet considered Report Z230 (previously circulated) which sought approval for the National Fraud Initiative (NFI) and Data Matching Strategy.

The NFI Strategy was a new Strategy produced to ensure that the Council had procedures in place to meet recent changes in legislation in relation to Data Matching and the prevention and detection of fraud. The areas included within data matching were expanding, and the submission of data had become mandatory this year, therefore it was important for the Council to have appropriate policies and procedures for officers to follow. This area would also be subject to external review under the Comprehensive Area Assessment.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet.

RESOLVED:-

That the National Fraud Initiative (NFI) and Data Matching Strategy, as set out in Report Z203, be approved.

58. Report of the Policy Development Committee: Discretionary Rate Relief Review for Charitable and Non Profit Making Organisations

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

The Cabinet considered Report Z231 (previously circulated) which sought approval for amendments to the policy and procedures relating to Discretionary Rate Relief for Charitable and Non Profit Making Organisations.

On 7 November 2007 the Cabinet endorsed a recommendation from the Policy Development Committee as to changes with the procedures for dealing with applications in respect of discretionary rate relief for charitable and non profit making organisations. On 10 June 2008 the Chief Finance Officer made a presentation to the Grant Panel setting out the implications of the changes, in particular the recommendation that full applications for 'top up' discretionary rate relief should be considered by the Grant Panel, using a matrix score sheet. Given that 88 awards were made in 2007/2008, this requirement could potentially become an onerous task for the Panel. Therefore, the Panel had recommended changes to the system as agreed in 2007, which entailed that the Chief Finance Officer would determine the majority of the applications and that only those 'unusual' applications would be referred to the Grant Panel. Also it was proposed that the matrix score sheet be simplified and that a cap of £10,000 be set on all discretionary rate relief awards, whether 'top up' or purely discretionary. These proposals were endorsed by the Policy Development Committee on 10 September 2008.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet.

RESOLVED:-

That the policy for granting discretionary rate relief for charitable and non profit making organisations be amended, as set out in Section 1.6 of Report Z204.

59. Report of the Policy Development Committee: Delivering a Sustainable Budget 2009/2010

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

The Cabinet considered Report Z232 for proposed changes to the Dynamic Review – Innovation, Value and Enterprise (DR-IVE) process.

On 10 September 2008 the Policy Development Committee received an update on progress made on the 4-step approach to the development of a sustainable budget for 2009/2010, which had been agreed at its previous meeting. Officers had begun working on possible DR-IVE savings for 2009/2010, and any growth bids, and a more detailed report would be brought to the Committee on 15 October 2008. At this stage, two approaches were proposed which would affect the DR-IVE savings and were different from previous years, due to the possibility that 2009/2010 could be the Borough Council's final year of budget setting. The first proposed change was that, should services believe a 'one off' saving could be made in 2009/2010, but in the event that the Borough Council continued to exist in 2010/2011 and the re-entry of these items would be required, then these should be accepted without a growth bid. The second proposed change concerned the annual transfer of funds to earmarked reserves. It was proposed that in areas where it was considered that the existing reserve was adequate for 2009/2010, no further contribution be made. However, in the event that the Council sets a budget for 2010/2011, contributions could be made to the earmarked reserves as necessary. A full review of the existing earmarked reserves was also proposed to ensure adequacy, and where necessary determine the levels of transfer.

RESOLVED:-

That the proposed changes to the Dynamic Review – Innovation, Value and Enterprise (DR-IVE) process, set out in Section 1.3 of Report Z208, be approved.

60. Report of the Policy Development Committee: The Service Plan and Budget Development Process

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

The Cabinet considered Report Z233 (previously circulated) which sought approval for the process and timetable for the development of the 2009/2010 Service Plans and Budget.

On 10 September 2008 the Policy Development Committee considered the process and timetable for the development of the 2009/2010 Service Plans and the necessity to put in place a process for consideration of any unavoidable growth bids, as required by the Corporate Planning Cycle as set out in the Council's Corporate Plan.

RESOLVED:-

That the process and timetable for the development of the 2009/2010 Service Plans and Budget, as set out in Appendix 2 to Report Z209, be approved.

61. Report of the Policy Development Committee: Service Delivery Review Panel – Revised Terms of Reference

Forward Plan Reference: N/A Cabinet Member: Cllr David Ray

The Cabinet considered Report Z234 (previously circulated) which sought approval for the Service Delivery Review Panel to be disbanded and the allocation of its responsibilities to the Policy Development Committee, Cabinet, and the West Suffolk House Joint Committee.

The Service Delivery Review Panel was set up by the Policy Development Committee in 2005 to provide a forum for discussion and recommendation on areas affecting service delivery. On 10 September 2008, the Policy Development Committee considered a report which set out the current position on the Panel's terms of reference and analysed the future work programme against them. The report concluded that the Panel's terms of reference had now either been completed or surpassed by other events and recommended, in the interests of efficiency, that the Service Delivery Review Panel be disbanded. The Service Delivery Review itself would, however, continue, and the Report proposed how future decisions arising from this review should be dealt with.

Councillor Houlder, Chairman of Policy Development Committee, and Councillor Nettleton, Vice Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet and also thanked Members of the Panel for their contribution towards reviewing the Council's Service Delivery especially that associated with the West Suffolk House Project.

RESOLVED:- That

- (1) In the interests of efficiency, the Service Delivery Review Panel be disbanded and any future work be dealt with as detailed in recommendations 2 to 5 below;
- (2) responsibility for future customer access strategic recommendations be retained by the Policy Development Committee;
- (3) future review recommendations on service process and system redesign be retained by the Policy Development Committee;
- (4) the responsibility for assessment of future opportunities for joint working, including business case development, be retained by Cabinet, with the option to ask the Policy Development Committee to examine a particular issue if relevant; and
- (5) responsibility for advising on issues affecting the development of the Western Way Project in Bury St Edmunds be retained by the West Suffolk House Joint Committee and Cabinet where appropriate.

(Councillor Nettleton left the meeting at the end of the consideration of this item)

62. Boundary Committee Review of Suffolk: Borough Council's Response

Forward Plan Reference: Sep08/09 Cabinet Member: Cllr John Griffiths

The Cabinet considered Report Z235 (previously circulated) which sought approval to the Borough Council's Approach to Responding to the Boundary Committee's consultation on options for local government reorganisation in Suffolk.

The Borough Council was required to respond to the Boundary Committee's consultation on options for reorganising local government in Suffolk by the deadline of 26 September 2008. Since publication of the Committee's proposals in July 2008, the Cabinet and Councillors' Reference Group had been fully involved in the process to develop the financial workbooks and the Council's own response to the Committee. In the original timetable for approving the Council's submission it had been hoped to bring a draft response to this meeting of the Cabinet prior to consideration of the final document by full Council on 23 September 2008. However, St Edmundsbury had now been working closely with Waveney and Forest Heath District Councils to promote an alternative model to those put forward by the Boundary Committee, namely three unitary councils to cover the areas of East Suffolk (including Lowestoft), West Suffolk and the Committee's own proposal for Ipswich/Felixstowe ('North Haven'). This

alternative model would be set out in a joint submission from the three councils. The joint submission was being developed with the assistance of consultants who specialised in local government reviews. Given the tight timetable, the complexity of the work and the need for a robust and well evidenced case, the Council had been advised in the last few days that it would not be possible to sign-off the joint document until 24 September 2008. This meant that it would not now be possible to bring the full document to Cabinet or full Council for approval. Therefore, it was proposed that a summary of the main elements of the likely submission would be presented to full Council on 23 September 2008, which would allow for a debate on the principles and the chance to feed into the final sign-off with partners on 24 September 2008. It would also be proposed that the approval of the final submission be delegated to the Acting Chief Executive in consultation with the Leader of the Council, and taking into account the views expressed at full Council.

RESOLVED:-

That the Borough Council's approach to responding to the Boundary Committee's consultation on options for local government reorganisation in Suffolk be considered by full Council on 23 September 2008 on the basis outlined in Report Z235 be approved.

63. Grant Panel: 9 September 2008

Forward Plan Reference: Sep08/05 Cabinet Member: Cllr Sara Mildmay-White

(Councillor Clements declared a personal interest in that he had contributed to the new skate and BMX park in Barrow from his Suffolk County Council Locality Budget, and remained in the meeting for the consideration of this grant application.)

The Cabinet considered Report Z236 (previously circulated) which sought the approval of an amendment to the guidelines and procedures covering the Rural Areas Initiative Fund and the recommendations from the Grant Panel in respect of awarding grants to three organisations.



RECOMMENDED:- That

- (a) **Grant Policy: Rural Areas Community Initiatives Fund Appendix A as amended, attached to Report Z212 be approved as the revised Guidelines and Procedures covering the Rural Areas Community Initiatives Fund, and becomes the revised Appendix A to the Grant Policy.**

RESOLVED:- That

- (a) **Recreation, Village Hall and Play Scheme Grants Scheme**
- (1) **Barrow cum Denham Parish Council**
Subject to planning permission and discussions being held with Environmental Health and Housing Services regarding potential noise nuisance issues, £10,000 be awarded to Barrow cum Denham Parish Council towards the cost of building a new skate and BMX park in Barrow;

- (2) **Bradfield Combust with Stanningfield Parish Council**
Further consideration of the application submitted by Bradfield Combust with Stanningfield Parish Council be deferred to enable the officers to further establish the terms of the Section 106 Agreement connected with the planning permission granted to the Havebury Housing Partnership on 4 September 2008, which required the provision of play equipment in Stanningfield;
- (3) **Thurlow, Bradley and District Pre-School**
£10,000 be awarded to Thurlow, Bradley and District Pre-School towards the cost of the new pre-school building; and
- (4) **Stansfield Village Hall Management Committee**
£10,000 be awarded to Stansfield Village Hall Management Committee towards the cost of the renovation and refurbishment of the village hall.

64. Budget Monitoring 2008/2009: To 31 July 2008

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

The Cabinet received and noted Report Z237 (previously circulated) which was the Budget Monitoring Report for the period ended 31 July 2008.

Page 1 of Appendix A to the Report was the General Fund Budget Monitoring report, which showed an underspend of £677,000 as at 31 July 2008. Pages 2 and 3 of Appendix A detailed major variances between budgets and actual income and expenditure. Appendix B was the Capital budget Monitoring Report, which showed that net capital expenditure for the period totalled £4,761,000, compared to a full year capital budget of £29,889,000.

Councillor Farmer, Portfolio Holder for Resources and Efficiency, drew relevant issues to the attention of the Cabinet, which included the current overspend on the recruitment cost of the Chief Executive, the lettings income in respect of the Corn Exchange being below target, the rates underspend in respect of car parks, outstanding recycling credits and total income in respect of corporate property.

In response to a question, the Cabinet was informed that with the four major capital projects, the construction of the public building on the Cattle Market site (Venue), the refurbishment of the Haverhill Leisure Centre, the construction of Haverhill Cinema and car parks and the construction of West Suffolk House, all in process it was anticipated that the actual capital expenditure for the 2008/2009 financial year would largely utilise the budget.

65. Capital Programme Review

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

The Cabinet was informed that this item had been deferred.

66. Asset Management Plan: 6 Angel Hill, Bury St Edmunds

Forward Plan Reference: Sep08/13 Cabinet Member: Cllr Nigel Aitkens

The Cabinet considered Report Z239 (previously circulated) which sought approval for the acceptance of the revised Bury Town Trust proposals for the sale of 6 Angel Hill, Bury St Edmunds, with a simultaneous leaseback by the Council of the ground floor and basement.

On 19 September 2007 Cabinet agreed the outline terms for the sale and leaseback of 6 Angel Hill to the Bury Town Trust, which was endorsed by Council on

2 October 2007. It was agreed that the purchase would proceed as soon as the Trust had obtained Listed Building Consent for the conversion works to the upper floors. Due to the lengthy consultation process in obtaining Listed Building Consent, which involved such bodies as English Heritage, consent had only recently been obtained. In the meantime, the residential market had declined considerably. Market effects in the last 6 months meant that it was too risky for the Trust to pay the agreed purchase price now, undertake all the works, and then hope to sell immediately to recoup the outlay. However, the Trust remained totally committed to this project, but was extremely nervous of being put at undue risk in an uncertain market. A revised proposal had been discussed to reflect the poorer conditions and to try to limit the exposure of the Trust, while continuing to protect the Council from expenditure on maintenance.

The revised proposals were the same as previously agreed except that the Council would:-

- (1) benefit from a rent free period of £15,000 for approximately one year;
- (2) forego interest on the capital receipt until the Trust was able to sell the first flat; and
- (3) share 50:50 any net profit made by the Trust when the upper floors were sold.

The Cabinet was supportive of the revised proposals in that they would bring a historic building back into residential use and, based on the Trust's other developments, would produce a quality building.



RECOMMENDED:-

That the Council accept the revised Bury Town Trust proposals for the sale of 6 Angel Hill, Bury St Edmunds, with a simultaneous leaseback of the ground floor and basement.

67. Haverhill Community Football Project Appointment of Consultant: Exemption to Contract Procedure Rules

Forward Plan Reference: N/A Cabinet Member: Cllr Lynsey Alexander

The Cabinet received and noted a narrative item which detailed the exemption to the Contract Procedure Rules, as contained within Part 4 of the Council's Constitution, in respect of the appointment of Propitch Limited to act as consultants to the Haverhill Community Football Project.

Suffolk Football Association had been providing assistance to Haverhill Rovers Football Club in the preparation of the Development Plan required for the final stages of the funding bid to the Football Foundation in respect of the Haverhill Community Football Project. This Plan still required further work, as did the Business Plan and funding bid application. As a result the assistance of an appropriate consultant was recommended by the Football Association to enable the funding bid to be submitted as soon as possible. The delay in submitting the funding bid could result in an increase in building costs of the planned facilities for the project. The Football Association had recommended that Propitch Limited be appointed as this company had the necessary expertise of the funding bid process and had previously worked with officers. The Acting Chief Executive, under Paragraph 2.2 of the Contract Procedure Rules, as contained within Part 4 of the Council's Constitution, approved the appointment of Propitch Limited because this was considered to be a matter of urgency and it required the appointment of a specialist. The cost of the work up to and included the funding bid submission was estimated to be in the order of £7,000.

68. Sustainable Development Panel: 19 August 2008

Forward Plan Reference: Sep08/07 Cabinet Member: Cllrs Terry Clements and Peter Stevens

The Cabinet considered Report Z240 (previously circulated) which contained the recommendations emanating from the meeting of the Sustainable Development Panel held on 19 August 2008.

A discussion was held on the 'Building for Life' Policy. Some concern was expressed that the criteria promoted by the Commission for Architecture and the Built Environment (CABE) were too simplistic, not achievable and also subjective, which meant that achieving the criteria could be down to an individual's interpretation. However, there was a consensus of opinion that although the CABE criteria were simplistic, which only required 'Yes' or 'No' answers, they were a step in the right direction and would assist the officers in discussions with developers. It was noted that on 14 August 2008, the St Edmundsbury Growth Area Partnership Board also recommended the same recommendations for approval.

RESOLVED:- That

(a) 'Building for Life' Policy

- (1) The Commission for Architecture and the Built Environment (CABE) 'Building for Life' criteria be used forthwith as a tool for the consideration of the design quality of proposals for new housing schemes in St Edmundsbury; and
- (2) any housing schemes funded by the Growth Area Fund should meet the 'very good', 'Building for Life' standard.

(b) Proposed Second Runway at Stansted Airport

- (1) The Borough Council objects to the proposal to construct a second runway at Stansted Airport on the following basis:-
 - (a) that although the existing and potential economic benefits to the Borough, and especially Haverhill, are recognised, the Borough Council remains unconvinced of the need for further expansion over and above the maximum use of one runway;
 - (b) there remains a lack of commitment from the airport operator to create direct and attractive links to the airport from the St Edmundsbury area by public transport and that, should consent be granted for this proposal, there should be a requirement to provide an improved service from the Borough's main towns; and
 - (c) that the Council has already strongly objected to the proposed revisions to airspace recently proposed by National Air Traffic Services (NATS) and, in the case of this proposal, does not believe that sufficient work has been undertaken to assess the capacity of the airspace that serves the airport, including the need for additional aircraft holds and the potentially unacceptable impact on the environment and residential amenity of residents of St Edmundsbury.

- (2) the Borough Council be represented by the officers at the 'called-in' Planning Public Inquiry to present the Council's objections.
- (3) a letter be written to Stansted Airport requesting an explanation for the recent increase in noise levels in the south of St Edmundsbury.

(c) Suffolk County Council Minerals and Waste Development Framework: Minerals Specific Site Allocations Submission August 2008

- (1) Suffolk County Council be thanked for consulting the Borough Council on its Minerals Specific Site Allocations Submission document; and
- (2) the suggested responses, contained in paragraph 3.6 of Report Z177, be approved as the Borough Council's formal response to the consultation on the Minerals Specific Site Allocations Submission document.

(d) Forest Heath Local Development Framework Core Strategy – Final Policy Option Consultation August 2008

Forest Heath District Council be informed that
St Edmundsbury Borough Council:-

- (1) supports the proposed settlement policy that seeks to accommodate the majority of new housing development in the market towns and key service centres as detailed in paragraph 2.5 of Report Z178;
- (2) supports the use of the joint Employment Land Review to inform the District Council's employment policy; and
- (3) seeks more evidence that the proposed retail floorspace requirements will not have a detrimental impact on the retail economy of towns in St Edmundsbury.

69. Sustainable Development Panel: 11 September 2008

Forward Plan Reference: N/A Cabinet Member: Cllr Peter Stevens

The Cabinet considered Report Z241 (previously circulated) which contained the recommendations from the meeting of the Sustainable Panel held on 11 September 2008.

Councillor Clements, Vice-Chairman of the Sustainable Development Panel, informed the Cabinet of the detailed debate held by the Sustainable Development Panel and drew relevant issues to the attention of the Cabinet.

RESOLVED:- That

- (1) Suffolk County Council be thanked for consulting the Borough Council on its Waste Issues and Options Report; and
- (2) Subject to the inclusion of the following amendments proposed by the Sustainable Development Panel, the suggested responses contained in Appendix A to Report Z224 be approved as the Borough Council's formal response to Suffolk County Council's

Waste Issues and Options Report consultation, as part of its Minerals and Waste Development Framework:-

- (a) in respect of Issue 6, the following sentence be inserted at the beginning of the response, '*The Borough Council considers there is insufficient evidence to favour a particular option;*' and
- (b) in respect of Issue 14, Question 18, the response be amended to read, '*The Borough Council agrees, in principle, to the concept of Waste Resource Parks, but the identification of sites should be subject to meeting the criteria relating to the general considerations relevant to the establishment of all waste management facilities, as detailed in Issue 3, Option 1.*

70. Tackling Climate Change in Suffolk: Development of the CRed Suffolk Climate Change Partnership

Forward Plan Reference: N/A Cabinet Member: Cllr Peter Stevens

The Cabinet considered Report Z242 (previously circulated) which sought approval for the continuation of the Council to support the CRed Suffolk Climate Change Partnership as the appropriate mechanism for co-ordinated Climate Change Action across Suffolk and an appropriate contribution from the Borough Council.

In the Borough Council's Climate and Energy Action Plan, the Council agreed to support partnership working across Suffolk to address the climate challenge. The county-wide partnership, called the CRed Climate Change Partnership (CRed Suffolk), had been operating successfully since December 2006.

The current funding for CRed Suffolk finished at the end of 2008. Furthermore, for the Partnership to operate effectively changes needed to be made to its governance and delivery structures and these had been considered by the Suffolk Chief Executives' Group (SCEG) in July 2008 and the report to this Group was attached as Appendix A to the report.

The Cabinet received a presentation from the Environmental Management Officer who provided detailed information on the successes of CRed Suffolk, the proposed changes to the governance arrangements and the future funding and monitoring of the Partnership. He informed the Cabinet of the benefits of continuing to fund CRed Suffolk which included that it would:-

- (1) ensure co-ordination between partners to deliver the Suffolk Climate Action Plan and meet National Indicators and Local Area Agreement 2 targets;
- (2) provide clear focus and flexible approach to delivery;
- (3) allow the inclusion of non-local authority organisations; and
- (4) establish the Partnership as a legally constituted body so giving better access to funding.

The Cabinet was informed of an error in recommendation (3) and that £2,875 of funding for 2008/2009 should read £2,857.



RECOMMENDED:- That

- (1) ***the CRed Suffolk Climate Change Partnership (CRed Suffolk) be formally adopted by St Edmundsbury Borough Council as the appropriate mechanism for co-ordinated climate change action across Suffolk;***

- (2) *new delivery and governance proposals identified in the report to Suffolk Chief Executives' Group, attached as Appendix A to Report Z242, be supported; and*
- (3) *funding of £2,857 be identified from current balances to support the Partnership for the remainder of 2008/2009 and £12,857 a year be found from existing budgets for three years covering Local Area Agreement 2.*

71. Refreshed St Edmundsbury Growth Area Programme of Development
Forward Plan Reference: N/A Cabinet Member: Cllr Terry Clements

The Cabinet considered Report Z243 (previously circulated) which sought approval for the submission of the refreshed Programme of Development for the Growth Area Fund.

In August 2007 the Borough was provisionally declared a Growth Area by the Government. In October 2007 the Council submitted a Programme of Development to the Department of Communities and Local Government (DCLG) that included a bid for nearly £30 million of Government Growth Area Fund funding. In December 2007 the Government announced that the Council had been allocated £2.02 million for 2008/2009 with a combined provisional allocation of £2.85 million for 2009/2010 and 2010/2011. The Government had now requested growth areas to submit a refreshed Programme of Development by 1 October 2008 in order to secure the provisional Growth Areas Fund allocation and potentially secure additional funding from the Government's Growth Area Fund reserve of £172 million.

The Refreshed Programme of Development updated the existing document but had to be prepared in accordance with updated guidance. The refreshed Programme of Development was attached as Appendix A to the Report.

RESOLVED:- That

- (1) that Cabinet agrees and supports the submission of the refreshed Programme of Development for the Growth Area Fund on 1 October 2008; and
- (2) the document attached as Appendix A to Report Z243 be noted as work in progress with approval of the final submission to be delegated to the Acting Corporate Director for Environment, in consultation with the Portfolio Holder for Planning and Transportation.

72. Bury St Edmunds Area Working Party: 11 September 2008

Forward Plan Reference: Sep08/04 Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Report Z244 (previously circulated) which contained the recommendations emanating from the meeting of the Bury St Edmunds Area Working Party held on 11 September 2008.

A discussion was held as to the proposed street furniture to be installed in St Andrews Street South, Bury St Edmunds. The Cabinet was informed as to the detailed discussions held, not only by the Area Working Party but also by a Sub-Group appointed by the Area Working Party. The Cabinet had also been given a copy of an open letter to all Members from a local resident who had raised concerns over the proposed street furniture. The Acting Corporate Director for Environment responded in detail to the questions raised within the open letter.

A discussion was also held as to the outline proposals being considered for the former Roy's of Wroxham Store in Bury St Edmunds and welcomed the news that the redevelopment of this site was being considered.

RESOLVED:- That

(a) Revised Layout of Junction: Barons Road/Wilks Road, Bury St Edmunds

Subject to a satisfactory outcome to the Suffolk County Council Safety Audit, the revised layout of the junction of Barons Road/Wilks Road, Bury St Edmunds as shown in the plan attached as Appendix A to Report Z215, be approved.

(b) St Andrews Street South, Bury St Edmunds: Street Furniture Proposals

The following street furniture be approved for use in St Andrews Street South, Bury St Edmunds as detailed in Report Z216:-

- (1) the Fuyro street light and column detailed in paragraph 4.7;
- (2) stainless steel bollard as detailed in paragraph 4.8;
- (3) stainless steel litter bins as detailed in paragraph 4.9;
- (4) Abril Escofet bench as shown in paragraph 4.10;
- (5) stainless steel cycle stands similar in style to those used on Angel Hill as noted in paragraph 4.11;
- (6) planting to be included as detailed in paragraph 4.12; and
- (7) road sign mounting posts and backing to be black as detailed in paragraph 4.13.

(c) Cattle Market Redevelopment, Bury St Edmunds: Revised Impact Management Strategy

The revised Impact Management Strategy, attached as Appendix A to Report Z217, be approved.

(d) Former Roy's of Wroxham Store, Risbygate Street, Bury St Edmunds

That the Corporate Property Officer be authorised to undertake negotiations with the developer selected by Stockland Halladale for the purchase of the former Roy's of Wroxham store, with a view to:-

- (a) a presentation being made by the developer to a forthcoming meeting of the Bury St Edmunds Area Working Party of the refurbishment and construction proposals; and
- (b) following the presentation, a recommendation be made to Cabinet.

(Councillor Farmer left the meeting at the end of the consideration of this item)

73. Haverhill Area Working Party: 28 August 2008

Forward Plan Reference: Sep08/06 Cabinet Member: Cllr Nigel Aitkens

The Cabinet considered Report Z245 (previously circulated) which detailed the recommendations emanating from the meeting of the Haverhill Area Working Party held on 28 August 2008.

Councillor Aitkens, Cabinet Member with responsibility for Haverhill, informed the Cabinet as to the reasoning behind the recommendation to locate the temporary NHS GP led Health Centre on the Borough Council's Car Park at the rear of the Rose and Crown Hotel in Haverhill. In addition, Lois Wreathal, of Suffolk Primary Care Trust, was in attendance and responded to questions raised. She informed the Cabinet that the Primary Care Trust was committed to the project and was actively looking for a permanent site. She also explained that the local GP's would be invited to bid to provide services for this Health Centre and it was important to stress that it would be open for 365 days a year from 8.00 am to 8.00 pm. She stated that the ultimate test to the success of this Health Centre would be whether the residents attended the Health Centre or continued with their current GP's. With regards to the erection of the temporary buildings Ms Wreathal explained that once the Cabinet decision was made invitations to tender would go out on Monday 21 September 2008 with a return date of 31 December 2008. The intention was for the buildings to open on 1 April 2009.

A discussion was also held as to the Queen Street Enhancement Scheme, and in particular the proposals for public art. In response to a question, the Cabinet was informed that £300,000 had been allocated from a Section 106 Agreement and £190,000 from Suffolk County Council. A discussion was also held as to the composition of the Public Art Working Group to be set up to consider public art within the Queen Street Area.

RESOLVED:- That

(a) Location of temporary NHS GP led Health Centre on St Edmundsbury Borough Council Car Park rear of the Rose and Crown Hotel, Withersfield Road, Haverhill

- (1) officers open formal discussions with Suffolk Primary Care Trust to determine Heads of Terms for a ground lease to install portable buildings and all necessary infrastructure in the car park area to the rear of the Rose and Crown Hotel, Haverhill; and
- (2) a review be undertaken as to the feasibility of allowing all day parking in the Lower Downs Slade Car Park, Haverhill.

(b) Queen Street, Haverhill Enhancement Scheme: Use of Local Authority Business Growth Incentive (LABGI) For Queen Street Shop Front/Shop Signage Improvement Grant Scheme

- (1) £25,000 Local Authority Business Growth Incentive (LABGI) funding be allocated towards the funding of the Shop Fronts/Shop Signage Improvement Scheme in connection with the Queen Street Enhancement Scheme; and
- (2) the Economic Development team approach Suffolk County Council to request that it provides £25,000 match funding towards the scheme.

(c) Queen Street, Haverhill Enhancement Scheme: Consultation Process

- (1) the consultation process in respect of the Queen Street Enhancement Scheme, detailed in Section 3 of Report Z183, be approved; and
- (2) the questions contained in the consultation response form be based on Appendix A to Report Z183, amended to take into consideration comments received from members of the Area Working Party, and approved by the Acting Corporate Director for Environment in consultation with the Chairman and Vice Chairman of the Working Party.

(d) Queen Street, Haverhill Enhancement Scheme: Proposals for Public Art

- (1) the establishment of a new Public Art Working Group on a 'task-and-finish' basis for the specific purpose of advising on, recommending and commissioning public art as part of the Queen Street Enhancement Scheme, as detailed in Section 2 of Report Z184, be approved;
- (2) the Terms of Reference for the Public Art Working Group be approved by the Area Working Party;
- (3) Councillors Mrs Richardson and Mrs Rushbrook be the Area Working Party representatives on the Public Art Working Group and Councillor Mrs Rushbrook be Chairman;
- (4) the Area Working Party be given delegated authority to appoint individuals and representatives of organisations to the Public Art Working Group;
- (5) the budget for public art in Queen Street be established at a maximum of £20,000, as detailed in Section 3 of Report Z184, as part of the overall scheme budget of £490,000; and
- (6) a further report be submitted to the Area Working Party outlining the issues involved in establishing a new, longer term advisory Public Art Panel, as an action following the adoption of the Haverhill Town Centre Public Realm Design Framework.

(Councillor Oliver left the meeting at the end of the consideration of this item)

74. Department for Culture, Media and Sport (DCMS): Free Swimming Programme

Forward Plan Reference: N/A Cabinet Member: Cllr Lynsey Alexander

(Councillor Clements declared a prejudicial interest as a Borough Council representative on the Abbeycroft Leisure Trust Board. He also declared a prejudicial interest as a Borough Council representative on the Havebury Housing Partnership Management Board and, therefore, would also have to leave when that item was discussed. Councillor Clements left the meeting for the consideration of this item and did not return to the meeting)

The Cabinet considered a narrative item which informed that the Borough Council had received £33,664 grant in respect of providing free swimming opportunities for the

over 60's and also sought approval for the Head of Leisure Services to determine acceptance of the grant for free swimming opportunities for the under 16's and to submit applications, as appropriate, in respect of capital schemes.

The Department for Culture, Media and Sport (DCMS) had announced a new funding package to provide free swimming opportunities to over 60 year olds and under 16 year olds for 2009/2010 and 2010/2011. The package also outlined opportunities for potential capital grants.

The Acting Chief Executive, under his delegated powers contained in Part 3 of the Council's Constitution, had accepted the grant for £33,664 to provide free swimming opportunities for the over 60's. It was noted that the Head of Leisure Services would, in consultation with the Portfolio Holder for Culture and Sport, work in partnership with Abbeycroft Leisure to deliver this scheme.

The Council had also expressed an interest to receive a grant for providing free swimming opportunities for the under 16's. If a grant offer was received it was proposed that delegated authority be given to the Head of Leisure Services, in consultation with the Portfolio Holder and Abbeycroft Leisure, to determine if the Council wished to accept the grant, which must be accepted by 15 October 2008.

If the Council accepted these grants, the DCMS had also detailed potential opportunities for Council's to receive capital grants to modernise swimming pool provisions. There was no indication at this stage as to the likely level of grant of funding but if grant offers were made an initial response maybe required by 15 October 2008 and, therefore, it was proposed that delegated authority be given to the Head of Leisure Services, in consultation with the Portfolio Holder to submit applications for capital schemes.

RESOLVED:- That

- (1) it be noted that the Acting Chief Executive utilised his delegated powers, as contained within the Council's Constitution, to accept the grant of £33,664 for free swimming opportunities for the over-60s; and
- (2) delegated authority be given to the Head of Leisure Services, in consultation with the Portfolio for Culture and Sport and Abbeycroft Leisure, to determine acceptance of the grant for under-16s, and to submit applications to the Department for Culture, Media and Sport for capital schemes if appropriate.

(Councillors Cox and Houlder left the meeting at the end of the consideration of this item)

**EXEMPT INFORMATION – EXCLUSION OF PUBLIC
TERMS OF FORMAL RESOLUTION**

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

(John Farman, from Havebury Housing Partnership, was formerly requested to stay within the meeting)

75. Havebury Housing Partnership: Changes to Transfer Agreement

Forward Plan Reference: Sep08/12 Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Exempt Report Z246 (previously circulated) which sought consideration of Havebury Housing Partnership's (Havebury) request to amend the Transfer Agreement applicable when the Council's housing stock transferred to Havebury.

At stock transfer, some non-traditionally built houses were transferred from the Council to Havebury and these were mainly in the rural areas. In the pre-ballot publicity, a promise was made to tenants that all these houses would be refurbished to mortgageable standards, and this promise was included in the Transfer Agreement.

The Cabinet received a presentation from John Farman of Havebury Housing Partnership in which he informed the Cabinet of the latest position regarding the options available to refurbish these properties and the implications as compared to the details contained within the Transfer Agreement.

During the discussion John Farman suggested that the Council defer any decision at this stage until further consultations had been undertaken.

(At this point in the proceedings John Farman left the meeting.)

The Cabinet concluded that it would be beneficial for Havebury not to consult with tenants at this stage until definitive advice had been received from the Council of Mortgage Lenders as to whether the residents would be able to obtain a mortgage when the properties had been fully refurbished. The Cabinet also considered it appropriate that the Borough Council's officers also contact the Council for Mortgage Lenders.

RESOLVED:- That

- (1) Havebury Housing Partnership's (HHP) request to amend the Transfer Agreement be deferred and HHP be requested to contact the Council of Mortgage Lenders to ascertain the likelihood of tenants being able to obtain a mortgage if the properties were fully refurbished;
- (2) HHP also be requested not to consult with the tenants until (1) above had been completed and the response analysed; and
- (3) the officers also examine the possibility of tenants obtaining a mortgage on fully refurbished properties.

76. Asset Management Plan: Nowton Court, Bury St Edmunds

Forward Plan Reference: N/A Cabinet Member: Cllr Nigel Aitkens

The Cabinet considered Report Z247 supported by Exempt Appendix 2 (previously circulated) which sought approval for the sale of the long leasehold interest of Nowton Court to Euronite Limited.

In accordance with the Asset Management Plan Action Plan, all of the Council's property assets were being systematically assessed. The Council's ground lease portfolio was considered in August 2006 and it was concluded that poorly performing long ground leases should be sold when opportunities arose. The tenant of Nowton Court and garden has asked to purchase the freehold. The AMP assessment process and option appraisal had been undertaken and the conclusion was to sell the freehold

on the basis of the terms negotiated. This would not conflict from a biodiversity, recreational or access point of view and Nowton Park would continue to be available for public use.

In response to a question, the Cabinet was informed that the area of landscaping to the front of Nowton Court, which Euronite wished to purchase, had a very important vista to visitors to the car park therefore, the Council would impose a covenant on the sale which would not allow any building or structures whatsoever on this area.

RESOLVED:- That

- (a) Nowton Court, Bury St Edmunds and garden be declared surplus to the Council's requirements; and
- (b) the sale of the long leasehold interest of Nowton Court and garden to Euronite Ltd be approved, on the terms outlined in the report and in the Exempt Appendix 2 attached.

The meeting concluded at 7.24 pm

**J H M GRIFFITHS
CHAIRMAN**