

ST EDMUNDSBURY BOROUGH COUNCIL

CABINET

**Minutes of a meeting held on Wednesday 2 December 2009 at 5.00 pm
in the Conference Room West (F1R09), West Suffolk House,
Western Way, Bury St Edmunds**

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

BY INVITATION: Councillors Everitt (Chairman of the Bury St Edmunds Area Working Party), Houlder (Chairman of the Policy Development Committee), Lockwood (Chairman of the Overview and Scrutiny Committee), Spicer (Vice Chairman of the Performance and Audit Scrutiny Committee), Thorndyke (Chairman of the Emergency Panel and Rural Area Working Party) and Beckwith.

(Prior to the formal commencement of the meeting, Councillor Ray, Portfolio Holder for Performance and Organisational Development, made a presentation to Ben Woolnough, Planning Officer, on his achievement of gaining a Masters Degree in Town Planning.)

74. Apologies for absence

An apology for absence was received from Councillor Aitkens.

75. Minutes

The minutes of the meeting held on 21 October 2009 were confirmed as a correct record and signed by the Chairman.

76. Declarations of Interests

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

77. Petition

Mr Kevin Waterson of Bury St Edmunds presented a petition containing 43 signatures to the Leader of the Council which requested replacing trees in Winchester Road, Bury St Edmunds that had been felled. The petition also asked that the replacement trees should be smaller and more suitable than the ones that had been felled.

Councillor Griffiths, Leader of the Council, informed Mr Waterson that the Borough Council maintained the verges, including the trees, in Bury St Edmunds under an agency agreement with Suffolk County Council. The Borough Council had made strong representations to both the County Council and direct to individual County Councillors representing Bury St Edmunds for funding to replace the trees. However, as yet, no additional funding had been secured. In addition, funding for the replanting of street trees was referred to in the Borough Council's draft Tree and Woodland Strategy, which was currently proceeding through the democratic process, and because there were financial implications, would need to be approved by full Council as part of the budget setting process. With specific emphasis on Winchester Road, he stated that officers would prepare a planting plan for the road and consult with residents on the proposed planting locations and species, subject to available funding. Councillor Griffiths concluded by emphasising that the Borough Council was not directly

responsible for replacing the trees but had been proactive in trying to get this work done.

Mr Waterson thanked the Leader of the Council and looked forward to meeting officers to discuss a planting plan.

(The Chairman agreed that the following item could be considered out of order from that published on the agenda.)

78. Sustainable Development Panel: 23 November 2009

Forward Plan Reference: Dec09/02 Cabinet Member: Cllr Terry Clements

The Cabinet considered Report A361 (previously circulated) which contained the recommendations emanating from the meeting of the Sustainable Development Panel held on 23 November 2009.

On 23 November 2009 the Sustainable Development Panel considered the following items:-

- (1) Local Development Framework (LDF): Bury St Edmunds Transport Impact Assessment;
- (2) Local Development Framework: Revised Local Development Scheme;
- (3) Local Development Framework: Area Action Plans;
- (4) East of England Regional Spatial Strategy Review: Scenarios for Housing and Economic Growth;
- (5) St Edmundsbury Local Development Framework: Annual Monitoring Report 2008/2009;
- (6) St Edmundsbury Local Development Framework: Core Strategy – Submission Consultation Feedback; and
- (7) Local Development Framework: Core Strategy – Infrastructure Delivery Plan.

An amendment to the recommendation concerning the Local Development Framework – Bury St Edmunds Transport Impact Assessment was tabled.

Councillor Clements, Portfolio Holder for Transport and Planning, drew relevant issues to the attention of the Cabinet. He stated that the amendment to the recommendation was required because the Sustainable Development Panel had requested confirmation that the A143 had been included in the study on the Bury St Edmunds Transport Impact Assessment. This confirmation had now been received and, therefore, an amendment was required to the assessment as detailed in the tabled paper.

Councillor Beckwith stated that there had been a high level of objection to the proposed continuing development of Moreton Hall in Bury St Edmunds. He was concerned that the high level of objections had not been reported in any detail. He considered that the difference between further development of Moreton Hall and any other site within the Borough was that Moreton Hall had been subjected to 30 years of continued development. He took issue with the statement that the 500 dwellings on Moreton Hall were referred to as 'limited growth', completing the existing Moreton Hall urban extension. The proposed 500 new dwellings could not be accommodated within the existing housing settlement boundary and, therefore, could not possibly be completing the existing Moreton Hall urban extension. This could only be considered as new development. He considered that any further development of Moreton Hall could not be accommodated due to the deteriorating infrastructure associated with education, public transport and the road network. He considered that it would be more appropriate to develop Bury St Edmunds on land to the west which was accessible from an under used junction to the A14, easier access to upper schools, further education, leisure facilities and leisure centre, the Public Service Village, the future hospital and

much more. He considered a site on the west side of Bury St Edmunds to be more appropriate for a Council with sustainability at the top of its agenda.

Councillor Clements stated that the identification of future directions of growth in the Core Strategy had been very carefully undertaken and was a difficult responsibility that Cabinet and Sustainable Development Panel recognised would always be unpopular with some parts of the community but nonetheless had to be pursued.

RESOLVED:- That

(a) Local Development Framework (LDF) – Bury St Edmunds Transport Impact Assessment

- (1) The Local Development Framework Bury St Edmunds Transport Impact Assessment, Paper A330, be published as part of the evidence base for preparing the Local Development Framework;
- (2) subject to the first bullet point in paragraph 6.15 being amended to read *'North and north-east – A134 to Thetford and A143 to Diss'*; and
- (3) subject to any minor typographic, factual and/or grammatical changes being agreed by the Head of Planning and Economic Development in consultation with the Portfolio Holder for Transport and Planning.

(b) East of England Regional Spatial Strategy Review: Scenarios for Housing and Economic Growth – Consultation

- (1) That, subject to the response to Question 1 in Appendix A being amended to read *'the Regional Assembly's stance of not testing the highest of the Government's targets is supported as such growth levels would have a significant detrimental impact on the environment of the region and are not considered to be deliverable'*, the contents of Report A332 form the basis of the Council's response to the consultation and the East of England Regional Assembly be informed that:-
 - (i) Scenario 1 of the consultation document is supported with the proviso that sufficient funds will be made available for necessary infrastructure and on the basis that the Borough Council strongly objects to any growth in St Edmundsbury over and above these levels;
 - (ii) the proposed amended wording for policy BSE1 and supporting paragraphs, contained in paragraph 4.2 of the report, form the Council's recommended changes to the current East of England Plan for Bury St Edmunds; and
- (2) pending of a meeting with Cambridgeshire County Council and District Councils, the course of action regarding the potential re-wording of the Regional Plan relating to Haverhill and its role in the Cambridge Sub-Region be that this will be agreed by the Head of Planning and Economic

Development in consultation with the Portfolio for Transport and Planning.

(c) Local Development Framework: Annual Monitoring Report 2008/2009

- (1) The Annual Monitoring Report, as contained in Report A333 and the amended figure 6.1, Housing Trajectory Sites, as tabled, be approved for submission to GO-East; and
- (2) any minor typographical, factual and/or grammatical changes to the Annual Monitoring Report 2008/2009 be agreed by the Head of Planning and Economic Development in consultation with the Portfolio Holder for Transport & Planning.

(d) Local Development Framework: Core Strategy Draft Infrastructure Delivery Plan

Subject to the inclusion of the requirements for transport infrastructure arising from the Bury St Edmunds Traffic Impact Assessment (Report A330), the draft Infrastructure Delivery Plan, attached as Appendix A to Report A335, be approved for consultation.



RECOMMENDED:- That

(1) *Local Development Framework: Revised Local Development Scheme*

- (i) the indicated revisions to the Local Development Scheme, as detailed in Report A331, for formal submission to the Regional Government Office (GO-East) be approved;***
- (ii) consequential amendments to reflect these changes are also made to the supporting text of the Local Development Scheme be agreed; and***
- (iii) subject to the approval of GO-East, the revised timetable is brought into operation with immediate effect.***

(2) *Local Development Framework: Core Strategy Submission Document – Consultation Feedback*

- (i) the Core Strategy, along with Sustainability Appraisal and Habitat Regulations Assessment Screening and other supporting documentation, be submitted in January 2010 to the Secretary of State for Examination; and***
- (ii) the table of minor modifications to the Core Strategy Submission document, attached as Appendix E to Report A334, be submitted to the Planning Inspectorate with the Core Strategy.***

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

**79. Report of the Performance and Audit Scrutiny Committee:
26 October 2009**

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

The Cabinet received and noted Report A346 (previously circulated) which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny Committee on 26 October 2009:-

- (1) Bitesize Training: National Fraud Initiative;
- (2) Council Improvement Plan 2009/2010: Update;
- (3) Key Performance Indicators: Second Quarter 2009/2010;
- (4) Biannual Corporate Complaints and Compliments Digest;
- (5) Budget Monitoring Report: 1 April to 30 September 2009;
- (6) Corporate Risk Register: Quarterly Monitoring Report; and
- (7) 2009/2010 Mid Year Internal Audit Progress Report.

Councillor Spicer, Vice Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Cabinet. He stated that the Committee had undertaken close scrutiny of the Budget Monitoring Report and highlighted some areas that had been subject to this scrutiny. In addition, he was pleased to report that the number of compliments received by the Council exceeded the number of complaints received in this monitoring period. He was pleased to note the compliments in respect of the Heritage Service and in particular in respect of Moyses Hall and West Stow Country Park. He then informed the Cabinet of a recent conference he had attended in respect of audit.

80. Revised Risk Management Strategy

Forward Plan Reference: Dec09/24 Cabinet Member: Cllr David Ray

The Cabinet considered Report A347 (previously circulated) which sought approval for the Revised Risk Management Strategy.

Under the Code of Corporate Governance, the Council was required to ensure that risk management was embedded into the culture of the Council, with Members and managers at all levels recognising that managing potential and actual risk was part of their role. The current Risk Management System was established in 2006, and a recent internal audit report identified that, while the Council's Risk Management System could be given substantial assurance, there were a number of areas where improvements could be made. The revised Strategy captured the key audit recommendations regarding the policy, roles and responsibilities.



RECOMMENDED:-

That the revised Risk Management Strategy, as set out in Report A276, be approved.

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

81. Report of the Policy Development Committee: 4 and 25 November 2009

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

The Cabinet received and noted Report A348 (previously circulated) which informed the Cabinet of the following items discussed by the Policy Development Committee on 4 and 25 November 2009:-

(a) On 4 November 2009 the Policy Development Committee considered the following items:-

- (1) Cabinet Forward Plan: November 2009 to February 2010;
- (2) Work Programme; and
- (3) Service Plan Briefing: Service and Team Drivers 2010/2011.

(b) On 25 November 2009 the Policy Development Committee considered the following items:-

- (1) Cabinet Forward Plan: December 2009 to March 2010; and
- (2) Work Programme.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet. He informed the Cabinet of the deliberations on the service plan briefing, which the Committee used as background information for its considerations on the budget.

82. Review of the Capital Programme

Forward Plan Reference: Dec09/03 Cabinet Member: Cllr Paul Farmer

The Cabinet considered Report A350 (previously circulated) which sought approval for the rescheduled Capital Programme.

A formal review of the Council's five year Capital Programme was undertaken annually at this time of the year as part of the budget setting process, with the aim of keeping the Programme up-to-date and to identify any projects which were no longer a priority.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet. In addition to formally reviewing the five year Capital Programme the Committee had also received an update on the project and programme management techniques that the Council had introduced in 2006 and which were fully embedded across the organisation.

RESOLVED:-

That, subject to the budget setting process, the rescheduled Capital Programme, as appended to Report A291, be approved.

83. Tree and Woodland Strategy

Forward Plan Reference: Dec09/04 Cabinet Member: Cllr Lynsey Alexander

(Councillor Farmer declared a personal interest as a Member of Suffolk County Council and remained in the meeting for the consideration of this item.)

The Cabinet considered Report A351 (previously circulated) which sought approval for the Tree and Woodland Strategy and revenue growth items to support the Strategy.

The Tree and Woodland Strategy was intended to provide a clear direction for the Borough's trees and woodlands as well as clarity on responsibilities. A major element of the review of the Strategy was the identification of the need for additional funding to ensure that the Borough Council's trees and woodlands were maintained in a safe and sustainable manner.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet. He emphasised the need for a revenue growth bid to deliver the Improvement Plan and also a further growth item for the replacement of street trees in Bury St Edmunds until the renewal of the Highways Agreement with Suffolk County Council.



RECOMMENDED:- That,

- (1) the Tree and Woodland Strategy, as appended to Report A292, be adopted;**
- (2) the sum of £90,000 needed to deliver the improvement plan be committed as a revenue growth item for 2010/2011 onwards;**
- (3) option 2, including a revenue growth item of £17,500 for 2010/2011, as set out in Section 3 of Report A292, be agreed as the Council's approach to the replacement of street trees until the renewal of the Highways agreement with Suffolk County Council; and**
- (4) notwithstanding (3) above, negotiations with Suffolk County Council regarding the cost of replacing street trees be continued, and delegated authority be given to the Corporate Director for Economy and Environment, in consultation with the Chief Finance Officer and the Portfolio Holders for Culture and Sport and Transport and Planning, to resolve this issue, which may include consideration of a revenue growth item for 2010/2011 onwards.**

84. Parish Grants

Forward Plan Reference: Dec09/10 Cabinet Member: Cllr Paul Farmer

The Cabinet considered Report A352 (previously circulated) which sought approval for a revision to the scheme of grants to parish councils.

The Borough Council was one of a small number of district councils that gave grants to parish councils. The grant reduced the impact of the parish precept. The Policy Development Committee had requested a review of the current scheme, as it was felt it was suitable for a review to be undertaken to ensure that it remained easy to understand and fair. Also, there was some concern that larger parishes may be benefiting from the scheme at the expense of smaller parishes.

A five Member sub-group from the Committee undertook a detailed review and made a recommendation that the 10% cap on grant payable to any parish council be decreased to 9% of the total grant. The implication of this decision was that this could result in the reduction in grant to the three largest parishes, and all other parishes could see an increase in their grant.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet. He emphasised that the proposal had been subject to consultation with the parishes and no adverse comments had been received.

Councillor Farmer, Portfolio Holder for Resources and Efficiency, emphasised that the recommendation would not alter the size of the 'pot' but was a re-distribution between the parishes. He also emphasised that members of the Policy Development Committee had sought to review this scheme and had supported the recommendation from its Working Party.

RESOLVED:-

That the scheme of grants to parish councils be maintained as it currently exists, except that from 2010/2011 the 10% cap on grant payable to any parish council be decreased to 9% of the total grant available.

85. Report of the Policy Development Committee: Sports Development Plan and Olympic Strategy

Forward Plan Reference: Dec09/17 Cabinet Member: Cllr Lynsey Alexander

(Councillor Clements declared a personal interest as a Borough Council nominated member of the Abbeycroft Leisure Board and remained within the meeting for the consideration of this item.)

The Cabinet considered Report A353 (previously circulated) which sought approval of the Sports Development Review Action Plan and Olympic Strategy.

The purpose of the Sports Development Review was to examine the Council's sports development objectives and priorities for the next five years. The findings of the review had been used to develop an action plan to demonstrate how the Council planned to enable and deliver these objectives. Special consideration in the review was also given to leisure and sports facilities in the area, the variety of different sports in the area, ways to ensure that 16-19 year olds remained active into adulthood, and volunteers involved in sport. Finally an action plan was derived from the findings and eight core areas were agreed with plans to achieve them. One of the core areas was the Olympics, and a strategy was formulated to ensure a lasting legacy for the Borough.

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

RESOLVED:- That

- (1) Sports Development Review Action Plan, as set out in Appendix 9 to Report A340, be adopted; and
- (2) Olympic Strategy, as set out in Appendix 8 to Report A340, be adopted, and that an Olympic Steering Group be set up as set out in Section 2 of the Strategy.

86. Community Engagement Strategy

Forward Plan Reference: Dec09/08 Cabinet Member: Cllr David Ray

The Cabinet considered Report A354 (previously circulated) which sought approval for the Community Engagement Strategy.

The Council was committed to effective community engagement and the Strategy detailed how the Council would engage with its communities to improve local services and to help local people to influence decisions. The Government's empowerment agenda focused on devolving powers to local people, and this, together with the duty to involve, which councils had been required to comply with since 1 April 2009, meant that the Council had a duty to ensure that people had a greater opportunity to have their say. The Community Engagement Strategy set out the Councils' commitment to ensure effective engagement and consultation.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet. He informed the Cabinet that the Council had recently received national funding to conduct three ward walks, to give three Councillors the opportunity to reflect on how they undertook their local community role.



RECOMMENDED:- That

- (1) the Community Engagement Strategy, attached to Report A338, be adopted;***
- (2) the Policy, Performance and Customer Service Manager, in consultation with the Portfolio Holder for Performance and Organisational Development, be given delegated authority to make any amendments to the policy in the light of changing guidance; and***
- (3) any minor typographical, factual and/or grammatical changes to the final document be agreed by the Policy, Performance and Customer Service Manager in consultation with the Portfolio Holder for Performance and Organisational Development.***

87. Partnership Strategy

Forward Plan Reference: Dec09/07 Cabinet Member: Cllr David Ray

The Cabinet considered Report A355 (previously circulated) which sought approval for the Partnership Strategy.

Following an internal audit report and completion of the organisational assessment, the need for a Partnership Strategy became evident. The Strategy would help to ensure that the Council's partnerships were formed, monitored and reviewed with the appropriate level of governance arrangements in place to achieve better outcomes.

The Development Control Committee had initially considered a draft Partnership Strategy in June 2009 and this draft was piloted in partnership with Forest Heath District Council. The Strategy had been developed to reflect the findings of the pilot, and changes which had been made to the Strategy were considered by the Committee.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet. He particularly emphasised that the pilot with Forest Heath District Council had been particularly beneficial in drawing up this Partnership Strategy.



RECOMMENDED:- That

- (1) the Partnership Strategy, attached to Report A339, be adopted;**
- (2) the Policy, Performance and Customer Service Manager, in consultation with the Portfolio Holder for Performance and Organisational Development, be given delegated authority to make any amendments to the policy in the light of changing guidance; and**
- (3) any minor typographical, factual and/or grammatical changes to the final document be agreed by the Policy, Performance and Customer Service Manager in consultation with the Portfolio Holder for Performance and Organisational Development.**

88. Delivering a Sustainable Budget 2010/2011

Forward Plan Reference: Dec09/23 Cabinet Member: Cllr Paul Farmer

The Cabinet considered Report A356 (previously circulated) which sought approval for growth items and efficiency savings or increased income to be included in the 2010/2011 budget.

As in previous years, the Policy Development Committee played an integral role in the development of St Edmundsbury's revenue and capital budgets and the report detailed recommendations from the meetings held by the Committee on 4 and 25 November 2009.

Councillor Houlder, Chairman of the Policy Development Committee, drew relevant issues to the attention of the Cabinet. He stated that each proposed efficiency saving and growth bid was discussed in depth at the Committee meetings.

Councillor Farmer, Portfolio Holder for Resources and Efficiency, informed the Cabinet that deliberations on the budgets for 2010/2011 and beyond had commenced in January 2009. He stated that the potential savings identified to date amounted to £1.721 million against a target of £2.24 million over the years 2010/2011 and 2011/2012.

RESOLVED:- That, subject to the budget setting process,

- (1) the following proposals for growth items be included in the 2010/2011 Budget and beyond:-

Growth	Amount	Duration
Additional staff for Housing Options Team	£35,000	ongoing
Maintain current staffing hours in Communications unit	£12,000	2 years

- (2) the following proposals for efficiency savings or increased income be included in the 2010/2011 and/or 2011/2012 Budget:-

Nature of saving/increased income	Amount £000s	Implementation by April 2010 or April 2011
Chief Executive's Directorate		
(a) Review of way in which Revenues and Benefits service is currently delivered	200	2011
(b) 1 year reduction in Revenue Support Grant to parishes (total pot reduced by 10%)	17.5	2010
(c) Increase charges for prosecutions work	18	2010
Community Directorate		
(d) Creation of a 'Heritage Ticket' which would allow entry throughout the year to Moyses Hall and West Stow.	9	2010
(e) Transfer ownership of community centres from the Council to local ownership (Chalkstone, Leiston, Westbury, Southgate, Newbury)	90	2011
Environment Directorate		
(f) Reduction in the staff presence at public toilets from permanent to mobile presence in Bury St Edmunds	30	2010
(g) Reduction in the staff presence at public toilets from permanent to mobile presence in Haverhill	35	2010
(h) Consideration of relocation of Haverhill offices by April 2011, incorporating the voluntary agencies, Council staff and other possible partners	58	2011

- (3) the following be included in the context of the 2010/2011 Budget and beyond, as follows:

Growth	Amount	Duration
Support for Suffolk Climate Change Partnership	£12,857	ongoing

- (4) procurement savings of £183,000 be considered as part of the efficiency savings or increased income identified for inclusion in the context of the 2010/2011 Budget and beyond.

89. Report of the Overview and Scrutiny Committee: 18 November 2009

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

(Councillor Clements declared a personal interest as a Borough Council nominated member of the Havebury Housing Partnership Board, and remained within the meeting for the consideration of this item.)

The Cabinet received and noted Report A357 (previously circulated) which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 18 November 2009:-

- (1) Citizens Advice Bureaux in St Edmundsbury: Update;
- (2) Havebury Housing Partnership;
- (3) Councillor Call for Action Submission: Road Safety in Bell Meadow, Bury St Edmunds;
- (4) Update on Councillor Call for Action;
Stanton Grundle Flooding Remedial Action;
- (5) Cabinet Forward Plan: November 2009 to February 2010;
- (6) Work Programme;
- (7) Environmental Enforcement;
- (8) West Suffolk Waste and Street Scene Joint Committee;
- (9) Economic Assessment; and
- (10) Street Engineering in Bury St Edmunds and Haverhill.

Councillor Lockwood, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet. He informed the Cabinet that the presentations from the Manager of the Bury St Edmunds Citizens Advice Bureau and from the Chief Executive of Havebury Housing Partnership had been particularly informative.

90. Asset Management Plan (AMP): Planned Maintenance Programme and Cost Reduction Plan

Forward Plan Reference: Dec09/05 Cabinet Member: Cllr Nigel Aitkens

The Cabinet considered Report A358 (previously circulated), which sought approval for continued capital allocation of £250,000 a year to further reduce the amount of backlog maintenance and to a Cost Reduction Plan.

The report focused on the positive trend of reducing the amount of backlog maintenance and improvement in the condition of the Council's buildings, through the operation of the Planned Maintenance Programme and the Cost Reduction Plan. Performance of the Council's building stock had improved from 11% of buildings being rated in Condition A in 2003/2004 to 76% rated in Condition A by 2007/2008. Backlog maintenance had reduced from a peak of £11.1 million to £4.2 million. By adopting the revised Cost Reduction Plan, the backlog maintenance would be virtually eliminated over the next five years.

The Cabinet recognised the importance of the Council addressing the issue of maintenance of its property assets and for public buildings to be accessible in accordance with legislation. It was also recognised that the Cost Reduction Plan proposed a way forward and its adoption was in line with best practice asset management and met the Comprehensive Area Assessment (CAA) Use of Resources criteria for financial management.

RESOLVED:- That, subject to the budget setting process,:-

- (1) the capital allocation of £250,000 a year after the end of the approved budget period be continued to further reduce the amount of backlog maintenance; and
- (2) the Cost Reduction Plan 2009/2010 to 2013/2014 be adopted to deal with identified backlog maintenance, to reduce it almost to nil.

91. Boundary Committee Review of Suffolk: Update

Forward Plan Reference: Dec09/12 Cabinet Member: Cllr John Griffiths

The Cabinet received and noted a narrative item on the appeal by the Boundary Committee for England (BCE) against the decision in the High Court to quash their preliminary recommendations and also on working closer in partnership with Forest Heath District Council.

Councillor Griffiths, informed the Cabinet that the Appeal Court judgement had been received today (2 December 2009) and that it had set aside the previous ruling in favour of Forest Heath and Suffolk Coastal District Councils and St Edmundsbury Borough Council and found in favour of the BCE. The three Councils would now consider their position and it was the intention that a paper would be presented at the forthcoming meeting of full Council scheduled for 15 December 2009. One of the issues to be taken into consideration would be whether the Council's case for three unitary authorities, East Suffolk, West Suffolk and North Haven, should be taken direct to Ministers, thereby bypassing the BCE.

Councillor Griffiths then informed the Cabinet that the shared services agenda was high on most Councils' lists of current priorities. On 15 December 2009, full Council would be asked to approve that a formal preferred partnership be established between the Borough Council and Forest Heath District Council to take forward the shared services agenda. The Council would be asked to approve the formation of a Shared Services Steering Group with the objectives to advise and support both Councils in identifying and driving forward a shared services agenda. He added that the purpose of this work was to achieve efficiency savings for both Councils, whilst maintaining and, wherever possible, improving the standard and quality of service offered to the residents of both areas.

92. Revising the St Edmundsbury Fuel Poverty Strategy (Affordable Warmth Strategy)

Forward Plan Reference: Dec09/22 Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Report A359 (previously circulated) which sought approval for the Affordable Warmth Strategy incorporating an action plan.

Under the Warm Homes and Energy Conservation Act 2000, each local authority was required to prepare and publish a strategy setting out its policies for tackling fuel poverty. The Council's first Fuel Poverty Strategy was published in 2002 and had been subject to a review. Following consideration of a revised Fuel Poverty (now termed Affordable Warmth) Strategy, the Policy Development Committee had conducted a

stakeholder consultation, the findings of which were summarised in Appendix A to the report. No changes to the draft Strategy were considered necessary by the Committee. However, the draft action plan had been amended in recognition of comments made by the Committee and the consultees and the revised action plan was presented in Appendix B to the report.



RECOMMENDED:- That

- (1) the final Strategy, contained in Report A26, incorporating the action plan presented at Appendix B to Report A359 be adopted; and**
- (2) any minor typographical, factual and/or grammatical changes to the final Strategy and action plan be agreed by the Head of Environmental Health and Housing Services, in consultation with the Portfolio Holder for Bury St Edmunds and Community Safety.**

93. West Suffolk House Joint Committee: 20 November 2009

Forward Plan Reference: Dec09/15 Cabinet Member: Cllr David Ray

The Cabinet received and noted Report A360 (previously circulated) which informed the Cabinet of the following items discussed by the West Suffolk House Joint Committee on 20 November 2009:-

- (1) Report of the West Suffolk House Building Manager;
- (2) Budget Proposals: 2010/2011;
- (3) Arrangements for Delegating Authority to Appropriate Officers to Authorise the Accommodation of Third Parties in West Suffolk House; and
- (4) Items of Interest.

Councillor Ray, Vice Chairman of the West Suffolk House Joint Committee, drew relevant issues to the attention of the Cabinet. He announced that the library access point was now operational in West Suffolk House and that Improvement East would be located in West Suffolk House from January 2010.

94. West Suffolk Waste and Street Scene Services Joint Committee: 23 October 2009

Forward Plan Reference: Dec09/13 Cabinet Member: Cllr Peter Stevens

(Councillor Farmer declared a personal interest as a Member of Suffolk County Council and remained within the meeting for the consideration of this item.)

The Cabinet received and noted Report A362 (previously circulated) which informed the Cabinet of the following items discussed by the West Suffolk Waste and Street Scene Services Joint Committee:-

- (1) Progress on Delivering the 2009/2010 Joint Service Plan and Suggested Priorities for 2010/2011;
- (2) Update on the Start of a Project to Investigate Opportunities to Improve Efficiency in the Collection of Bulk Refuse;

- (3) Suffolk Waste Partnership (SWP) Consultation Responses submitted on:-
 - (a) stage one consultation on the transposition of the revised Waste Framework Directive; and
 - (b) consultation on the Strategy for Hazardous Waste Management in England.
- (4) Partnering Update; and
- (5) Potential Impact on Revised Residual Waste Tipping Points in the West of Suffolk.

Councillor Stevens, Chairman of the West Suffolk Waste and Street Scene Services Joint Committee, drew relevant issues to the attention of the Cabinet. He was pleased to remind the Cabinet that the Overview and Scrutiny Committee had considered a report on the development of this partnership and had concluded that it was working effectively.

95. Bury St Edmunds Area Working Party: 16 November 2009

Forward Plan Reference: Dec09/14 Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Report A363 (previously circulated) which contained the recommendations emanating from the meeting of the Bury St Edmunds Area Working Party held on 16 November 2009.

On 16 November 2009 the Area Working Party considered the following items:-

- (1) Environmental Enhancements: St Andrews Street/Risbygate Street/Brentgovel Street and Surrounding Area;
- (2) Engineering Services Work Programme;
- (3) Review of Markets; and
- (4) Lettings Update.

Councillor Everitt, Chairman of the Bury St Edmunds Area Working Party, drew relevant issues to the attention of the Cabinet. He stated that Members and officers had met with representatives of the market traders to discuss the forthcoming review of markets and that the proposed recommendations concerning pedestrian crossings had been made following extensive consultation with residents.

Councillor Mrs Gower, Portfolio Holder with responsibility for Haverhill, stated that although the Haverhill Area Working Party had not yet formally considered the report on the review of markets she had been present at the meeting with representatives of the traders. She considered that the representative from the Haverhill market traders understood the Council's position. She added that it should be emphasised to the consultants that Haverhill and Bury St Edmunds markets were different and required a different approach in undertaking the review.

Councillor Griffiths informed the Cabinet that the Business Improvement District (BID) for Bury St Edmunds had been successful and that 59% of those in number voted in favour and 67% by rateable value had voted in favour. The turnout was 32.5% which, when compared to other elections, was considered to be acceptable.

RESOLVED:- That

(a) Environmental Enhancements: St Andrews Street, Risbygate Street, Brentgovel Street and Surrounding Area

- (1) The proposals for changes to the junction of St Andrews Street/Risbygate Street/Brentgovel Street and traffic management alterations in the adjoining streets, as detailed in Appendix A to Report A312, be approved for consultation; and
- (2) the outcome of the consultation to be reported to a future meeting of the Working Party.

(b) Engineering Services Works Programme

- (1) **Zone G Neighbourhood Parking Scheme**
The alteration of the limited waiting bays in the Zone G Neighbourhood Parking Area to permit holder only with effect from 1 May 2010 be approved.
- (2) **Parking Arrangements College Street**
The alterations to the waiting restrictions in College Street, as detailed in Appendix B to Report A313, be approved.
- (3) **Introduction of Zebra Crossings, West Road**
 - (1) The introduction of the two pedestrian crossings to West Road, subject to satisfactory consultation, as detailed in the amended plans, which updated Appendix C to Report A313, be approved; and
 - (2) in the event of significant changes being necessary these to be agreed with the Chairman of the Working Party, Portfolio Holder for Transport and Planning and local Ward Councillors.
- (4) **Introduction of Zebra Crossing, Westley Road**
 - (1) The introduction of a pedestrian crossing to Westley Road, subject to satisfactory consultation, as detailed in Appendix D to Report A313, be approved; and
 - (2) in the event of significant changes being necessary, these to be agreed with the Chairman of the Working Party, Portfolio Holder for Transport and Planning and local Ward Councillors.
- (5) **Management of Vinery Road Car Park**
The alteration of the management of the Vinery Road car park to restrict stays to 2 hours be approved.
- (6) **St Olaves Precinct Enhancement**
The implementation of Phase 1 of the works to St Olaves Precinct, as detailed in Appendix E to Report A313, be approved.

(c) Review of Markets

- (1) The review of markets be undertaken;
- (2) the National Association of British Markets Authorities be appointed to undertake a review and, following consultations, make recommendations for future service delivery; and
- (3) the appointment of the National Association of British Markets Authorities without compliance with Contract Procedure Rules, as contained within the Council's Constitution, be approved as an exemption under paragraph 2.2(iii) as the services are of a specialised nature.

96. Haverhill Area Working Party: 22 October 2009

Forward Plan Reference: Dec09/06 Cabinet Member: Cllr Mrs Gower

The Cabinet considered Report A364 (previously circulated) which contained the recommendations emanating from the meeting of the Haverhill Area Working Party held on 22 October 2009.

On 22 October 2009, the Area Working Party considered the following items:-

- (1) Land at Millfields Way, Haverhill;
- (2) Friday Market Extension into the High Street, Haverhill: Update;
- (3) Draft Development Brief: Chantry Mills, Gurteens Factory Site, Haverhill;
- (4) Queen Street Shop Front Grant Scheme: Process for Assessment of Applicants and approving Grant Funding;
- (5) Queen Street Enhancement Scheme: Update;
- (6) Haverhill Community Football Project: Update
- (7) Haverhill Town Centre Street Furniture: Notice Boards/Information Signs; and
- (8) Haverhill Schemes: Update.

Councillor Mrs Gower, Portfolio Holder with responsibility for Haverhill, drew relevant issues to the attention of the Cabinet.

RESOLVED:- That

(a) Friday Market Extension into the High Street, Haverhill

The proposal to move the Haverhill Market into the High Street on Fridays, as detailed in Report A201 (also attached as Appendix A to Report A267), be approved subject to:-

- (1) confirmation of the necessary Traffic Regulation Order by Suffolk County Council to support closure of the High Street from its junction with Quakers Lane to Eden Road;
- (2) submission of and granting of a licence to operate the markets in the extended location on Fridays; and
- (3) provision of physical works to enable vehicular access from Quakers Lane via the Town Hall car park if required.

(b) Draft Development Brief: Chantry Mills, Gurteens Factory site, Haverhill

The draft Development Brief for the Chantry Mills, Gurteens Factory Site, Haverhill, as detailed in Appendix A to Report A268, be approved for public consultation, which will be undertaken locally and in accordance with the Borough Council's adopted Statement of Community Involvement.

(c) Haverhill Town Centre Street Furniture: Notice Boards/Information Signs

The map/directory for inclusion on one of the Notice Board/Information Signs located at Haverhill Bus Station, as presented to the Haverhill Area Working Party on 22 October 2009, be approved, subject to the following amendments:-

- (1) the 'wayfinder' map contained within the Sign be repositioned to enable the further business premises located on the High Street to be identified;
- (2) the Shopmobility facility also be identified on the map;
- (3) the opening times for the Shopmobility facility and the Public Conveniences located adjacent to the Borough Council's offices in Lower Downs Slade be included on the removable panel that contains the business directory and therefore, enables regular updates to be undertaken; and
- (4) a larger arrow identifying 'You Are Here' information be incorporated.

97. Public Venue (The Apex) Working Party: 26 November 2009

Forward Plan Reference: Dec09/16 Cabinet Member: Cllr Lynsey Alexander

The Cabinet considered Report A365 (previously circulated) which contained the recommendations emanating from the meeting of the Public Venue (The Apex) Working Party held on 26 November 2009.

On 26 November 2009 the Working Party considered the following items:-

- (1) The Apex: Selection of Auditorium Seating;
- (2) The Apex Project Status Report: Operational; and
- (3) The Apex Project Status Report: Construction.

Councillor Mrs Mildmay-White, Chairman of the Working Party, drew relevant issues to the attention of the Cabinet. She emphasised that the revision of the business plan would not increase the cumulative cost to the Council but was looking to re-prioritise items over the five year duration of the plan.

Councillor Mrs Alexander, Portfolio Holder for Culture and Sport, supported the recommendation to revise The Apex Business Plan as it gave an opportunity for the relatively newly appointed Venues Director to revise the priorities in line with his experience both elsewhere and since taking up his appointment.

RESOLVED:- That

(a) The Apex Project Status Report: Operational

Approval of the final business plan for the Council's public halls be delegated to the Corporate Director for Community Services, in consultation with the Chairman of the Public Venue (The Apex) Working Party and the Portfolio Holders for Resources and Efficiency and Culture and Sport, following consideration by the Working Party and provided that the cumulative cost of the plan up until 31 March 2014 is within the total budget currently allocated for this period.

98. Emergency Panel: 20 October 2009

Forward Plan Reference: Dec09/01 Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Report A366 (previously circulated) which contained the recommendations emanating from the meeting of the Emergency Panel held on 20 October 2009.

On 20 October 2009, the Emergency Panel considered the following items:-

- (1) Emergency Operations Centre;
- (2) Draft Flood and Water Management Bill: Possible Impact and Consultation Response from St Edmundsbury;
- (3) St Edmundsbury Borough Council Domestic Flood Protection Policy and Strategy;
- (4) Major Incident and Emergency Response Plan: Update as of 6 October 2009; and
- (5) Major Incident and Emergency Response Plan: Exercise Proposals 2009/2010.

Councillor Thorndyke, Chairman of the Emergency Panel, drew relevant issues to the attention of the Panel.

RESOLVED:- That

Domestic Flood Protection Policy and Strategy

- (1) The Domestic Flood Protection Policy and Strategy, detailed in Report A259, be approved; and
- (2) any minor typographical, factual and/or grammatical changes to the final document be agreed by the Chief Executive, in consultation with the Portfolio Holder with responsibility for Emergency Planning.

99. Rural Area Working Party: 12 November 2009

Forward Plan Reference: Dec09/19 Cabinet Member: Cllr John Griffiths

The Cabinet considered Report A367 (previously circulated) which contained the recommendations emanating from the meeting of the Rural Area Working Party held on 12 November 2009.

On 12 November 2009, the Rural Area Working Party considered the following items:-

- (1) Terms of Reference and Provisional Work Programme;
- (2) Rural Action Plan: Update Report;
- (3) Ixworth Draft Conservation Area Appraisal and Management Plan;
- (4) 'Save Our Villages' Campaign; and
- (5) BT Public Payphone Removal Consultation 2009.

Councillor Thorndyke, Chairman of the Rural Area Working Party, drew relevant issues to the attention of the Cabinet. He stated that the Work Programme included Mobile Youth Provision but he considered that the programme should include all Youth Provision in the rural areas in order to avoid potential clashes with events organised by other parties. The Cabinet concurred with this amendment.

RESOLVED:- That

(a) Ixworth Draft Conservation Area Appraisal and Management Plan

- (1) The draft Conservation Area Appraisal and Management Plan for the Ixworth Conservation Area, as attached as Appendix A to Report A310, be approved for consultation; and
- (2) any typographical, factual and/or grammatical changes required to the document be agreed by the Head of Planning and Economic Development in consultation with the Portfolio Holder for Transport and Planning.

(b) 'Save Our Villages' Campaign

- (1) the Council signs up to the principle of the three step rural housing plan in the National Housing Federation's 'Save Our Villages' campaign and aspires to meet the commitment for housing need assessments and action plans being developed, within available resources;
- (2) further progress reports be brought to the Rural Area Working Party on a regular basis;
- (3) the opportunities for Parish Councils to assist in carrying out the assessments, in consultation with local people, and meeting the commitments of the action plan be explored further with Parish Councils and Registered Social Landlords; and
- (4) the situation regarding housing settlement boundaries be clarified through the Local Development Framework.

100. Food Safety Standards Scheme 'Scores on the Doors'

Forward Plan Reference: Dec09/21 **Cabinet Member:** Cllr Sara Mildmay-White

The Cabinet considered Report A368 (previously circulated) which sought approval for the Food Safety Standards Scheme to be adopted.

The report outlined details of a scheme to be introduced, which included a star rating system for food safety standards assessed during an inspection of food premises. Such a scheme was commonly known as 'Scores on the Doors'. The purpose of the scheme was to:-

- (1) inform consumers of safety information in a readily understandable way; and
- (2) raise food safety standards on food businesses in St Edmundsbury.

The majority of local authorities in Suffolk were or had already introduced a similar scheme. The Council had undertaken extensive consultation with food businesses that were inspected by the Environmental Health Commercial and Food Team, and of the 500 surveys that were sent out 104 were returned. Of these, 83% of the respondents agreed with the purpose of the scheme.

In response to a question, the Cabinet was informed that the introduction of this scheme would involve the officers with little additional work, as the basic details required were already being input into the computerised information system. This system would then calculate the scores.

RESOLVED:-

That the 'Scores on the Doors' Food Safety Standards Scheme be adopted in accordance with the details outlined in Report A368.

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

101. Gambling Act 2005 Statement of Licensing Principles

Forward Plan Reference: Dec09/09 **Cabinet Member:** Cllr Sara Mildmay-White

The Cabinet considered Report A369 (previously circulated) which contained a recommendation emanating from the meeting of the Licensing and Regulatory Committee held on 9 November 2009.

The Council adopted its first Statement of Principles on 12 December 2006 and the Act required the Council, as the Licensing Authority, to review its Statement of Principles every three years. The Council needed to review this document and adopt any changes so that a revised document was published by 3 January 2010. Public consultation had taken place between 1 August and 23 October 2009.



RECOMMENDED:-

That, the draft Statement of Principles in respect of the Gambling Act 2005, as contained in Appendix A to Report A297, be approved subject to the following:-

- (1) the date by which the document must be published be amended from 14 January 2010 to 3 January 2010, as detailed on Page 2 of the document;***

- (2) *the list of consultees contained in Part C, Schedule A of the document be amended to delete reference to the addresses of consultees, but to retain reference to their names;*
- (3) *minor typographical and grammatical changes identified by Councillor Ray be applied in accordance with the Council's style guide; and*
- (4) *any other minor typographical, factual and/or grammatical changes to the document be agreed by the Corporate Director for Community Services in consultation with the Portfolio Holder for Bury St Edmunds and Community Safety.*

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.

102. Public Venue (The Apex) Construction of Shell and Core: Final Account
Forward Plan Reference: N/A Cabinet Member: Cllr Sara Mildmay-White

The Cabinet considered Exempt Report A370 (previously circulated) which sought approval to revise the estimated cost of the construction of The Apex shell and core in Bury St Edmunds.

The meeting concluded at 7.30 pm

**J H M GRIFFITHS
CHAIRMAN**