

Enquiries regarding this Agenda:
Steven Lincoln (01284) 757108

Cabinet

***Wednesday 21 October 2009 at 5.00 pm
in the Conference Room West (F1R09), West Suffolk House, Western Way,
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 16 September 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. **Boundary Committee Review of Suffolk: Update (Nov09/01)**

Cabinet Member – John Griffiths;

Contact Officer – Joy Bowes

Telephone: 01284-757141

e-mail: joy.bowes@stedsbc.gov.uk

Summary:

The Appeal by the Boundary Committee for England (BCE) against the decision in the High Court to quash their preliminary recommendations was heard on 6 and 7 October 2009. Judgement is expected in 2 to 3 weeks from the hearing, based on previous cases, although the Judges gave no indication of the timescale themselves.

The Leader will update the Cabinet on any subsequent developments and, if required, seek approval for any necessary actions arising from the Appeal.

5. **Report of the Performance and Audit Scrutiny Committee: 28 September 2009**

Chairman – John Hale;

Contact Officer – Adriana Stapleton

Telephone: 01284-757613

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

Report **A251** attached.

Summary and reasons for recommendation:

On 28 September 2009 the Performance and Audit Scrutiny Committee considered the following items:-

- (1) Audit Commission presentation of 2008/2009 ISA 260 Annual Governance Report to those charged with governance; and
- (2) Response of the Chief Finance Officer to the 2008/2009 ISA 260 Annual Governance Report to those charged with governance.

Recommendation:

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

6. Treasury Management 2009/2010: 1 April to 30 September 2009

Cabinet Member – Paul Farmer;

Contact Officer – Chris Barber

Telephone: 01284-757241

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

Report **A252** 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 a summary of investment activity for the first six months of the 2009/2010 financial year;
- (b) advise Members of on-going measures being taken by the Chief Finance Officer to mitigate the risks associated with the current banking crises, whilst at the same time seeking to maximise financial returns on Council investments; and
- (c) seek approval for proposed changes in the Council's lending criteria.

Despite the credit crunch and international banking crises, the Council's treasury management activities have continued to exceed budgeted rates of return on investments. Furthermore, the Council has not, to date, suffered any loss arising from the failure of a financial institution.

At the end of September 2009 interest earned amounted to £0.611m against the budget for the period of £0.421m, a surplus of £0.190m. The over achievement of interest on investments during this period was due to the achievement of higher than budgeted rates of return on investments and to re-scheduling of the capital programme. The target investment rate for the year is 2.20%. In the six month period covered by this report, the average rate of interest achieved was 2.54%.

The budget for investment income for the 2009/2010 financial year is £0.751m, equivalent to £19.87 for each Council Tax Band D property.

Recommendations:

- (a) Information on the Treasury Management function for the period 1 April to 30 September 2009 be noted; and
- (b) changes in the Council's lending criteria, detailed in paragraphs 4.10 to 4.14 of this report, are approved.

Corporate Priority: Securing a Sustainable and Attractive Environment

7. Sustainable Development Panel: 13 October 2009 (Nov09/02)

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

Report **A253 TO FOLLOW.**

Summary and reasons for recommendations:

On 13 October 2009 the Sustainable Development Panel will consider the following items:-

- (1) Planning Policy Statement PPS15: Planning for the Historic Environment: Consultation Draft July 2009;
- (2) Planning Policy Statement PPS25: Development and Flood Risk - Consultation on proposal amendments;
- (3) Local Development Framework: Green Infrastructure Strategy;
- (4) St Edmundsbury Local Development Framework: Update; and
- (5) Community Infrastructure Levy (CIL) Regulations Consultation.

Recommendations:

Recommendations emanating from this meeting of the Sustainable Development Panel will follow as Report A253.

Corporate Priority: Creating a Prosperous Local Economy

8. Local Authority Business Growth Incentive Scheme (LABGI) (Nov09/05)

Cabinet Member – Nigel Aitkens; *Contact Officer – Andrea Mayley
Telephone: 01284-757343
e-mail: andrea.mayley@stedsbc.gov.uk*

Report **A254** attached.

Summary and reasons for recommendations:

The Local Authority Business Growth Incentive Scheme (LABGI) is a Government scheme whereby local authorities are rewarded in accordance with the economic growth in their area. From the financial year 2006/2007 to 2008/2009 the Council received £1,278,812 reflecting the strong economic performance of the Borough. Three previous reports (Papers Z304 Cabinet 23 Oct 2008; Y17 Cabinet 23 May 2007; and Y563 Cabinet 18 February 2008) identified how this funding could be used to promote the continued economic prosperity of St Edmundsbury.

Following a consultation exercise in September 2008 the LABGI scheme has been amended and the total amount of LABGI available has been halved. Consequently most local authorities have seen a reduction in the level of LABGI awarded and St Edmundsbury's allocation is £40,928 for this year (2009/2010). The balance brought forward from 2008/2009 is £596,228 with a projected spend to 31 March 2010 of £477,556 and therefore at the end of 2009/2010 the balance remaining (after central administration costs of £24,650 has been deducted) is projected to be £134,950.

In addition, a Section 106 (of the Town & Country Planning Act 1990) contribution of £750,000 (in addition to other elements) has been received from the Asda development. The S106 requires the £750,000 to be used for economic development within the Borough. £450,000 has been previously allocated towards the development of a Basepoint Centre on the Borough Council's land at Suffolk Business Park.

This paper reports on the progress of spending in these areas (set out in Appendix 1) and proposes a programme of future investment utilising the remainder of the LABGI funding and the available S106 contribution (set out in Tables 1, 2 and 3).

Recommendations:

- (1) the amended investment proposals for the available S106 funds and the Local Authority Business Growth Incentive Scheme (LABGI) for 2009/2010 and 2010/2011, as detailed in Tables 1, 2 and 3 and at Section 4 of this report be approved; and
- (2) the Corporate Director for Economy and Environment, in consultation with the Portfolio Holder responsible for economic development and the Chief Finance Officer, be authorised, if necessary, to update and amend the investment programme in (1) above in accordance with the Council's Economic Development Strategy.

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

9. Victory Sports Ground, Bury St Edmunds (Nov09/04)

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

Report **A255** attached.

Summary and reasons for recommendations:

This paper allows the Cabinet to consider a joint proposal from South Lee School and the Victory Sports Ground Ltd to enhance the Victory Sports Ground in Bury St Edmunds through the provision of a sports hall and pavilion. The sports ground is owned by the Borough Council and has been successfully leased to, and managed on its behalf by, Victory Sports Ground Ltd since 2001. However, the pavilion is not fit for purpose and now requires extensive investment. There is the opportunity to attract significant external investment

(circa £1.8m) to improve community sports facilities in the area, by way of a £25,000 capital contribution from the Borough Council to Victory Sports Ground Ltd, linked to negotiations regarding the future level of revenue support.

Recommendations:

- (1) The Council works in a partnering arrangement with South Lee School and Victory Sports Ground Ltd to develop a scheme to build a new sports hall and pavilion on the Victory Sports Ground, Bury St Edmunds;
- (2) the Council allocates £25,000 in its capital programme to pay to the Victory Sports Ground Ltd as its contribution to the costs of removing the existing pavilion;
- (3) payment of the Council's contribution be conditional upon:-
 - (a) an agreement being reached with Victory Sports Ground Ltd that, following the construction of any new facilities, its revenue grant from the Council be reduced by way of a mechanism linked to increases in income;
 - (b) South Lee School and Victory Sports Ground Ltd obtaining sufficient funding to proceed with the scheme;
 - (c) the satisfactory completion of the necessary legal agreements;
 - (d) planning consent being obtained; and
 - (e) the completion of a community use agreement with South Lee School; and
- (4) the Corporate Director for Community Services, in consultation with the Portfolio Holder for Culture and Sport, be authorised to agree the details of the scheme with South Lee School and Victory Sports Ground Ltd and to release the Council's capital contribution.

10. Affordable Housing: Scheme at the Former Fireworks Factory Site, Bury Road, Chedburgh (Nov09/03)

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

Report **A256** attached.

Summary and reasons for recommendation:

It is recommended that an allocation of £400,000 be made from the Council's Affordable Housing capital budget to enable the delivery of 17 affordable homes at the former Fireworks Factory Site, Bury Road, Chedburgh.

The funding of £400,000 will 'unlock' this site and deliver affordable housing over the next 2 years, assisting the Borough Council to meet its affordable housing target.

Some of this funding will, over a period of time, be reimbursed and will assist delivering other benefits to the community.

Recommendation:

It is recommended that an allocation of £400,000 be made from the Council's Affordable Housing capital budget to enable the delivery of 17 affordable homes at the former Fireworks Factory Site, Bury Road, Chedburgh.

**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***

11. Affordable Housing: Former Fireworks Factory Site, Bury Road, Chedburgh

Exempt Appendix to Report **A256** attached. (Agenda Item 10 above)