

ST EDMUNDSBURY BOROUGH COUNCIL

CABINET

**Minutes of a meeting held on Wednesday 3 December 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, Mrs Alexander, Clements, Farmer, Ray and
Stevens

BY INVITATION: Councillor F J Warby, Assistant Portfolio Holder for Community;
Councillor Buckle, Vice-Chairman of the Licensing and Regulatory
Committee; Councillor Ereira-Guyer, Chairman of the Overview
and Scrutiny Committee; Councillor Houlder, Chairman of the
Policy Development Committee; Councillor Rout, Chairman of the
Sustainable Development Panel; Councillors Mrs Charlesworth,
Cox, Nettleton and Spicer

Warren Smyth, Chief Executive of Abbeycroft Leisure

96. Apologies for absence

An apology for absence was received from Councillor Mrs Mildmay-White.

97. Minutes

The minutes of the meeting held on 23 October 2008 were confirmed as a correct record and signed by the Chairman.

98. Declarations of Interests

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

99. Announcements by the Leader of the Council

The Chairman made the following announcements:-

- (1) that in view of the current economic climate the same level of Council Tax for 2009/2010 as the 2008/2009 financial year would be proposed at the meeting of full Council on 9 December 2008. The Chairman asked that all Members across all parties support this proposal and furthermore that other councils in Suffolk, particularly Suffolk County Council, whose proportion of Council Tax amounted to approximately 80%, would follow the Borough Council's lead; and
- (2) Assistant Portfolio Holders would be introduced for a trial period. The Chairman reported that there was an ever increasing workload for Portfolio Holders, not least because the emphasis on partnership working had greatly increased. There was a need to support Members of the Cabinet with the management of their workloads; ensure the Council was represented at all meetings where it should have a presence; and provide the capacity for Cabinet Members to continue to develop their Portfolios. The trial would operate from the announcement until May 2009. Assistant Portfolio Holders would not have voting rights and so would not act as 'substitutes' at meetings of the Cabinet. However, they may attend meetings, including Cabinet meetings, on behalf of Members of the Cabinet. With the exception of the Performance and Organisational Portfolio, an Assistant

had been identified for each Portfolio. If the trial was considered successful, Assistant Portfolio Holder posts would be formalised at the Annual Meeting of the Council on 14 May 2009.

(Councillor Mrs Alexander arrived during the consideration of this item.)

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

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

The Cabinet received and noted Report Z378 (previously circulated) which informed the Cabinet of the following items discussed by the Policy Development Committee on 19 November 2008:-

- (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.

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

101. Report of the Policy Development Committee: Review of Homes Assistance Policy

Forward Plan Reference: Dec08/08 Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Report Z379 (previously circulated) which sought approval for the amended Homes Assistance Policy.

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

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet including that the review had proposed two new grants to address the problem of fuel poverty, both targeted at low income households, and that three grants had been recommended for removal from the Policy. In addition, Members noted that as part of the Council's budget setting process, a capital growth bid would be submitted for consideration by the Cabinet on 11 February 2009 as part of the Committee's detailed budget report. This was expanded upon further by Councillor Farmer, Portfolio Holder for Resources and Efficiency.



RECOMMENDED:- 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.**

102. Report of the Policy Development Committee: Housing Strategy, Homelessness Strategy and Sub-Regional Housing Strategy

Forward Plan Reference: Dec08/03 and Dec 08/04 Cabinet Member:

Cllr Sara Mildmay-White

The Cabinet considered Report Z380 (previously circulated) which sought approval for the Housing Strategy and Homelessness Strategy and the adoption of the Cambridge Sub-Regional Housing Strategy.

On 10 September 2008, the Policy Development Committee had commented on draft Housing and Homelessness Strategies as part of a wide ranging consultation with stakeholders. The consultation process had 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 Policy Development Committee had been 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 did 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.

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



RECOMMENDED:- That, subject to the approval of full Council,:-

- (1) 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.***

103. Report of the Policy Development Committee: Customer Service Strategy

Forward Plan Reference: Dec08/13 Cabinet Member: Cllr David Ray

The Cabinet considered Report Z381 (previously circulated) which sought approval for the Customer Service Strategy.

On 19 November 2008, as part of its work on the Service Delivery Review, the Policy Development Committee had considered a Customer Service Strategy which would help enable the authority to deliver consistent and excellent customer service. The Strategy would provide a framework through which the Council could encapsulate its vision of customer service throughout the organisation and allowed the Council to set standards on how it delivered customer service.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet. Councillor Ray, Portfolio Holder for Performance and Organisational Development, stated that the Strategy had recognised and responded to how customer needs and expectations had changed over the years, which included investigating the possibility of extending service opening hours at West Suffolk House as a longer term aspiration.

RESOLVED:-

That the Customer Service Strategy 2008, and actions to be taken forward in the Strategy, as set out in Report Z363, be approved.

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

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

(Councillors Clements and F J Warby declared personal interests in respect of the item, 'Review of the Citizens' Advice Bureaux in St Edmundsbury' as Members of Suffolk County Council and remained in the meeting for the consideration of this item.)

(Councillor Clements declared a prejudicial interest as the Borough Council's nominated representative on the Abbeycroft Leisure Trust Management Board and left the meeting during the consideration of the item, 'Review of the transfer of Leisure Management to Abbeycroft Leisure Trust'.)

The Cabinet considered Report Z382 (previously circulated) which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 26 November 2008:-

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

The Cabinet noted that a number of recommendations had arisen from the discussion of the following items at the meeting of the Committee:-

- (1) Update on Activities for Young People;
- (2) Review of the Citizens' Advice Bureaux in St Edmundsbury; and
- (3) Review of the transfer of Leisure Management to Abbeycroft Leisure Trust.

(1) Update on Activities for Young People

The Overview and Scrutiny Committee had been provided with an update on the various activities, events and projects which had been delivered for young people over the past twelve months (Report Z371 referred). It had also provided an evaluation of the rural youth work project, 'Was Up', which was a new project that had commenced in the summer of 2008 in place of the mobile skate park sessions held previously. The Committee had also received a presentation from three members of the Council's Youth Forum and a discussion had followed during which the young people had asked why Suffolk County Council's Information and Support Centre for Young People, 'No. 46', located in Bury St Edmunds had such restricted opening hours, and was usually closing just when they wanted to use the facility.

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

It was suggested that, should additional facilities be provided for young people in Bury St Edmunds and Haverhill, any resources allocated should not be at the expense of the provision of youth facilities in the rural areas. In addition, it was stated that alternative funding opportunities should be explored to assist with the provision of youth facilities in the urban areas, and therefore the Borough Council would not necessarily be required to provide total funding.

RESOLVED:- That

- (1) subject to the identification of funding, consideration be given to piloting activities similar to the rural youth project *'Nos Up'* to areas in Bury St Edmunds and Haverhill; and
- (2) Suffolk County Council be asked to consider the feasibility of extending or amending the opening hours of its Information and Support Centre for Young People, *'No. 46'*, to better meet the needs of the young people using this facility.

(b) Review of the Citizens' Advice Bureaux (CAB) in St Edmundsbury

The Overview and Scrutiny Committee had received presentations from the managers of both Bury St Edmunds and Haverhill District Citizens' Advice Bureaux. A user of the service had also addressed the Committee, providing a case study of the kind of work carried out by the CABs.

The discussion at the Committee meeting had primarily concentrated on the planned redistribution of Suffolk County Council's grant to CABx across Suffolk, which would see a phased reduction over four years to the St Edmundsbury Bureaux, amounting to a 43% reduction overall. The managers had explained the challenges ahead, particularly with increased workloads caused by the current challenging economic climate.

Councillor Ereira-Guyer, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet including that the Committee had made two recommendations in connection with the levels of grant funding provided by the Borough Council for consideration at the next meeting of the Grant Panel on 16 December 2008 and these were detailed in Report Z382 for information.

A detailed discussion was held and the Cabinet considered that whilst it recognised the commendable work of the CABx and sympathised with the financial situation, the grant provided by the Borough Council was substantial in comparison to grants provided by other Borough/District Councils in Suffolk. In addition, a suggestion was made that in some circumstances, CABx should consider charging for its services depending on the financial situation of its individual clients.

RESOLVED:- That

- (1) the Borough Council explores potential areas for closer working between the Borough Council and the Citizens' Advice Bureaux, including potential areas for scrutiny which may arise out of their workloads;
- (2) the Borough Council works closely with the Bureaux to provide information to the Suffolk County Council's Trading Standards Officer for inclusion in his planned report to the County Public Protection Scrutiny Committee, outlining the interim effects of the funding changes on the St Edmundsbury Bureaux; and
- (3) it be suggested to Suffolk County Council that it may also wish to consider the overall levels of grant provided to Citizens' Advice Bureaux, bearing in mind the potential cost of providing the essential services currently provided by the Bureaux.

(c) Review of the Transfer of Leisure Management to Abbeycroft Leisure Trust

On 26 November 2008, the Overview and Scrutiny Committee had received a presentation from Warren Smyth, Chief Executive of Abbeycroft Leisure, on a range of improvement measures undertaken by the Trust since the transfer of leisure services. Following the presentation, Members had questioned Mr Smyth on plans for the future, and also the potential impact of local government reorganisation on the Trust. During the discussion, it had transpired that a proportion of customers had a preconceived perception of 'council-run' leisure centres, which had created a barrier to the take-up of services. It was acknowledged that this was not helped by the uninviting external appearance of the Bury St Edmunds Leisure Centre.

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

The Cabinet considered that following the occupation of West Suffolk House in March 2009, a significantly higher proportion of customers to the Leisure Centre may visit from the direction of Beeton's Way, as opposed from Newmarket Road, therefore it was important that this elevation of the Leisure Centre should be enhanced, as appropriate, within the limited funding available.

RESOLVED:-

That the Borough Council explores with Abbeycroft Leisure the possibility of making the external appearance of Bury St Edmunds Leisure Centre more attractive, by low cost means such as improved signage, in order to enhance the public perception of the Centre.

105. Report of the Overview and Scrutiny Committee: Review of the Bury St Edmunds Festival

Forward Plan Reference: Dec08/09 Cabinet Member: Cllr Mrs Lynsey Alexander

The Cabinet considered Report Z383 (previously circulated) which sought approval for the Action Plan for the development of the Bury St Edmunds Festival.

On 26 November 2008, the Overview and Scrutiny Committee had been provided with the background to the setting up of the Bury St Edmunds Festival in the early 1980s, and its development into a major regional celebration (Report Z373 referred). Key achievements had been highlighted, together with future plans for further development of the Festival.

The Committee's discussions had concentrated on the budget for the Festival, and the range of activities provided during the Festival. There was currently an annual budgeted deficit of approximately £38,000 and an increase in budget would address this deficit and could potentially extend the range of activities offered. Councillor Ereira-Guyer, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet including that discussions had also been held in respect of whether activities offered at the Festival could be held at alternative times throughout the year as opposed to all being held during one two-week period.

Councillor Mrs Alexander, Portfolio Holder for Culture and Sport, stated that it may be possible for the public building (Venue) located in the new 'arc' development, to host a number of events that had previously been held in the open air. However, due to the popularity of some events, these would continue to be held outside to ensure the greatest number of attendees could be accommodated.

The Cabinet congratulated the officers and the organisations involved for their work in ensuring that the Bury St Edmunds Festival was such a successful major event. The Tourist Information Centre Manager and all the staff involved were also commended for the work undertaken to ensure the Christmas Fayre on Angel Hill, Bury St Edmunds was a tremendous success over the preceding weekend of 28 to 30 November 2008.

RESOLVED:- That

- (1) the Action Plan for development of the Bury St Edmunds Festival, as outlined in Report Z373, be approved;
- (2) given the importance of the Bury St Edmunds Festival to the town, and its major positive impact on the local economy, consideration be given to increasing the budget for the Festival, in order to potentially increase the range of activities offered;
- (3) when looking into the Business Plan for the public building (Venue), the Venue Steering Group be requested to consider that the public building (Venue) potentially becomes a key part of the Festival from 2010 onwards;
- (4) when the Business Plan for the public building (Venue) is finalised, the Council takes the opportunity to review its budget for other arts related activity;
- (5) the Council explores the potential to extend the range of cultural inputs to the Festival to include, for example but not exclusively, drama, literary events, choirs, poetry etc, perhaps scheduled at alternative times across the year; and
- (6) approaches be made to Bury St Edmunds' Art Gallery and Theatre Royal, and other appropriate venues regarding their involvement in the Festival, with the intention to potentially develop their input into the Festival, including holding special events at these venues for the duration of the Festival.

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

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

The Cabinet received and noted Report Z384 (previously circulated) which was the Budget Monitoring Report for the period ended 31 October 2008.

Appendix A, page 1, was the General Fund Budget Summary report which showed an estimated underspend of £1,338,000. Appendix A, pages 2 and 3, provided an explanation of budget variances over £10,000. Appendix B was the Capital Budget Monitoring Report, which showed 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 was due to a number of factors including delays in some major projects and some timing issues related to the completion of stage payments. It was noted that capital expenditure budgets were not profiled and many of the schemes included in the Programme were not due to commence until later in the financial year. The Capital Disposals Programme showed capital receipts for the period of £1,965,867 against a full year disposals estimate of £10,160,000. It was now anticipated that a more realistic disposal target for the year was £3,600,000 and this latter figure was used to update the five year financial model accordingly.

Councillor Farmer, Portfolio Holder for Resources and Efficiency, drew relevant issues to the attention of the Cabinet.

107. Grant Panel: 18 November 2008

Forward Plan Reference: Dec08/07 Cabinet Members: Cllrs Paul Farmer and Sara Mildmay-White

The Cabinet considered Report Z385 (previously circulated) which contained the recommendations from the meeting of the Grant Panel held on 18 November 2008 and related to a review of the Grants Policy, applications for Project Funding in 2008/2009, and Core Funding Grants to Voluntary Organisations and Anglia in Bloom Groups in 2009/2010.

Councillor Farmer, Portfolio Holder for Resources and Efficiency, drew relevant issues to the attention of the Cabinet. He stated that in respect of the review of the Grants Policy emphasis had been placed upon actively encouraging applicants for project funding to not only seek match funding from the Havebury Housing Partnership and Suffolk County Councillors' Locality Budget amongst other sources, but also that a level of local contribution should be sought to support their projects. Where applicants achieved greater levels of local funding, which could include funding from parish councils, these applications would receive a higher priority. The Grant Scoring Matrix, which was used to assess grant applications and assisted with ranking the applications in order of priority, would require an amendment to indicate that contributions should ideally amount to between 10 and 20% of the total project cost.

It was suggested that following approval, parish councils should promptly be made aware of the changes to the Policy to ensure that, if appropriate, a contingency may be calculated into the precept requests for the 2009/2010 financial year should it be required to meet the local contribution requirements of the amended Grants Policy.



RECOMMENDED:- That

(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.***

RESOLVED:- That

(a) 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.

(b) Grants to Voluntary Organisations: 2009/2010

- (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 Waveney 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

(c) 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.

108. Capital Programme

Forward Plan Reference: Dec08/14 Cabinet Member: Cllr Paul Farmer

The Cabinet considered Report Z386 (previously circulated) which sought approval for a number of Capital Project Schemes currently under development to be allocated expenditure in the Capital Programme.

The Capital Schemes currently under development were varied and at different stages in their development process. A number of schemes related to maintenance or renewal of the Council's existing assets whilst others aimed to provide facilities or develop key areas of the Borough in accordance with the Council's adopted priorities. Report Z386 outlined seven Capital Schemes that were at a stage of development where consideration could be given to their approval as part of the Capital Programme. Details

of each project were contained in the appendices to the Report. A maximum of £2,850,000 capital funding was being recommended for approval.

A decision was also sought in respect of the Nowton Park Visitor Centre Project contained in Appendix 2 to the Report and a preferred option identified from options:-

- (a) Scheme A;
- (b) Scheme B; or
- (c) the suggested variants to both of these Schemes which would incorporate the construction of changing rooms into either option.

Scheme B differed from Scheme A in that it incorporated a separate room for educational activities and therefore, would have the advantage of providing additional services to the public and would be designed to provide a variety of functions. The incorporation of changing rooms within either Scheme to replace the existing temporary changing rooms would 'future proof' the building, thereby avoiding the envisaged replacement of the existing changing rooms in approximately five years' time. Scheme A was estimated to cost £300,000 and Scheme B would cost approximately £375,000. An additional allocation of £150,000 to provide changing rooms to both Schemes would be required.

Councillor Farmer, Portfolio Holder for Resources and Efficiency, drew relevant issues to the attention of the Cabinet, together with Councillor Mrs Alexander, Portfolio Holder for Culture and Sport in respect of the items which related to her Portfolio.

During the discussion, the Cabinet considered that in respect of the Nowton Park Visitor Centre, that Scheme B was its preferred option with the incorporation of changing rooms, therefore a total allocation of £525,000 was proposed.

A discussion was also held regarding the relocation of Bury Town Football Club (BTFC) from Ram Meadow in Bury St Edmunds to Moreton Hall, as detailed in Appendix 6 to the Report. The Cabinet noted that the Report had stated that the 11 acre site at Moreton Hall had been allocated for recreational use as part of the terms of a Section 106 agreement, however, the officers reported that whilst the allocation of this site for recreational use was part of the development agreement, this was not specified under the terms of the Section 106 agreement. The Portfolio Holder for Culture and Sport emphasised that whilst the site had been identified for the relocation of BTFC, it was in the very early stages of development. This site would however, enable the development of a community football club facility which would include senior, junior, women's and girls' football teams and mini-soccer through effective engagement with the local football clubs and community, therefore increasing the provision of recreational facilities for the Moreton Hall area. The site had also been identified as an appropriate location that would create minimum impact to neighbouring properties and wildlife. Potential funding had been sought from the Football Foundation to develop the community project in partnership with BTFC.



RECOMMENDED:- That, subject to the approval of full Council:-

- (1) Scheme B of the Nowton Park Visitor Centre project, incorporating changing rooms at a maximum budget of £525,000 be approved, as detailed in Appendix 2 to Report Z386;***
- (2) funding for the projects detailed in paragraphs 4.2.2 to 4.2.8 of Report Z386, be approved, including the preferred***

option from Appendix 2 as detailed in (1) above and the Council's Capital Programme be amended accordingly; and

(3) following approval of capital funding for the Bury St Edmunds Community Football Project, as detailed in paragraph 4.2.8 of Report Z386, the Corporate Director for Community be authorised, in consultation with the Portfolio Holder for Culture and Sport, to enter into an agreement with Bury Town Football Club to develop the project on a grant funded basis, subject to:-

(i) final approval of the Scheme being sought from the Cabinet;

(ii) the granting of planning permission for the Scheme; and

(iii) third party matched funding being secured.

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

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

The Cabinet received and noted a narrative item which informed the Cabinet of a decision taken using the Chief Executive's urgency powers as contained within Part 3, Responsibility for Functions, of the Council's Constitution in connection with the sale of the Borough Offices, Angel Hill, Bury St Edmunds.

In accordance with the resolution of Cabinet on 23 January 2008 the Borough Offices 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 had also advised offering the premises informally for conditional or unconditional bids and with a 10% deposit on exchange of contracts.

Having considered a detailed report by the Corporate Property Officer, and having consulted officers and Senior Members, the Chief Executive exercised his urgency powers to authorise the immediate commencement of the marketing process for the sale of the Borough Offices.

110. Boundary Committee Review of Suffolk: Update

Forward Plan Reference: Dec08/02 Cabinet Member: Cllr John Griffiths

The Cabinet received an update from Councillor Griffiths, Leader of the Council, on the latest position regarding the review of Local Government in Suffolk being undertaken by the Boundary Committee and the Council's work to promote East and West Suffolk Unitary Authorities, along side the Committee's own 'North Haven' Unitary proposal.

Councillor Griffiths reported that the result of the judicial review brought by District Councils within Norfolk had very recently been received. The case had been dismissed as being premature at the current time. However, the judge accepted one of the principles the Councils were arguing, that there had been insufficient time for consultation on the affordability criteria. It was not yet known whether the Boundary

Committee and Secretary of State would extend the consultation on the issue of affordability.

Whilst it was not clear whether the timetable for the Boundary Committee submitting its advice to the Secretary of State would be amended, the Borough Council was working on the basis that the advice would still be submitted on 31 December 2008. On that timetable, the Council's final submission would be sent to the Secretary of State in early January 2009, once the advice from the Boundary Committee was made available in order that the Council's document could be amended to address issues arising from the Boundary Committee's final recommendations.

111. Sustainable Development Panel: 2 December 2008

Forward Plan Reference: Dec08/06 Cabinet Members: Cllrs Terry Clements and Peter Stevens

The Cabinet considered Report Z387, which was tabled at the meeting and contained the recommendations from the meeting of the Sustainable Development Panel held on the previous day, 2 December 2008.

Councillor Rout, Chairman of the Sustainable Development Panel, drew relevant issues to the attention of the Cabinet. In respect of the St Edmundsbury Annual Monitoring Report 2007/2008, he stated that this document would help support and monitor progress on the implementation of the Local Development Framework. A detailed discussion had also been held at the meeting of the Panel regarding the consultation on the East of England Regional Spatial Strategy Review. The Panel recommended a response based on support for the low growth option of additional housing between 2011 and 2031, currently being planned for in the Local Development Framework. However, it was emphasised that this would be subject to both the infrastructure and environmental capacity being sufficient to accommodate the growth.

A discussion was held regarding the designation of a special policy for the 'Mid Anglia' part of the region to address rural deprivation and the special needs of the residents of the area which was remote from many services and facilities.

The Cabinet was pleased to note that as a result of extensive consultation and responses received, the Concept Statement for the Strategic Greenfield site at Ixworth had been amended and improved.



RECOMMENDED:- That, subject to the approval of full Council:-

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

the Concept Statement for Ixworth, attached as Appendix B to Report Z399, be adopted as non-statutory planning guidance.

- (b) East of England Regional Spatial Strategy Review Consultation***

In terms of assessing the level of additional growth that might be accommodated in the Borough, the following response be made to Suffolk County Council:-

- (i) that, without prejudice, the Borough Council supports the low growth option, which it is currently planning for in the Local Development Framework***

and which would provide a further 10,750 new homes between 2011 and 2031, subject to both infrastructure and environmental capacity to accommodate this growth;

- (ii) that the Borough Council is of the opinion that Bury St Edmunds cannot accommodate any increase in the levels of growth over and above that already being planned for in its Local Development Framework;*
- (iii) that, subject to infrastructure and environment capacity in the wider area being addressed, there may be a role for Haverhill to accommodate further significant development. However, any further growth in housing over and above that being planned in the Local Development Framework will not be accepted until at least 2021 and only when a better homes / jobs balance has been achieved and when the capacity exists in all appropriate and sustainable infrastructure to accommodate the planned additional growth;*
- (iv) that a special policy area is designated in the "mid-Anglia" part of the region to address where applicable rural deprivation and needs in this area; and*
- (v) no comment is submitted at this time on the appropriateness or deliverability of the proposal for a development of 4,000 new homes to the north-east of Bury St Edmunds.*

RESOLVED:- That

- (a) St Edmundsbury Local Development Framework: Annual Monitoring Report 2007/2008**
 - (i) the St Edmundsbury Annual Monitoring Report 2007/2008, as detailed in Report Z398, be approved; and
 - (ii) the Head of Planning and Engineering Services, in consultation with the Portfolio Holder for Transport and Planning, be authorised to incorporate into the Annual Monitoring Report for publication any further minor changes as are necessary to update and make any spelling, grammatical, factual, formatting and numbering corrections, provided they do not materially affect the substance or meaning of the Report.
- (b) Braintree Local Development Framework: Core Strategy Consultation**
 - (i) Braintree District Council be thanked for consulting the Borough Council on the documents; and
 - (ii) the comments (5) to (8) in paragraph 2.2 of Report Z401 form the basis of the Borough Council's comments to Braintree District Council.

(c) Flood Risk and Water Cycle Studies

The Braintree District, Haverhill and Clare Water Cycle Study be approved.

(Councillor Mrs Charlesworth left the meeting at the conclusion of this item.)

(The Chairman agreed that the following items would be considered in a different order from that published on the agenda.)

112. Report of the Licensing and Regulatory Committee: Proposed Inclusion of Special Area Policy in St Edmundsbury Borough Council Statement of Licensing Policy

Forward Plan Reference: Dec08/10 Cabinet Member: Cllr Sara Mildmay-White

(Councillor Houlder declared a prejudicial interest as an employee of Greene King Brewery and Retailing Limited and left the meeting for consideration of this item and did not return.)

The Cabinet considered Report Z389 (previously circulated) which sought approval for the adoption of a Special Area Policy to be applied to a particular area of Bury St Edmunds.

On 10 March 2008, the Licensing and Regulatory Committee had 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 public consultation between 18 July and 10 October 2008.

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

The Committee had then considered the following options:-

- 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.

Attached to Report Z389 were Appendices B and F of Report Z340 which indicated the area under consideration and the proposed amendment to the Statement of Licensing Policy to incorporate the Special Area Policy.

Councillor Buckle, Vice-Chairman of the Licensing and Regulatory Committee and Chairman of the meeting on 10 November 2008, drew relevant issues to the attention of the Cabinet.

In response to a comment received from Councillor Ereira-Guyer that the adoption of the Special Area Policy may have a detrimental impact on the night-time economy in Bury St Edmunds, the Cabinet recognised that whilst businesses located in the area under consideration required support, Members also acknowledged the problems associated with vandalism and anti-social behaviour that had occurred. However, in order that the impact of the Policy could be measured effectively the Cabinet wished the recommendation to be amended to emphasise that the Policy would be reviewed in two years' time.



RECOMMENDED:-

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, noting that it will be reviewed in two years' time.

(Councillors Buckle, Ereira-Guyer, Spicer and F J Warby left the meeting at the conclusion of this item.)

113. Bury St Edmunds Area Working Party: 25 November 2008

Forward Plan Reference: Dec08/05 Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Report Z390 (previously circulated) which contained the recommendations from the meeting of the Bury St Edmunds Area Working Party held on 25 November 2008.

The Cabinet noted that in respect of Item 6 of the items listed under Agenda Item 18, *'Bury St Edmunds Victory Street: Conservation Area Appraisal and Management Plan'*, should be amended to read, *'Bury St Edmunds Victoria Street: Conservation Area Appraisal and Management Plan'*.

Councillor Griffiths, Vice-Chairman of the Bury St Edmunds Area Working Party, drew relevant issues to the attention of the Cabinet.

Councillor Nettleton wished to be placed on record his thanks to the Conservation Area Officers for the extensive work undertaken to produce the Conservation Area Appraisal and Management Plan for the Bury St Edmunds, Victoria Street Conservation Area.

RESOLVED:- That

(a) Environmental Enhancements: Central Walk, Bury St Edmunds;

- (1) the repaving of Central Walk, Bury St Edmunds, in Charcon Appalachian slabs be approved;
- (2) the lighting design detailed in paragraph 2.4 of Report Z366 be approved; and
- (3) the provision of an entrance feature to each end of Central Walk, as shown in Option 2 of Appendix A to Report Z366, be approved.

**(b) Environmental Enhancements:
St Andrews Street/Risbygate Street/Brentgovel Street and surrounding area Bury St Edmunds;**

- (1) Detailed proposals be approved by the Head of Planning and Engineering, in consultation with Chairman of the Bury St Edmunds Area Working Party and the Portfolio Holder for Transport and Planning prior to local consultation and based on the summary outcomes paper emanating from the workshop held on 25 November 2008;

- (2) the outcome of the consultation be reported to a future meeting of the Working Party; and
- (3) additional funding options to that already allocated be explored.

(c) Engineering Services Work Programme;

(1) Beetons Way, Bury St Edmunds: Cycle Facility

The proposals for Beetons Way, Bury St Edmunds for local consultation, as detailed in paragraph 2.3.5 and Appendix B of Report Z367, be approved; and

(2) Cattle Market Car Park, Bury St Edmunds: Landscaping

The arrangements for additional planting in the Cattle Market, Bury St Edmunds car park, as detailed in paragraph 3.1 of Report Z367, be approved.

(d) Residents' Parking Schemes; and

- (1) the name change from Residents' Parking Scheme to Neighbourhood Parking Scheme be approved; and
- (2) the forward programme of investigations set out at Appendix D to Report Z368 be approved.

(e) Bury St Edmunds Victoria Street: Conservation Area Appraisal and Management Plan

- (1) The draft Conservation Area Appraisal and Management Plan for the Bury St Edmunds Victoria Street Conservation Area, as detailed in Appendix 1 to Report Z369, be approved for consultation; and
- (2) the Head of Planning and Engineering, in consultation with the Chairman of the Bury St Edmunds Area Working Party, be authorised to amend any typing, grammatical or minor factual changes required to the Draft Appraisal and Management Plan prior to commencement of the consultation.

(Councillor Rout left the meeting at the conclusion 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.

(Warren Smyth, Chief Executive of Abbeycroft Leisure, remained within the meeting by specific invitation for consideration of item 114 only.)

114. Abbeycroft Leisure: Management Fee 2009/2015

Forward Plan Reference: Dec08/15 Cabinet Member: Cllr Lynsey Alexander

(Councillor Clements declared a prejudicial interest as a Borough Council nominated representative on the Abbeycroft Leisure Trust Management Board and left the meeting for the consideration of this item.)

The Cabinet considered Report Z388 (previously circulated) which sought approval for the Management Fee payable to Abbeycroft Leisure in 2009/2010 and for a five year Management Fee Funding Agreement.

Abbeycroft Leisure (Abbeycroft) had managed the Council's two leisure centres and other associated leisure facilities since their transfer in 2005. The services provided by Abbeycroft were determined by the Transfer Agreement and carried out in return for an Annual Management Fee met from the Council's revenue budget. Attached as Exempt Appendix 1 to the Report was the report produced by Abbeycroft in respect of its bid for the Management Fee for 2009/2010 including details of the financial performance of the organisation. It also accounted for the impact the temporary closure of the Haverhill Leisure Centre had on its finances. Detailed in Exempt Appendix 1, Abbeycroft had proposed a Management Fee bid for 2009/2010 of £507,000 as the base figure equating to a normal year's trading, and an additional one-off fee of £276,000 to cover the costs from the closure and re-opening of Haverhill Leisure Centre in July 2009. The officers had considered Abbeycroft's proposal and had recommended a base Management Fee of £480,000 to support normal trading and a one-off payment of £250,000 to meet the additional costs associated with the closure of Haverhill Leisure Centre.

Abbeycroft had also proposed that the Council enter into a five year Management Fee Funding Agreement commencing from 2010/2011. Whilst this was supported in principle, this Agreement would require further development between the officers and Abbeycroft. Any agreement of this kind would need to allow for the adjustments which may be required arising from closure and business recovery costs in 2009/2010. Paragraph 4.3.2 detailed the proposed five year Funding Agreement which the Cabinet considered in detail.

The Cabinet asked questions of Mr Smyth to which he provided comprehensive responses.

Whilst the Cabinet recognised the good work of Abbeycroft since the transfer of the Council's leisure centres and some associated services in 2005, some concern was expressed regarding committing to a five year Funding Agreement, particularly as businesses were being detrimentally affected in the present difficult economic climate. In response, the officers stated that if the Council provided a longer term of secured

funding it would demonstrate the Council's support for Abbeycroft during the economic downturn. It was emphasised that the Funding Agreement could be annually reviewed and that the Council would remain actively engaged with the services provided by Abbeycroft and its business activities.

Some discussion was also held in respect of Abbeycroft recognising that in order that its customer base could continue to grow, improvements to car parking and access arrangements at Bury St Edmunds Leisure Centre would be required. The Cabinet recognised that some practical short term measures may need to be implemented to address these issues.

RESOLVED:-

That, subject to the approval of full Council as part of the budget setting process:-

- (a) a Management Fee totalling £730,000 be paid to Abbeycroft Leisure for the operation of the Council's leisure facilities in 2009/2010 in accordance with the provisions of the Leisure Transfer Agreement, consisting of:-
 - (i) £480,000 to support normal trading costs, to be met from the revenue budget 2009/2010; and
 - (ii) a one-off payment of £250,000 to meet additional costs arising from the closure of Haverhill Leisure Centre, to be met from revenue reserves; and
- (b) (i) subject to the outcome of a review of the cost of the closure of Haverhill Leisure Centre to be undertaken in September 2009 and any further required adjustments to the Management Fee for 2010/2011, the Corporate Director for Community, in consultation with the Portfolio Holder for Culture and Sport, be authorised to enter into a five year Management Fee Funding Agreement with Abbeycroft Leisure, as detailed in paragraph 4.3.2 of Report Z388; and
- (ii) the terms of the five year Funding Agreement be subjected to annual review.

115. Asset Management Plan: Haverhill Industrial Properties: Assessment and Options Appraisal

Forward Plan Reference: Dec08/01 Cabinet Member: Cllr Nigel Aitkens

The Cabinet considered Report Z391 (previously circulated) which sought approval for the proposals identified in Exempt Appendix 3 to Report Z391, which related to individual assets. The proposals included retention; work more closely with partners to improve the service value of the assets; sell assets when opportunities arose; or consider further as part of service reviews or in connection with other developments.

In accordance with the Asset Management Plan (AMP) Action Plan, all of the Council's property assets were being systematically assessed. The report followed 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 had already been subject to AMP reviews. Report Z391 considered the industrial premises and nil rent ground leases located in Haverhill. Exempt Appendix 3 detailed the following five industrial assets located in Haverhill:-

- (1) 9 to 19 Hollands Road (Group 1 Units);
- (2) 8 to 38 Hollands Road (Group 2 Units);
- (3) 6 to 12 Piperell Way;
- (4) 2 Hollands Road; and
- (5) Homefield Business Park.

The assessment process included assessing each property asset against the adopted property objectives and full details were attached as Appendix 2 to the Report. It explained the matters considered in order to score each property, including possible reasons for retaining or disposing of particular assets, then the decision tree of option appraisal which was part of the process and attached as Appendix 1 was applied, in order to arrive at an objective decision.

Councillor Aitkens, Portfolio Holder for Economy and Asset Management, drew relevant issues to the attention of the Cabinet and duly responded to questions raised. He tabled a map which indicated the assets identified in the assessment and expanded upon the recommendations of each appraisal detailed in Exempt Appendix 3.

RESOLVED:-

That the proposals identified in Exempt Appendix 3 to Report Z391, which relate to individual assets, be approved.

(Councillor Cox left the meeting during the consideration of this item.)

116. Havebury Housing Partnership: Changes to Transfer Agreement: Update

Forward Plan Reference: Dec08/11 Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Exempt Report Z392 (previously circulated) which updated the Cabinet on progress regarding the repair and improvement to Havebury Housing Partnership's (Havebury) non-traditionally built properties.

On 17 September 2008, the Cabinet considered the repair and improvement to Havebury Housing Partnership's (Havebury) non-traditionally built properties (Exempt Report Z246 referred) and 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 had researched further options and wished to consult the tenants of the properties as one of the options. Havebury had considered the Non-Traditional Homes Appraisal Scheme (NTHAS) which defined five categories of repair and was commonly used in the repair of non-traditional homes owned by social landlords and based on the individual property condition. In this case, Havebury had considered that the NTHAS Category 3 repair would be adequate.

The Cabinet was satisfied that consultations with should be undertaken with the residents on the basis of undertaking Category 3 repairs under the Non-Traditional Homes Appraisal Scheme.

RESOLVED:- That

- (1) the 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 report back to Cabinet following the outcomes of these consultations.

The meeting concluded at 8.05 pm

**J H M GRIFFITHS
CHAIRMAN**