

**ST EDMUNDSBURY BOROUGH COUNCIL**

**CABINET**

**Minutes of a meeting held on Wednesday 26 May 2010 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, Everitt, Farmer, Mrs Gower,  
Mrs Mildmay-White, Ray and Stevens.

BY INVITATION: Councillor Hale (Chairman of the Performance and Audit Scrutiny  
Committee), Councillor Rout (Chairman of the Sustainable  
Development Panel), Councillor Aitkens and Councillor Cox.

*(Prior to the formal commencement of the meeting Councillor Griffiths, Leader of the Council, wished to place on record his thanks for the contribution made by Councillor Aitkens as Portfolio Holder for Economy and Asset Management and a Deputy Leader of the Council. He then welcomed Councillor Everitt to his first meeting of the Cabinet as Portfolio Holder for Bury St Edmunds and Community.)*

**1. Apologies for absence**

No apologies for absence were required.

**2. Minutes**

The minutes of the meeting held on 28 April 2010 were confirmed as a correct record and signed by the Chairman.

**3. Declarations of Interests**

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

**4. Report of the Performance and Audit Scrutiny Committee:  
26 April 2010**

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

The Cabinet received and noted Report B5 (previously circulated) which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny Committee on 26 April 2010:-

- (1) Annual Internal Audit Report 2009/2010 and Outline Audit Plan 2010/2011;
- (2) Code of Audit Practice for Local Government and Statement of Responsibilities;
- (3) Establishment of a Treasury Management Sub-Committee;
- (4) Annual Procurement Report 2009/2010;
- (5) Key Performance Indicators: Fourth Quarter 2009/2010;
- (6) Bi-Annual Corporate Complaints and Compliments Digest;
- (7) Budget Monitoring Report: 1 April 2009 to 28 February 2010; and
- (8) Corporate Risk Register: Quarterly Monitoring Report.

Councillor Hale, Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Cabinet. He informed the Cabinet of the formation of the Treasury Management Sub-Committee, that in excess of £240,000 of procurement savings had been made in 2009/2010 and of the projected underspend in excess of £1m for the 2009/2010 financial year.

**5. Report of the Performance and Audit Scrutiny Committee: Data Quality Policy Annual Report**

*Forward Plan Reference: Jun10/04 Cabinet Member: Cllr David Ray*

The Cabinet considered Report B6 (previously circulated) which sought approval for the 2010/2011 Data Quality Action Plan.

The Data Quality Policy sets out how the Council would maintain and improve its ability to ensure that the data used and held in key systems was of good quality, and consistent with the efficient and effective use of its resources. Overall, solid progress had been made against the Action Plan, in particular progress towards the development and implementation of a Suffolk-wide information sharing protocol.

For the 2010/2011 Action Plan it was agreed that the actions included in the current plan be retained, with the aim of maintaining, and if possible improving the Council's data quality assessment score. Additionally, following the staffing restructure in September 2009, it was necessary to amend the section of the policy relating to roles and responsibilities.

Councillor Hale, Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Cabinet.

RESOLVED:- That

- (a) The 2010/2011 Data Quality Action Plan, as set out in Report A641, be approved; and
- (b) under Section 8.1 of the Council's adopted Data Quality Action Plan, Roles and Responsibilities, 'Director Lead' and 'Corporate Director of Resources' be replaced with 'Officer Lead' and 'Chief Executive' respectively.

**6. Report of the Performance and Audit Scrutiny Committee: Council Improvement Plan**

*Forward Plan Reference: Jun10/05 Cabinet Member: Cllr David Ray*

The Cabinet considered Report B7 (previously circulated) which sought approval of the 2010/2011 Council Improvement Plan.

In April 2009 Cabinet approved the Council Improvement Plan for 2009/2010. The Plan brought together a range of actions to help the Council achieve further improvements in its performance, and was a key driver for the Council in the Corporate Plan. It was seen as good practice for councils to have an Improvement Plan, and the Audit Commission monitored progress made as part of the Organisational Assessment. The Performance and Audit Scrutiny Committee considered progress made against the key actions in the Council Improvement Plan for 2009/2010 and was pleased to note that the actions were complete.

The 2010/2011 Improvement Plan had been drafted taking into account such drivers as the development of the Cabinet's commitments, new legislation and best practice. The Plan had been divided into three themes which would provide a focus for the Council's work over the next year.

Councillor Hale, Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Cabinet.

RESOLVED:-

That the 2010/2011 Council Improvement Plan, as set out in Report A640, be approved.

*(Councillor Hale left the meeting at the conclusion of the consideration of this item.)*

**7. Asset Management Plan: Corn Exchange, Bury St Edmunds Options for Use**

***Forward Plan Reference: Jun10/02 Cabinet Member: Cllr Sara Mildmay-White***

*(Councillor Clements declared a prejudicial interest as a Borough Council representative on the Havebury Housing Partnership Board and left the meeting for the consideration of this item.)*

The Cabinet considered Report B8 (previously circulated) which sought approval for further investigation, negotiation and consultation to be undertaken in respect of two formal bids for the leasehold of the Corn Exchange in Bury St Edmunds.

In 2004, the Corn Exchange in Bury St Edmunds was declared surplus to operational use when the new public venue (The Apex) opened, the income from the new tenant being part of the original business planning for the new venue. The Apex was due to open in 2010 and, therefore, the Council had been working towards the marketing of the leasehold for the Corn Exchange, culminating in a formal prospectus being issued to potential commercial and community bidders in March 2010. A copy of the prospectus was attached as Appendix A to the report. The Council received four formal offers for the leasehold, one commercial and three community. Two of these bids were currently regarded as representing potentially viable tenancies, but there were issues to resolve with both. Furthermore, the Cabinet wished to carry out some targeted consultation before reaching a final decision.

Under the formal tender process a price bid was received from a national operator, J D Wetherspoon PLC and three additional price and wellbeing bids were received from local organisations by the deadline, as follows:-

- (1) Abbeycroft Leisure;
- (2) The Milkmaid Folks Arts Centre Community Interest Company (CIC); and
- (3) Supporting Contemporary Adolescence (SCA) CIC.

In addition to the four formal bids received the Council also received a letter from the Bury Society which followed a previous discussion dating back to autumn 2009 which reiterated the Society's desire to develop a proposal for a business design centre with the Borough Council and other partners.

As a first stage in the initial assessment the Council carried out an initial scoring assessment of the wellbeing bids through a Panel. The scoring mechanism for assessing objectively wellbeing criteria was attached as Appendix B. The details of the community bids and commercial bid and results of the initial scoring assessment were contained in Exempt Appendix C. The initial assessment of the formal bids highlighted areas for further investigation in all four cases. Accordingly all four bidders were contacted in mid-April 2010 and asked to provide additional information. Their responses were also included in Appendix C. As a result of this second stage the The Milkmaid Folks Arts Centre Community Interest Company withdrew its bid and while it also had merits, on the basis of the outline information provided, the bid from SCA was currently unlikely to meet the requirements of the Asset Management Plan (AMP) process. However, it had been identified through the original bid that there was great

potential to explore how the Club might be accommodated within the programming for The Apex and this was now being taken forward.

The Council was left with two conditional bids which had the potential to meet the requirements of the AMP process and were worthy of further investigation. The bid from J D Wetherspoon PLC was conditional upon planning and licensing consents and the bid from Abbeycroft Leisure was also conditional upon planning consent but was also subject to a full survey of the building. As part of its evaluation of the shortlisted bids, the Cabinet intended to carry out a targeted consultation exercise of its own, details of which were still to be developed.

RESOLVED:-

That in accordance with the Council's adopted option appraisal process of the Asset Management Plan, which includes community management and ownership of assets, the two formal bids for the leasehold of the Corn Exchange, Bury St Edmunds received from JD Wetherspoon PLC and Abbeycroft Leisure be short-listed for further investigation, negotiation and consultation.

#### **8. County Constitutional Convention: Update**

*Forward Plan Reference: Jun10/03 Cabinet Member: Cllr John Griffiths*

The Leader of the Council informed the Cabinet that he had just received a letter from the Department for Communities and Local Government announcing that the Government would introduce a bill to stop the restructuring of councils in Norfolk, Suffolk and Devon. It was expected that councils would not take any further steps, including any work on the proposed County Constitutional Convention, on taking forward plans to implement unitary structures. Councils in Suffolk would now be free to concentrate on achieving efficiencies and giving greater value for money to their communities. The key would be sensible co-operation and effective collaborative partnership working between all councils and their partners across the county area.

#### **9. Recommendations from Sustainable Development Panel: 18 May 2010**

*Forward Plan Reference: Jun10/07 Cabinet Member: Cllr Terry Clements*

The Cabinet considered Report B9 (previously circulated) which contained the recommendations emanating from the meeting of the Sustainable Development Panel held on 18 May 2010.

On 18 May 2010 the Sustainable Development Panel considered the following items:-

- (1) Local Development Framework: Draft Infrastructure Delivery Plan;
- (2) Mid Suffolk District Council's Local Development Framework (LDF) Stowmarket Area Action Plan: Proposed Submission April 2010; and
- (3) Replacement Local Plan: Policy BSE 3: Suffolk Business Park, Moreton Hall, Bury St Edmunds: Approval of Masterplan.

Councillor Rout, Chairman of the Sustainable Development Panel, drew relevant issues to the attention of the Cabinet. He stated that the Panel felt it necessary to raise objections to the development of the greenfield site to the east of Stowmarket close to junction 50 of the A14 because such allocation challenged the designation of Bury St Edmunds as a key centre for development and that this proposed development would provide all of Mid Suffolk's planned 3,000 new jobs on a single site. It would be a threat to investors' confidence at the Suffolk Business Park and did not accord with Mid Suffolk's adopted Core Strategy. The Panel had concluded that it was unfortunate but necessary for the Borough Council to raise objections.

Councillor Rout then informed the Cabinet that the approval of the Masterplan for Suffolk Business Park in Bury St Edmunds was a key stage in the preparation to bring this site forward. It had the support of the local business community and would provide St Edmundsbury with a sub-regional strategic employment site with employment land for the next 20 years.

The Cabinet noted that the item in respect of the approval of the Masterplan for Suffolk Business Park, Moreton Hall, Bury St Edmunds had also been considered by the Bury St Edmunds Area Working Party and it had concluded and made the same recommendation as the Sustainable Development Panel (Report B10 refers).

RESOLVED:-

**Mid Suffolk District Council's Local Development Framework (LDF): Stowmarket Area Action Plan – Second Submission draft April 2010**

That representations be submitted to Mid Suffolk District Council regarding the Stowmarket Business and Enterprise Park allocation in the Stowmarket Area Action Plan on the basis of the contents of Report A684.



***RECOMMENDED:- That***

***Replacement Local Plan Policy BSE3: Suffolk Business Park, Moreton Hall, Bury St Edmunds, Approval of Masterplan***

***The masterplan for the development of Suffolk Business Park and the Eastern Relief Road, Bury St Edmunds, attached as Appendix B of Report A676, be adopted as non-statutory planning guidance.***

***(This item was also considered by the Bury St Edmunds Area Working Party, which made the same recommendation to the Cabinet.***

*(Councillor Ray arrived during the consideration of this item.)*

**10. Recommendations from Bury St Edmunds Area Working Party: 11 May 2010**

***Forward Plan Reference: Jun10/06 Cabinet Member: Cllr Robert Everitt***

The Cabinet considered Report B10 (previously circulated) which contained the recommendations emanating from the meeting of the Bury St Edmunds Area Working Party held on 11 May 2010.

On 11 May 2010 the Bury St Edmunds Area Working Party considered the following items:-

- (1) Work Programme;
- (2) Town Centre Lettings/Vacancies Update;
- (3) Replacement Local Plan Policy BSE3: Suffolk Business Park, Moreton Hall, Bury St Edmunds Approval of Masterplan;
- (4) Engineering Services Works Programme; and
- (5) Temporary Park and Ride Site: Rougham Airfield.

Councillor Everitt, Portfolio Holder and Chairman of the Bury St Edmunds Area Working Party, drew relevant issues to the attention of the Cabinet.

It was noted that the recommendation concerning the approval of the Suffolk Business Park, Moreton Hall, Bury St Edmunds had already been considered as part of the report from the Sustainable Development Panel (minute 9 above).

RESOLVED:- That

**(a) Engineering Services Works Programme**

- (1) The changes to the management of parking in parts of Queen's Road and York Road, as set out in section 3.2 of Report A677, be approved; and
- (2) the outcome of the recent consultation with the local community in Risbygate Street/St Andrews Street North be noted and the proposal for a way forward as detailed at paragraph 4.3 of Report A677 be approved.

**(b) Temporary Park and Ride Site: Rougham Airfield**

The initiative to provide a temporary park and ride site at Rougham Airfield, as outlined in Report A678, be agreed in principle, subject to Suffolk County Council funding being available, additional negotiations and the necessary planning consent.

**11. Recommendations from Emergency Panel: 27 April 2010**

*Forward Plan Reference: Jun10/01 Cabinet Member: Cllr Robert Everitt*

The Cabinet considered Report B11 (previously circulated) which contained a recommendation emanating from the meeting of the Emergency Panel held on 27 April 2010.

On 27 April 2010 the Emergency Panel considered the following items:-

- (1) Suffolk Joint Emergency Planning Unit Partnership Legal Agreement;
- (2) Major Incident and Emergency Response Plan: Update as of 27 April 2010;
- (3) Revised Joint Emergency Planning Unit Performance and Capability Assessment;
- (4) Community Resilience Programme;
- (5) West Suffolk Emergency Planning Training Programme 2009/2010 St Edmundsbury Exercise Programmed Events; and
- (6) Flood Awareness: Information for Householders.

RESOLVED:-

That the draft letter, attached as Appendix A to Report A670 be approved and sent to those properties identified.

**12. Community Centre Transfer**

*Forward Plan Reference: Jun10/08 Cabinet Member: Cllr Sara Mildmay-White*

The Cabinet considered Report B12 (previously circulated) which sought approval in principle to the transfer of the Southgate Community Centre to a group formed by Southgate Community Association with the Southgate Church and that further discussions continue with the relevant persons/organisations in connection with possible transfer of other community associations.

In November 2009 the Policy Development Committee made a number of recommendations to the Cabinet for areas in which budget savings could be made in future. One of these areas was investigating the transfer of community centre assets to local community groups. The desire to see urban communities move away from dependence on the Council had been expressed when a review of community centres was carried out in 2007, and again when an update was provided in 2009. It also reflected national guidelines on helping local communities to own and control their own local assets.

Following the recommendations, officers started the process of liaising with the community associations, where they existed, which currently run the centres which the Council supported financially. The Centres considered were the Chalkstone and Leiston Community Centres in Haverhill and the Newbury, Southgate and Westbury Community Centres in Bury St Edmunds. Other community groups had also been consulted and a leaflet outlining what the transfer would involve was circulated extensively within the wider voluntary and community sectors and to churches, local head teachers and chairs of governors in the areas where the centres were located. The Council had listened to the reactions of each community and recognised that there were a range of perspectives with some communities being very clear that they did not want to look at the transfer at present, through to the group in Southgate which had formally indicated it wished to take on its local centre.

RESOLVED:- That

- (1) the Cabinet commit in principle to the transfer of the Southgate Community Centre to the group formed by Southgate Community Association with the Southgate Church;
- (2) the working principles listed at section 4.7 of Report B12 be adopted as the initial basis for discussions with groups interested in the transfer of a community centre, subject to consideration of the detail in relation to each individual centre as proposals are developed;
- (3) officers undertake detailed work with the Southgate Steering Group and the Development Trust Association and report back at the earliest opportunity with a worked up proposal for a community asset transfer with a view to transfer the centre by April 2011;
- (4) officers maintain contact with the Community Associations at Leiston in Haverhill and Newbury and Westbury in Bury St Edmunds and provide advice and training, where requested, to support those associations in developing their skills; and
- (5) in relation to the remaining four centres, officers pursue any other opportunities for joint work with public sector, voluntary or community groups partners which is consistent with maintaining a community facility on those sites and report back to the Cabinet on any proposals which emerge.

The meeting concluded at 5.50 pm

**J H M GRIFFITHS  
CHAIRMAN**