

Enquiries regarding this Agenda:  
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# ***Cabinet***

***Wednesday 11 February 2009 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*

<b><i>Councillors:</i></b>		<b><i>Portfolios:</i></b>
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 meetings held on 13 January 2009 (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: 14 January 2009**

*Chairman – Ian Houlder;*

*Contact Officer – Adriana Stapleton*

*Telephone: 01284-757613*

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

Report **Z509** attached.

#### Summary and reasons for recommendation:

On 14 January 2009 the Policy Development Committee considered the following items:-

- (1) Cabinet Forward Plan: January to April 2009;
- (2) Work Programme; and
- (3) Draft Cemeteries Strategy.

#### Recommendation:

The Cabinet is requested to **NOTE** the report of the Policy Development Committee.

#### **5. Report of the Policy Development Committee: Revenues and Benefits Service Prosecution Policy (Feb 09/06)**

*Cabinet Member – Paul Farmer;*

*Contact Officer – Liz Watts*

*Telephone: 01284-757252*

*e-mail: liz.watts@stedsbc.gov.uk*

Report **Z510** attached.

#### Summary and reasons for recommendation:

St Edmundsbury Borough Council aims to pay the right benefit at the right time, and to allow discounts and exemptions to Council Tax payers where the law allows it. It also recognises that some people claim benefits and discounts fraudulently, and the Council has a duty to protect public funds and to deter others from attempting to defraud the Council. To ensure a consistent approach, officers adhere to the Council's Prosecution Policy, which was adopted by the Council in February 2004 as part of its wider Enforcement Policy.

The Policy has been brought up to date with current thinking incorporating some practices that have developed within the Enquiry Team, and actions taken in respect of offences in connection with Council Tax fraud. The main change in the new policy is the potential arrest, by the Police, of suspected offenders. The new Policy has also been widened to encompass the possibility for Council Tax fraud.

Recommendation:

The Committee **RECOMMENDS** that the updated Prosecution Policy, as set out in Appendix 1 to Report Z459, be adopted.

**6. Report of the Policy Development Committee: Review of Vision 2025 Action Plan: Housing (Feb 09/07)**

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

Report **Z511** attached.

Summary and reasons for recommendation:

The St Edmundsbury Vision 2025 document was adopted by full Council in December 2005, following development throughout 2005 with key partners and the community. The document sets out the Borough Council's vision for the Borough for the next 20 years. Following adoption, it was agreed that monitoring and development of the Action Plans aligned to each of the six themes of the document would be ongoing.

It is important that an overview of how successfully the Council is in delivering the vision is maintained, and to assist with this, as each of the six themes are reviewed, some Local Performance Indicators (LPIs) have been introduced. The LPIs to be used to monitor the Housing Action Plan are set out on Report Z461.

The Committee concluded that good progress had been made over the last year on undertaking the actions under the Housing theme. Suggestions for amendments to a number of the actions, as set out in the report, were discussed by Members.

Recommendation:

The Committee **RECOMMENDS** that the revisions to the Vision 2025 Housing Action Plan, as outlined in Report Z461, be approved.

**7. Report of the Policy Development Committee: Fees and Charges Policy**

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

Report **Z512** attached.

Summary and reasons for recommendation:

This new Policy will ensure that fees and charges support the Council's objectives and are set at a level that maximises income generation where appropriate. The Policy covers the process of setting the charges, approval for subsidy, charging levels, exemptions and concessions, publicity, and reviews of both charges and the Policy itself. The Policy also includes a flowchart setting out the process for setting fees and charges.

Recommendation:

The Committee **RECOMMENDS** that the Fees and Charges Policy, as set out in Report Z458 (as amended), be adopted.

**8. Report of the Overview and Scrutiny Committee: 19 January 2009**

*Chairman – Mark Ereira-Guyer;*

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

Report **Z513** attached.

Summary and reasons for recommendation:

On 19 January 2009 the Overview and Scrutiny Committee considered the following items:-

- (1) Presentation from Portfolio Holder for Environment and Street Scene;
- (2) Cabinet Forward Plan: January to April 2009;
- (3) Work Programme;
- (4) Affordable Housing; and
- (5) Monitoring the Success Criteria of Year 4 (2007/2008) Policy Based Budgeting Unavoidable Bids Which Received Funding.

Recommendation:

The Cabinet is requested to **NOTE** the report of the Overview and Scrutiny Committee.

**9. Report of the Overview and Scrutiny Committee: Suffolk Fire and Rescue Service Draft Fire Action Plan 2009/2010**

*Cabinet Member – Sara Mildmay-White;*

*Contact Officer – Mike Dawson  
Telephone: 01284-757060  
e-mail: mike.dawson@stedsbc.gov.uk*

Report **Z514** attached.

Summary and reasons for recommendations:

The Suffolk Fire and Rescue Authority is required to undertake public consultation on major proposals associated with its Annual Community Safety Work Programme. All Members were sent a copy of the draft Fire Action Plan in October 2008, at the start of the 12 week consultation period.

The Director of Public Protection and Chief Fire Officer for Suffolk, Andy Fry, attended the Overview and Scrutiny Committee meeting to present the details of the Plan, and to discuss the proposals with Members.

A detailed discussion took place, and Members were particularly concerned with some of the statistics which were presented to them during the presentation.

Recommendations:

The Committee **RECOMMENDS**:- That

- (1) a joint motion from the Borough Council and the Suffolk Fire and Rescue Service be put to the Local Government Association, "that developers should be required to install sprinkler systems in new buildings as a matter of practice";
- (2) through its work with developers, the Council encourage the increased installation of sprinkler systems in new buildings and homes;
- (3) through its work and contact with Housing Association partners, the Council promote fire safety issues and support for tenants in making their homes as safe as possible; and
- (4) the Council, through its contact and work with partners, support the delivery of the Suffolk Fire and Rescue Service's Fire Action Plan 2009/2010 as attached to Report Z470.

**10. West Suffolk House Joint Committee: 6 February 2009 (Feb 09/10)**

*Cabinet Member – Nigel Aitkens;*

*Contact Officer – Alex Wilson*

*Telephone: 01284-757695*

*e-mail: alex.wilson@stedsbcc.gov.uk*

Report **Z515 TO FOLLOW**.

Summary and reasons for recommendations:

On 6 February 2009 the West Suffolk House Joint Committee will consider the following items:-

- (1) Action List;
- (2) Public Service Village (PSV) Programme Status Report;
- (3) Health and Safety Issues;
- (4) Knowledge Centre and Public Library Access Point: Update;
- (5) Items of Interest;
- (6) Risk Register;
- (7) Programme Activities Log; and
- (8) Financial Details of the Programme.

Recommendations:

Recommendations emanating from this meeting of the Joint Committee will follow as Report **Z515**

**11. Central Safety Panel: 9 February 2009 (Feb 09/05)**

*Cabinet Member – David Ray;*

*Contact Officer – Martin Hosker*

*Telephone: 01284-757010*

*e-mail: martin.hosker@stedsbcc.gov.uk*

Report **Z516 TO FOLLOW**.

Summary and reasons for recommendations:

On 9 February 2009 the Central Safety Panel will consider the following items:-

- (1) Minutes: Combined Area Safety Committee (CASC);
- (2) Health and Safety Policy: Amendment;
- (3) Health and Safety Offences Act 2008;
- (4) Incidents involving Employees and Incidents involving Members of the Public;
- (5) Health and Safety Training; and
- (6) Well Being Programme.

Recommendations:

Recommendations emanating from this meeting of the Panel will follow as Report **Z516**

**12. Boundary Committee Review of Suffolk: Update (Feb 09/03)**

*Cabinet Member – John Griffiths;*

*Contact Officer – Alex Wilson*

*Telephone: 01284-757695*

*e-mail: alex.wilson@stedsbc.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.

**13. Treasury Management: Performance and Annual Treasury Management and Investment Strategy 2009/2010**

*Cabinet Member – Paul Farmer;*

*Contact Officer – Chris Barber*

*Telephone: 01284-757241*

*e-mail: chris.barber@stedsbc.gov.uk*

Report **Z517** attached.

Summary and reasons for recommendations:

The Council's Treasury Management activities generate a substantial amount of income and therefore warrant regular Member consideration. The purpose of this report is to:-

- (a) provide an update on Treasury Management activity and performance for the period 1 April to 31 December 2008, and
- (b) seek Cabinet and Council approval for the Annual Treasury Management and Investment Strategy Statements for 2009/2010 and Prudential Indicators as detailed in Appendix 1 to this report.

The budget for investment income in 2008/2009 is £2,102,000, equivalent to £55.92 for each Council Tax Band D property. At the end of December 2008 interest earned amounted to £2,517,300 against the budget for the period of £1,679,750, a surplus of £837,550. The over achievement of interest on investments during this period was due to higher than expected interest rates and to slippage on the capital programme. The target investment rate for the year is 4.75%. In the nine month period covered by this report, the average rate of interest achieved was 5.43%.

The proposed Treasury Management and Investment Strategy Statements for 2009/2010, attached at Appendix 1 to this report, set out the Council's strategies for managing investments. These strategies give priority to the security and liquidity of investments whilst at the same time seeking to optimise financial returns. The recommendations arising from the Strategy Statements are designed to give maximum flexibility in terms of the usage of fixed and variable rate investments and allow for the balancing of certainty of income arising from longer term investments with the need to retain a core balance to enable day-to-day cash flow management and which can be easily liquidated should the need arise.

It is estimated that in 2009/2010 Treasury Management activity will generate income of £751,000 (which is equivalent to £19.87 for each Council Tax Band D property). This represents an average target investment rate for the year of 2.2% and reflects the very significant reduction in interest rate projections for the year. Appendix 2 provides a summary of the national and international forecasts provided by the Council's treasury management advisors (Sector Treasury Services Ltd) which support these estimates. In addition, it is estimated that the Council's non operational property and assets portfolio will generate income of £2,641,450 during the year (which is equivalent to £69.90 for each Council Tax Band D property).

Recommendations:

- (1) Information on the performance of the Treasury Management function for the period 1 April to 31 December 2008 contained within this report be noted.
- (2) Subject to approval by full Council, it is **RECOMMENDED** that:-
  - (a) the Annual Treasury Management Strategy Statement and Annual Investment Strategy for 2009/2010, together with the Prudential Indicators as detailed in Appendix 1 to Report Z517, be approved;
  - (b) the upper limit on fixed and variable rate exposures be set at 95% and 40% respectively of the Council's total investments; and
  - (c) the upper limit for principal sums invested for more than 364 days be set at £20million.

**14. Review of Car Parking Charges: 2009/2010**

*Cabinet Member – Terry Clements;*

*Contact Officer – Steve Boor*

*Telephone: 01284-757323*

*e-mail: steve.boor@stedsbc.gov.uk*

Report **Z518 TO FOLLOW.**

**15. Report of the Performance and Audit Scrutiny Committee:  
26 January 2009**

*Chairman – John Hale;*

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

Report **Z519** attached.

Summary and reasons for recommendation:

On 26 January 2009 the Performance and Audit Scrutiny Committee considered the following items:-

- (1) Audit Commission Presentation on Comprehensive Area Assessment;
- (2) Key Performance Indicators: Third Quarter 2008/2009;
- (3) Treasury Management Presentation;
- (4) Budget Monitoring Report: 1 April to 31 December 2008; and
- (5) Corporate Risk Register: Quarterly Monitoring Report.

Recommendation:

The Cabinet is requested to **NOTE** the report of the Performance and Audit Scrutiny Committee.

**16. Budget Monitoring Report 2008/2009: To 31 December 2008**

*Cabinet Member – Paul Farmer;*

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

Report **Z520** attached.

Summary and reasons for recommendation:

Appendix A, page 1 of the Report, is the General Fund Budget Monitoring Summary report which shows an estimated underspend of £1,249,000. Appendix A, pages 2 & 3, provides an explanation of budget variances over £10,000.

Appendix B is the Capital Budget Monitoring Report which shows net capital expenditure of £13,259,000 for the period, compared to a full year capital budget of £23,767,000. 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 £1,865,867 against a full year disposals estimate of £10,160,000.

Appendix C shows the balance in Earmarked Reserves as at the end of December 2008 of £13,475,000.

Recommendation:

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



## 17. Budget and Council Tax Setting: 2009/2010 (Feb09/01)

*Cabinet Member – Paul Farmer;*

*Contact Officer – Liz Watts*

*Telephone: 01284-757252*

*e-mail: liz.watts@stedsbc.gov.uk*

Report **Z521** attached.

### Summary and reasons for recommendations:

Setting the budget for 2009/2010 has been a challenging process, due to the economic downturn and the resulting pressures which this has placed on the Council.

The 2009/2010 revenue budget makes provision for an additional £1.881m (compared to the 2008/2009 budget) to finance the impact of net changes, which include the cost of increased demands on services, new initiatives, Government requirements and reduced income. It is proposed that these increases will be met by a combination of efficiency savings, reduced contributions to Earmarked Reserves, and use of the General Fund to fund the 2009/2010 budget.

The Council is committed to significant investment in capital projects across the borough. In total it is estimated that the Council will spend £16.9m in 2009/2010 on capital works.

### Recommendations:

Subject to the approval of full Council, it is **RECOMMENDED** that:-

- (1) the revenue budgets attached at Appendix A, together with the additional revenue requirements summarised at Appendix C and the 'Dynamic Review – Innovation, Value and Enterprise' (DR-IVE) savings and new income detailed at Appendix D be approved;
- (2) the revised capital programme attached at Appendix B, including minor changes noted at 4.1.11, be approved;
- (3) having taken into account the conclusions of the Chief Finance Officer's report including the Risk Assessment attached at Appendix F, together with the Medium Term Financial Strategy ('Five Year Model') attached at Appendix E and all the other information contained in this report, Cabinet establish the level of Band D Council Tax for 2009/2010 at £171.99, ie., freezing the 2008/2009 council tax level for St Edmundsbury Borough Council; and
- (4) the Chief Finance Officer, in consultation with the Portfolio Holder for Resources and Efficiency, be authorised to transfer any surplus on the 2008/2009 revenue budget to the General Fund, and to vire funds between existing Earmarked Reserves (as set out at Appendix G) as deemed appropriate throughout the year.

## **Corporate Priority: Creating a Prosperous Local Economy**

### **18. Bury St Edmunds Area Working Party: 3 February 2009 (Feb 09/04)**

*Cabinet Member – Sara Mildmay-White; Contact Officer – Mark Walsh  
Telephone: 01284-757300  
e-mail: mark.walsh@stedsbc.gov.uk*

Report **Z522 TO FOLLOW**.

#### Summary and reasons for recommendations:

On 3 February 2009 the Area Working Party will consider the following items:-

- (1) Car Park Name Change;
- (2) Way Finding Signs for the arc;
- (3) Review of Parking Charges: 2009/2010;
- (4) Engineering Services Work Programme;
- (5) Venue Steering Group; and
- (6) Cattle Market Redevelopment: Public Works Project Status Report.

#### Recommendations:

Recommendations emanating from this meeting of the Area Working Party will follow as Report **Z522**

### **19. Greater Cambridge Partnership Sub-regional Economic Strategy 2009/2012**

*Cabinet Member – Nigel Aitkens; Contact Officer – Carol Rowntree  
Telephone: 01284-757683  
e-mail: carol.rowntree@stedsbc.gov.uk*

#### Summary and reasons for recommendation:

Following consultation and research last summer, the Greater Cambridge Partnership (GCP) has produced a draft sub-regional economic strategy, a copy of which is attached as **Paper Z523**. The GCP is extremely eager that this should be endorsed by all the district councils that are members of the GCP. It is an objective of this Council's Economic Development Strategy that St Edmundsbury should develop closer links with Cambridge and are eager to play a full role in the GCP. Officers have been working with the GCP in the production of this Strategy and as a result it now places a higher priority than previously upon West Suffolk. The GCP has asked for feedback on the draft by the beginning of March 2009, so if any Member of this Council would like to suggest amendments, there is still time for these to be incorporated.

#### Recommendation:

It is **RECOMMENDED** that the Greater Cambridge Partnership Sub-regional Economic Strategy 2009/2012, as outlined in Paper **Z523**, be endorsed.

**Corporate Priority: Securing a Sustainable and Attractive Environment**

**20. Sustainable Development Panel: 10 February 2009 (Feb 09/09)**

*Cabinet Members – Terry Clements;  
Peter Stevens*                      *Contact Officer – Patsy Dell  
Telephone: 01284-757306  
e-mail: patsy.dell@stedsbc.gov.uk*

Report **Z524 TO FOLLOW.**

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

**21. Public Venue Working Party**

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

Summary and reasons for recommendations:

On 12 July 2007 the former Bury St Edmunds Town Centre and Cattle Market Working Party reconstituted the Venue Steering Group and approved a revised Terms and Reference and Membership (Minute 8 refers).

The construction of the shell and core of the public building (Venue) is nearing completion and the major decisions concerning the fit out have been taken, although there are likely to be some issues to be resolved. Therefore, the Venue is moving onto the next stage and it is considered appropriate that a Public Venue Working Party be established that will report direct to the Cabinet. This Working Party will progress residual issues concerning the construction and fit out but will primarily develop, monitor and review the operational Business Plan and the marketing strategy. The Working Party will also consider plans for the initial opening and practical issues to ensure a successful launch. A draft Terms of Reference is attached as **Paper Z525**, which also includes proposed Membership.

Recommendations:

It is **RECOMMENDED** that a Public Venue Working Party be formed with the Terms of Reference and Membership as detailed in Paper Z525.

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**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 paragraphs 1 & 3 of Part 1 of Schedule 12(A) of the Act.

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**Part 2 – Private**

**Corporate Priority: Raising Corporate Standards and  
Efficiency**

**22. Asset Management Plan: Reassessment of the Council's Ground Lease Portfolio (Feb 09/12)**

*Cabinet Member – Nigel Aitkens;*

*Contact Officer – Betty Albon*

*Telephone: 01284-757307*

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

Report **Z526** attached.

Summary and reasons for recommendations:

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. In August 2006, Cabinet considered the land let as ground leases. This report reassesses the decisions made and assesses other low or nil rent ground lease assets not part of that AMP review.

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. Community management and ownership of assets, as recommended in the Quirk Review, forms part of this options appraisal.

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.

Recommendations:

It is **RECOMMENDED** that the proposals identified in the Exempt Appendix 3 attached to Report Z526, which relate to individual assets, be approved. These proposals include retain, work in partnership, sell when opportunities arise and consider further.

**EXEMPT PAPER RELATING TO PREVIOUS ITEM**

**23. Asset Management Plan: Reassessment of the Council's Ground Lease Portfolio (Feb 09/12)**

*Cabinet Member – Nigel Aitkens;*

*Contact Officer – Betty Albon*

*Telephone: 01284-757307*

*e-mail: [betty.albon@stedsbc.gov.uk](mailto:betty.albon@stedsbc.gov.uk)*

Exempt Appendix 3 to Report **Z526**.