

Enquiries regarding this Agenda:
Claire Skoyles (01284) 757176

Cabinet

***Wednesday 3 December 2008 at 5.00 pm
in the Council Chamber, Borough Offices, Angel Hill, Bury St Edmunds***

CONSTITUTION: *Leader of the Council: Councillor John Griffiths
Joint Deputy Leaders of the Council: Councillors Nigel Aitkens and
Sara Mildmay-White*

<i>Councillors:</i>		<i>Portfolios:</i>
Nigel Aitkens	-	Economy and Asset Management
Lynsey Alexander	-	Culture and Sport
Terry Clements	-	Transport and Planning
Paul Farmer	-	Resources and Efficiency
John Griffiths	-	Rural Affairs and External Relationships
Sara Mildmay-White	-	Community
David Ray	-	Performance and Organisational Development
Peter Stevens	-	Environment and Street Scene

QUORUM: *Three Members*

***Please switch off mobile phones during the
meeting, unless exceptional circumstances
require otherwise.***

Agenda

Procedural Matters

1. Apologies for Absence

2. Minutes

To confirm the minutes of the meeting held on 23 October 2008 (copy attached).

3. Declarations of Interests

Members are reminded of their responsibility to declare any personal or prejudicial interest which they have in any item of business on the Agenda ***no later than when that item is reached*** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

Part 1 – Public

(Forward Plan reference (where applicable) shown in brackets)

Corporate Priority: Raising Corporate Standards and Efficiency

4. Report of the Policy Development Committee: 19 November 2008

Chairman – Ian Houlder;

Contact Officer – Adriana Stapleton

Telephone: 01284-757613

e-mail: adriana.stapleton@stedsbc.gov.uk

Report **Z378** attached.

Summary and reasons for recommendation:

On 19 November 2008, the Policy Development Committee considered the following issues:-

- (1) Cabinet Forward Plan: November 2008 to February 2009;
- (2) Work Programme;
- (3) Delivering a Sustainable Budget 2009/2010;
- (4) Review of Homes Assistance Policy;
- (5) Customer Services Strategy;
- (6) Choice Based Lettings: Scoping Report; and
- (7) Housing Strategy, Homelessness Strategy and Sub-Regional Housing Strategy.

Separate reports are included on this Cabinet agenda for items (4), (5) and (7).

Recommendation:

The report of the Policy Development Committee be **NOTED**.

5. Report of the Policy Development Committee: Review of Homes Assistance Policy (Dec 08/08)

Cabinet Member – Sara Mildmay-White; Contact Officer – Richard Whitehead

Telephone: 01284-757037

e-mail: richard.whitehead@stedsbc.gov.uk

Report **Z379** attached.

Summary and reasons for recommendations:

Following the outcomes of the Private Sector Housing Stock Condition Survey, a working group which included Members of the Committee has reviewed the Council's Homes Assistance Policy. The aim of the policy is to set a framework for the provision of assistance and support to property owners and occupiers, particularly those that are unable to meet the cost of repair or renewal from their own resources.

The review proposed two new grants to address the problem of fuel poverty, both targeted at low income households. The working group also reviewed the Council's existing grant provision, and recommended that three grants should be

removed from the Homes Assistance Policy. Minor amendments were also recommended to the remaining existing grant provision, and full details of all recommended changes are contained in Section 8 of Report Z362, and incorporated in the revised draft Policy attached as Appendix 1 to that report.

In addition, as part of the Council's budget setting process, consideration was given by the working group as to funding requirements for the provision of the grants under the revised policy. The recommendation concerning funding was considered by the Committee as a capital growth bid, and will be brought to Cabinet as part of the wider budget report which will be finalised after the meeting of the Committee on 14 January 2009.

Recommendations:

The Committee **RECOMMENDS** that subject to the approval of full Council:-

- (1) the Homes Assistance Policy 2003 be amended as detailed in Appendix 1 to Report Z362 so as to offer the following assistance:-
 - (a) Thermal Comfort Grant: a grant to fund the cost of energy efficiency measures in the homes of owner-occupiers on low incomes but who do not qualify for assistance under the Warm Front scheme;
 - (b) Warm Front Top-Up Grant: a grant to fund the additional cost of energy; efficiency measures carried out under the Warm Front scheme where the costs of the measures exceed Warm Front's contribution;
 - (c) Healthy Homes Grant: the new grant to remain largely the same as the existing grant but without the energy efficiency element, and subject to the amendment referred to in (2) below;
 - (d) Discretionary Disabled Facilities Grant (Top-Up): the grant to be reinstated;
 - (e) Discretionary Disabled Facilities Grant (Relocation): the grant to be reinstated;
 - (f) Decent Homes Grant: the grant to remain unchanged, and subject to the amendment in (2) below; and
 - (g) Mandatory Disabled Facilities Grant: other than the introduction of a charge on the property the grant to remain unchanged.
- (2) references in the Healthy Homes Grant and the Decent Homes Grant to qualifying benefits, be amended:-
 - (i) after Child Tax Credit the words 'with an income of less than £15,460' be inserted;
 - (ii) after Working Tax Credit the words 'with an income of less than £15,460 and which must include a disability element be inserted; and
 - (iii) the second paragraph be deleted in each case.

- (3) the Discretionary Renovation Loan (owner occupiers), Discretionary Renovation Grant (Landlords) and the Private Sector Leasing Grant be removed from the existing Homes Assistance Policy;
- (4) other than the Mandatory Disabled Facilities Grant, eligible works for the above grants be determined by the Head of Environmental Health and Housing Services; and
- (5) Disabled Facilities Grants in respect of owner/occupier applications that exceed £5,000 be subject to a charge on the property for 10 years from the 'certified date' of the grant. The Council will demand the repayment of the grant subject to the conditions specified in the Homes Assistance Policy.

6. Report of the Policy Development Committee: Housing Strategy, Homelessness Strategy and Sub-Regional Housing Strategy (Dec 08/03 and Dec 08/04)

*Cabinet Member – Sara Mildmay-White; Contact Officer – Carole Herries
Telephone: 01284-757603
e-mail: carole.herries@stedsbc.gov.uk*

Report **Z380** attached.

Summary and reasons for recommendation:

On 10 September 2008, the Committee commented on draft Housing and Homelessness Strategies as part of a wide ranging consultation with stakeholders. The consultation process ended on 1 October 2008, and whilst the Strategies themselves had changed very little as a result, the associated Action Plans had been significantly developed, and on 19 November 2008, these Action Plans were considered by the Committee.

In addition, the Committee was informed that a Cambridge Sub-Regional Housing Strategy had been developed in partnership with all seven local authorities in the sub-region, which had also been subject to consultation. The Sub-Regional Action Plan does not aim to replicate actions detailed in individual districts' housing or homelessness strategies, but rather to focus on the actions that would benefit from joint action, resources or research.

Recommendation:

- (1) The Committee **RECOMMENDS** that, subject to the approval of full Council, the Housing and Homelessness Strategies, as detailed in Reports Z201 and Z202 respectively and subject to minor textual amendments, their associated Action Plans, as set out in Appendices A and B respectively to Report Z365, be approved; and
- (2) the Cambridge Sub-Regional Housing Strategy be adopted.

7. Report of the Policy Development Committee: Customer Service Strategy (Dec 08/13)

Cabinet Member – David Ray;

*Contact Officer – Liz Curtis-Woods
Telephone: 01284-757681
e-mail: liz.curtis-woods@stedsbc.gov.uk*

Report **Z381** attached.

Summary and reasons for recommendation:

On 19 November 2008, as part of its work on the Service Delivery Review, the Committee considered work which was already underway, together with areas in which future work was being planned, to support the authority to deliver consistent, excellent customer service.

A Customer Service Strategy provides a framework through which the Council may encapsulate its vision of customer service throughout the organisation. Having a strategy in place allows the Council to create a framework within which it can set standards on how it delivers customer service, monitor its progress against those standards, and work with services to identify specific improvements and actions that will enable a consistently high standard of customer care.

As part of its consideration of the Strategy, the Committee considered the longer-term aspiration to extend office and switchboard opening hours once the occupation of West Suffolk House was completed, and requested that a timetable for investigating this with Suffolk County Council be developed.

Recommendation:

The Committee **RECOMMENDS** that the Customer Service Strategy 2008, and actions to be taken forward in the Strategy, as set out in Report Z363, be approved.

8. Report of the Overview and Scrutiny Committee: 26 November 2008

Chairman – Mark Ereira-Guyer;

*Contact Officer – Adriana Stapleton
Telephone: 01284-757613
e-mail:
adriana.stapleton@stedsbc.gov.uk*

Report **Z382 TO FOLLOW**.

Summary and reasons for recommendation:

On 26 November 2008 the Overview and Scrutiny Committee will consider the following items:-

- (1) Update on Activities for Young People;
- (2) Review of the Citizens Advice Bureaux in St Edmundsbury;
- (3) Review of the Bury St Edmunds Festival; and
- (4) Follow up Report on the Ongoing Review of Section 106 Matters in St Edmundsbury.

Recommendation:

The report of the Overview and Scrutiny Committee be **NOTED**.

9. Report of the Overview and Scrutiny Committee: Review of the Bury St Edmunds Festival (Dec 08/09)

Cabinet Member – Lynsey Alexander;

Contact Officer – Neil Anthony

Telephone: 01284-757064

e-mail: neil.anthony@stedsb.gov.uk

Report **Z383 TO FOLLOW**.

10. Budget Monitoring Report 2008/2009: To 31 October 2008

Cabinet Member – Paul Farmer;

Contact Officer – Liz Watts

Telephone: 01284-757252

e-mail: liz.watts@stedsb.gov.uk

Report **Z384 TO FOLLOW**.

Summary and reasons for recommendation:

Appendix A, page 1, is the General Fund Budget Monitoring Summary report which shows an estimated underspend of £1,338,000. This figure is likely to be adjusted downwards before the year end due to the delayed pay award to staff and to other outstanding commitments. The Finance Section will work with individual services to refine the estimates in the coming months. Appendix A, pages 2 and 3, provides an explanation of budget variances over £10,000.

Appendix B is the Capital Budget Monitoring Report which shows net capital expenditure of £7,779,000 for the period, compared to a full year capital budget of £23,517,000. This substantial underspend on the capital programme is due to a number of factors including delays in some major projects and some timing issues relating to the completion of stage payments. It should also be noted that capital expenditure budgets are not profiled and many of the schemes included in the programme are not due to commence until later in the financial year. The capital disposals programme shows capital receipts for the period of £1,965,867 against a full year disposals estimate of £10,160,000. It is now anticipated that a more realistic disposal target for the year is £3,600,000. The latter figure has therefore been used to update the five year model accordingly.

Recommendation:

The Cabinet is requested to **NOTE** the Budget Monitoring Report for the period ended 31 October 2008.

11. Grant Panel: 18 November 2008 (Dec 08/07)

Cabinet Members – Paul Farmer;

Sara Mildmay-White

Contact Officer – Mike Dawson

Telephone: 01284-757060

e-mail: mike.dawson@stedsbc.gov.uk

Report **Z385** attached.

Summary and reasons for recommendations:

On 18 November 2008, the Grant Panel considered the following items:-

- (1) Review of the Grants Policy;
- (2) Applications for project funding: 2008/2009;
- (3) Grants to Voluntary Organisations: 2009/2010; and
- (4) Grants to Anglia in Bloom Groups: 2009/2010.

Recommendations:

(a) Review of the Grants Policy

Subject to the approval of full Council, the Borough Council's Grants Policy be amended to reflect the view of the Grant Panel that funding for projects should include a local contribution, with particular reference to:-

- (1) applicants be advised that funding for all projects should include an element of local funding which could arise from fundraising activities, local donations, the Parish Council or other local organisations; and
- (2) the Grant Scoring Matrix be amended to reflect that higher levels of local funding receive a higher priority. Local contributions should ideally amount to between 10 and 20% of the total project cost.

(b) Applications for Project Funding: 2008/2009

(1) Recreation, Village Hall and Play Scheme Grants

Subject to the granting of planning permission, £10,000 be awarded to Great Barton Thanksgiving Fund towards funding the construction of an annexe at Great Barton Village Hall; and

(2) Application Received Outside the Criteria of the Recreation, Village Hall and Play Scheme Grants

£5,000 be awarded to Bury St Edmunds Art Gallery towards the development of its website and database to be met from the Leisure Services existing Leisure Centres and Sports Development budget.

(c) Grants to Voluntary Organisations: 2009/2010

That:-

- (1) the grants awarded to organisations whereby longer term funding arrangements had previously been approved, as detailed in Section 3.2 of Report Z357, be noted;
- (2) subject to the budget setting process, the following grants be awarded in 2009/2010:-

	£
Community Centres	39,900
Arts Grants	2,500
Hall Hire Grants	5,000
'In Bloom' Grants	4,500
Haverhill Association of Voluntary Organisations (HAVO)	9,000
Bury St Edmunds Volunteer Centre	7,000
Haverhill and District Volunteer Centre	14,000
St Edmund and Waveny YMCA	5,000
Relate Norfolk and Suffolk	5,000
Bury St Edmunds Art Gallery Trust	36,300
Optua Advice and Advocacy	1,000
Haverhill and District Local History Group	3,850
Millennium Farm Trust	1,000

(d) Anglia in Bloom Groups: Grants 2009/2010

That, subject to the budget setting process, the following grants be awarded for 2009/2010:-

- (1) Clare in Bloom £3,750; and
- (2) Cavendish in Colour £750.

12. Capital Programme (Dec 08/14)

Cabinet Members – Paul Farmer;

*Contact Officer – Liz Watts
Telephone: 01284-757252
e-mail: liz.watts@stedsbc.gov.uk*

Report **Z386 TO FOLLOW.**

13. Sale of Borough Offices: Exercise of Chief Executive's Urgency Powers

Cabinet Member – Nigel Aitkens;

*Contact Officer – Betty Albon
Telephone: 01284-757307
e-mail: betty.albon@stedsbc.gov.uk*

Summary:

In accordance with the resolution of Cabinet on 23 January 2008 the Borough Offices, Angel Hill, Bury St Edmunds were offered for sale by tender with a closing date of 5 November 2008. No tender received was considered acceptable. However, several parties who had expressed interest did not tender and to take advantage of that interest the Council's external agents advised remarketing the property immediately. In the current economic climate, to delay until Cabinet authority was obtained would have risked losing the interest of those parties. The Council's agents also advised offering the premises informally for conditional or unconditional bids and with a 10% deposit on exchange of contracts.

The Scheme of Delegation provides as follows:-

'Where, in [the Chief Executive's] opinion, by reason of limitation of time or urgency, a decision is required on any matter, after such consultation as he considers necessary...he shall have power to make a decision provided that any such decision shall be reported to the next meeting of the Cabinet...'

Having considered a detailed report by the Corporate Property Officer, and having consulted officers and senior members, the Chief Executive used his urgency powers to authorise the immediate commencement of the marketing process for the Borough Offices as set out above.

Recommendation:

Cabinet is asked to **NOTE** the current position.

14. Boundary Committee Review of Suffolk: Update (Dec 08/02)

Cabinet Member – John Griffiths;

Contact Officer – Alex Wilson

Telephone: 01284-757695

e-mail: alex.wilson@stedsb.gov.uk

Summary:

On 26 September 2008, the Council made a joint submission with Forest Heath and Waveney District Councils to the Boundary Committee in response to its review of local government in Norfolk and Suffolk. The Leader of the Council will update the Cabinet on issues that have arisen since the submission has been made.

Corporate Priority: Securing a Sustainable and Attractive Environment

15. Sustainable Development Panel: 2 December 2008 (Dec 08/06)

*Cabinet Members – Terry Clements;
Peter Stevens*

Contact Officer – Patsy Dell

Telephone: 01284-757306

e-mail: patsy.dell@stedsb.gov.uk

Report **Z387 TO FOLLOW.**

**Corporate Priority: Improving the safety and well being of
the community**

16. Abbeycroft Leisure: Management Fee 2009/2015 (Dec 08/15)

*Cabinet Member – Lynsey Alexander; Contact Officer – Neil Anthony
Telephone: 01284-757064
e-mail: neil.anthony@stedsbc.gov.uk*

Report **Z388** TO FOLLOW.

17. Report of the Licensing and Regulatory Committee: Proposed Inclusion of Special Area Policy in St Edmundsbury Borough Council Statement of Licensing Policy (Dec 08/10)

*Cabinet Member – Sara Mildmay-White; Contact Officer – Hilary Workman
Telephone: 01284-757113
e-mail: hilary.workman@stedsbc.gov.uk*

Report **Z389** attached.

Summary and reasons for recommendation:

On 10 March 2008 the Licensing and Regulatory Committee considered a request from Councillors Farmer and Rout to designate an area of Bury St Edmunds one of 'cumulative impact' under Section 6 of the Council's Statement of Licensing Policy.

The proposed amendments to the Policy were the subject of a public consultation between 18 July until 10 October 2008.

On 10 November 2008 the Committee considered Report Z340, which included the outcome of the consultation. A total of 19 submissions were received in response to this consultation.

The Committee then considered the following options available:-

- Option 1: Take no action;
- Option 2: Set up a Licensing Forum for Bury St Edmunds (and subsequently Haverhill); and
- Option 3: Adopt the draft Special Area Policy for the specified area in Bury St Edmunds.

Recommendation:

The Committee concluded and **RECOMMENDS** that, subject to the approval of full Council, the Special Area Policy, as detailed in Appendix F of Report Z340, applying to that part of Bury St Edmunds as described in Appendix B of Report Z340, be adopted by the Council, and the existing statement of Licensing Policy be updated to include the Special Area Policy.

Corporate Priority: Creating a Prosperous Local Economy

18. Bury St Edmunds Area Working Party: 25 November 2008 (Dec 08/05)

*Cabinet Member – Sara Mildmay-White; Contact Officer – Sandra Pell
Telephone: 01284-757302
e-mail: sandra.pell@stedsbc.gov.uk*

Report **Z390 TO FOLLOW**.

Summary and reasons for recommendations:

On 25 November 2008, the Bury St Edmunds Area Working Party will consider the following items:-

- (1) Cattle Market Redevelopment: Letting Update, the National Picture, and Marketing;
- (2) Environmental Enhancements: Central Walk, Bury St Edmunds;
- (3) Environmental Enhancements: St Andrews Street/Risbygate Street/Brentgovel Street and surrounding area Bury St Edmunds;
- (4) Engineering Services Work Programme;
- (5) Residents Parking Schemes;
- (6) Bury St Edmunds Victory Street: Conservation Area Appraisal and Management Plan; and
- (7) Cattle Market Redevelopment: Public Works Project Status Report.

Recommendations:

Recommendations from this meeting of the Area Working Party will follow as Report Z390.

19. Asset Management Plan: Haverhill Industrial Properties: Assessment and Options Appraisal (Dec 08/01)

*Cabinet Member – Nigel Aitkens; Contact Officer – Betty Albon
Telephone: 01284-757307
e-mail: betty.albon@stedsbc.gov.uk*

Report **Z391** attached.

Summary and reasons for recommendation:

In accordance with the Asset Management Plan (AMP) Action Plan, all of the Council's property assets are being systematically assessed. This report follows the adopted processes for the assessment of the Council's non-operational assets. Investment properties in Bury St Edmunds and Haverhill and low rent ground leases have already been subject to AMP reviews. It considers the industrial premises and nil rent ground leases located in Haverhill.

The assessment process includes assessing each property asset against the adopted property objectives, it explains the matters considered in order to score each property, including possible reasons for retaining or disposing of particular assets, then applies the decision tree of option appraisal, in order to arrive at an objective decision. The particular reasoning and scoring for each asset is contained in Exempt Appendix 3.

The reason for undertaking the AMP process, and in recommending rationalisation of the portfolio in some cases, is to make better use of property resources, in accordance with good asset management planning. The review is set in the context of the current difficult market, which has an impact on the consideration of the AMP options.

On 23 October 2008, Cabinet also approved, subject to the approval of full Council, that £445,000 be allocated towards the cost of repairs and improvements to the Haverhill employment units, subject to the AMP process. This report also takes into account the proposed expenditure.

Recommendation:

It is **RECOMMENDED** that the proposals identified in Exempt Appendix 3 to Report Z391, which relate to individual assets, be approved. These proposals include retain, and work more closely with partners to improve the service value of the assets, sell when opportunities arise and consider further as part of service reviews or in connection with other developments.

**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.

Part 2 – Private

**Corporate Priority: Improving the Safety and Well Being of
the Community**

Exempt Paper relating to previous item

20. Exempt Appendix: Abbeycroft Leisure: Management Fee 2009/2015

*Cabinet Member – Lynsey Alexander; Contact Officer – Neil Anthony
Telephone: 01284-757064
e-mail: neil.anthony@stedsb.gov.uk*

Exempt Appendix 1 to Report **Z388 TO FOLLOW**.

Corporate Priority: Creating a Prosperous Local Economy

Exempt Paper relating to previous item

21. Exempt Appendix: Asset Management Plan: Haverhill Industrial Units: Assessment and Options Appraisal (Dec 08/01)

Cabinet Member – Nigel Aitkens;

Contact Officer – Betty Albon

Telephone: 01284-757307

e-mail: betty.albon@stedsbc.gov.uk

Exempt Appendix 3 to Report **Z391** attached.

Corporate Priority: Improving the Safety and Well Being of the Community

22. Havebury Housing Partnership: Changes to Transfer Agreement: Update (Dec 08/11)

Cabinet Member – Sara Mildmay-White;

Contact Officer – Carole Herries

Telephone: 01284-757603

e-mail: carole.herries@stedsbc.gov.uk

Exempt Report **Z392** attached.

Summary and reasons for recommendations:

On 17 September 2008, the Cabinet considered the repair and improvement to Havebury Housing Partnership's (Havebury) non-traditionally built properties (Exempt Report Z246 refers).

Cabinet 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.*

Since then, Havebury has researched further options and wish to consult the tenants of the properties as one of the options. Havebury has considered the Non Traditional Homes Appraisal Scheme (NTHAS) which is commonly used in the repair of non-traditional homes, particularly to those owned by social landlords and based on the individual property condition.

Recommendations:

It is **RECOMMENDED** that:-

- (1) commencement of Havebury Housing Partnership's (HHP) consultations with its tenants on the basis of undertaking Category 3 repairs under the Non Traditional Homes Appraisal Scheme be noted; and
- (2) HHP to report back to Cabinet following the outcomes of these consultations.