

Enquiries regarding this Agenda:
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Cabinet

***Wednesday 15 September 2010 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
Deputy Leader of the Council: Councillor Sara Mildmay-White*

<i>Councillors:</i>		<i>Portfolios:</i>
Lynsey Alexander	-	Culture and Sport
Terry Clements	-	Transport and Planning
Robert Everitt	-	Bury St Edmunds and Community
Paul Farmer	-	Resources and Efficiency
Anne Gower	-	Haverhill and Housing
John Griffiths	-	Rural Affairs and External Relationships
Sara Mildmay-White	-	Economy and Asset Management
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 28 July 2010 (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 Performance and Audit Scrutiny Committee: 26 July 2010

Chairman – John Hale;

Contact Officer – Adriana Stapleton

Telephone: 01284-757613

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

Report **B192** attached.

Summary and reasons for recommendation:

On 26 July 2010 the Performance and Audit Scrutiny Committee considered the following items:-

- (1) Re-appointment to Treasury Management Sub-Committee;
- (2) Annual Treasury Management Report 2009/2010 and Investment Activity 1 April to 30 June 2010;
- (3) Key Performance Indicators: First Quarter 2010/2011;
- (4) Budget Monitoring Report: 1 April to 30 June 2010;
- (5) Corporate Risk Register: Quarterly Monitoring Report;
- (6) Capital Programme Audited Accounts;
- (7) Audit Commission: Certification of Housing and Council Tax Benefits, Disabled Facilities Grants, and National Non-domestic Rates Claims and Returns; and
- (8) Audit Commission: Audit Opinion Plan.

Recommendation:

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

5. Report of the Policy Development Committee: 1 September 2010

Chairman – Nigel Aitkens;

Contact Officer – Adriana Stapleton

Telephone: 01284-757613

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

Report **B193** attached.

Summary and reasons for recommendation:

On 1 September 2010 the Policy Development Committee considered the following items:-

- (1) Cabinet Forward Plan: September to December 2010;
- (2) Work Programme;
- (3) Delivering a Sustainable Budget 2011/2012;

- (4) Review of Empty Homes and Wasted Space Strategy 2009 – 2011; and
- (5) Park Byelaws.

Recommendation:

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

6. Report of the Policy Development Committee: Parks Byelaws (Sept10/10)

Cabinet Member – Lynsey Alexander;

Contact Officer – Damien Parker

Telephone: 01284-757090

e-mail: damien.parker@stedsbc.gov.uk

Report **B194** attached.

Summary and reasons for recommendations:

Park Byelaws currently exist for the Abbey Gardens (since 1947), Haverhill Recreation Ground (since 1959) and West Stow Country Park (since 1993), but it was acknowledged that the current Byelaws were antiquated. It had therefore been agreed that new Byelaws should be drafted for these sites, and a number of other sites in the Borough, and the Committee had set up a Member/Officer Working Group to review the existing Park Byelaws and assist in the production of new Byelaws. The Working Group agreed that the model Byelaws created by the department of Communities and Local Government should be used as the template for creating the Borough's own Byelaws.

Recommendations:

- (1) the introduction of new byelaws for the Borough's parks and open spaces, as outlined in Appendix 1 to report B167, be supported, and that the existing byelaws for the Abbey Gardens, Haverhill Recreation Ground and West Stow Country Park be revoked; and
- (2) the necessary consultations be progressed prior to full Council being asked to approve the adoption of the new byelaws, and the affixing of the Council's seal thereto.

7. Report of the Overview and Scrutiny Committee: 8 September 2010

Chairman – David Lockwood;

Contact Officer – Adriana Stapleton

Telephone: 01284-757613

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

Report **B195 TO FOLLOW**.

Summary and reasons for recommendation:

On 8 September 2010 the Overview and Scrutiny Committee will consider the following items:-

- (1) Annual report on the impact of the West Suffolk Local Strategic Partnership and Community Strategy;

- (2) Update on S106 matters in St Edmundsbury;
- (3) Review of response of Borough Council to severe winter weather 2009/2010; and
- (4) Work Programme.

Recommendation:

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

8. Report of the Overview and Scrutiny Committee: Impact of Heavy Snow on the Borough (Sep10/08)

Cabinet Member – Terry Clements;

Contact Officer – Steve Boor

Telephone: 01284-757323

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

Report **B196 TO FOLLOW**.

(Attached to this agenda for information is a copy of Report B178 which is being considered by the Overview and Scrutiny Committee on 8 September 2010.)

9. Recommendations from Grant Panel: 7 September 2010 (Sep10/03)

*Cabinet Members – Robert Everitt;
Paul Farmer*

Contact Officer – Cathy Manning

Telephone: 01284-757002

e-mail: cathy.manning@stedsbc.gov.uk

Report **B197 TO FOLLOW**.

Summary and reasons for recommendations:

On 7 September 2010 the Grant Panel will consider the following items:-

- (1) Rural Areas Community Initiatives Fund: Application for Project Funding: 2010/2011; and
- (2) Recreation, Village Halls and Play Scheme Grants: Applications for Project Funding: 2010/2011

Recommendations:

Any recommendations emanating from the meeting of the Grant Panel will follow as Report **B197**

Corporate Priority: Securing a Sustainable and Attractive Environment

10. Recommendations from Sustainable Development Panel: 31 August 2010 (Sep10/01)

*Cabinet Members – Terry Clements;
Peter Stevens*

*Contact Officer – Patsy Dell
Telephone: 01284-757306
e-mail: patsy.dell@stedsbc.gov.uk*

Report **B198** attached.

Summary and reasons for recommendations:

On 31 August 2010 the Sustainable Development Panel considered the following items:-

- (1) Home Renewable Energy Grant Scheme: Update;
- (2) St Edmundsbury Replacement Local Plan 2016 – Policy HAV3 – Employment Site – Hanchett End, Haverhill: Draft Concept Statement;
- (3) St Edmundsbury Local Development Framework: Rural Allocations Document: April–June 2010 Consultation Feedback; and
- (4) St Edmundsbury Local Development Framework: Development Management Document: April–June 2010 Consultation Feedback.

Recommendation:

(1) Home Renewable Energy Grant Scheme (Report B168)

The Renewable Energy Grant Scheme be continued by the allocation of a further £10,000 from the unallocated Capital Programme 2010/2011.

(2) St Edmundsbury Replacement Local Plan 2016 – Policy HAV3; Employment Site – Hanchett End, Haverhill: Adoption of Draft Concept Statement (Report B169)

The Concept Statement for Hanchett End, Haverhill, as attached as Appendix C of Report B169, be adopted as non-statutory planning guidance.

11. Recommendations from Haverhill Area Working Party: 29 July 2010 (Sep10/04)

Cabinet Member – Anne Gower;

*Contact Officer – Geoff Rivers
Telephone: 01284-757009
e-mail: geoff.rivers@stedsbc.gov.uk*

Report **B199** attached.

Summary and reasons for recommendations:

On 29 July 2010, the Haverhill Area Working Party considered the following items:-

- (1) Haverhill Community Football Project: Update;
- (2) Haverhill Player Development Centre;
- (3) Markets Review;
- (4) Haverhill Town Centre Management: Update on Work Programme to December 2010;
- (5) Haverhill Town Centre Management: Update on the Haverhill Residential Welcome Pack;
- (6) Queen Street Shop Front Grant Scheme: Update; and
- (7) Queen Street Gates: Launch Update

Recommendations:

(1) Haverhill Player Development Centre

- (1) The Haverhill Player Development Centre be established and commence in the 2010/2011 football season as a means of delivering the development targets contained in the funding agreement for the Haverhill Community Football Project;
- (2) Abbeycroft Leisure contract Suffolk County Football Association to carry out the Development Centre work; and
- (3) (a) an element of the management fee from the Borough Council to Abbeycroft Leisure that was formerly used to fund the Haverhill Football School, as detailed in Section 4.6 of Report B148, now be used to fund the Player Development Centre; and
(b) this position be kept under annual review.

(2) Markets Review

(This report was also considered by the Bury St Edmunds Area Working Party on 27 July 2010 see agenda item 13(a) below.)

That the recommendations as detailed in Section 4 of the Markets Review, attached as Appendix A to Report B144, be adopted as the basis for future action.

12. Recommendations from Bury St Edmunds Area Working Party: 27 July and 14 September 2010 (Sep10/05)

Cabinet Member – Robert Everitt;

Contact Officer – Sandra Pell

Telephone: 01284-757320

e-mail: sandra.pell@stedsb.gov.uk

(a) 27 July 2010

Report **B200** attached.

Summary and reasons for recommendations:

On 27 July 2010 the Bury St Edmunds Area Working Party considered the following items:-

- (1) Markets Review;
- (2) Vacant Shops;

- (3) St John's Street Sign;
- (4) Engineering Services Works Programme; and
- (5) Proposed Introduction of Electric Car Charging Points in the Multi Storey Car Park, Parkway.

Recommendations:

(1) Markets Review

(This report was also considered by the Haverhill Area Working Party on 29 July 2010 see agenda item 12(a) above.)

That the recommendations as detailed in Section 4 of the Markets Review, attached as Appendix A to Report B144, be adopted as the basis for future action.

(2) Engineering Services Work Programme

- (1) The newly created parking bays in Chalk Road and the small car park annexe area, as shown on the plan at Appendix B of Report B145, be available for Zone H permit holders only from 9.00 am to 5.00 pm Mondays to Saturdays;
- (2) the changes to the parking layout in the Chalk Road (South) spur, as shown on the Plan at Appendix C of Report B145, be made;
- (3) the limited waiting bays in Albert Street, as shown on Plan 3 at Appendix A of Report B145 be changed to permit holders only from 9.00 am to 5.00 pm, Mondays to Saturdays and the management of this bay to be subject to review if over restrictive parking prevents the adjacent vacant commercial premises being brought into beneficial use;
- (4) consultation be carried out on possible changes to the hours of closure of Abbeygate Street to enable this matter to be reviewed; and
- (5) approval be given to works being undertaken to install containment kerbs on the bend outside numbers 22/24 St Olaves Road, as detailed in paragraph 5.8.2 of Report B145.

(3) Proposed Introduction of Electric Car Charging Points in the Multi-Storey Car Park, Parkway, Bury St Edmunds

That a 6 month trial with Cale BriParc of the electric car charging points be undertaken and a review of use be conducted at the end of the trial to determine whether to carry the project forward on a permanent basis and also to what extent.

(b) 14 September 2010

Report **B201 TO FOLLOW.**

Summary and reasons for recommendations:

On 14 September 2010 the Bury St Edmunds Area Working Party will consider the following items:-

- (1) Vacant Shops;
- (2) Bury St Edmunds Visitor Trail: issues and options;
- (3) Engineering Services Works Programme;
- (4) School Yard Land, Bury St Edmunds; and
- (5) Proposed changes to management of Off-Street Car Parks.

Recommendations:

Any recommendations emanating from the meeting of the Bury St Edmunds Area Working will follow as Report **B201**.

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

13. Recommendations from Public Venue (The Apex) Working Party: 11 August (Sep10/02)

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

Report **B202** attached.

Summary and reasons for recommendations:

On 11 August 2010 the Public Venue (The Apex) Working Party considered the following items:-

- (1) The Apex: First Floor Area and Business Plan; and
- (2) The Apex Project Status Report: Construction.

Recommendations:

The Cabinet is requested to **NOTE**:-

- (1) the use of the Chief Executive's Urgency Powers as detailed in Appendix A to Report B202; and
- (2) that this matter will also be reported to Council on 28 September 2010.

14. Community Centre Transfer (Sep10/11)

Cabinet Member – Robert Everitt;

Contact Officer – Cathy Manning

Telephone: 01284-757002

e-mail: cathy.manning@stedsbc.gov.uk

Report **B203** attached.

Summary and reasons for recommendations:

The 2007 review of Council owned Community Centres was the origin for the work which is taking place now to establish a framework in which Community Centres can be transferred into the ownership of the local community. In May 2010 Cabinet received Report B12 which outlined contact with existing Community Associations running centres and other local voluntary and Community Groups and Town Councils. This contact resulted in an expression of interest being received from the Southgate Community Association working with the Southgate Church, now known as the Southgate Community Partnership in relation to the Southgate Community Centre.

Recommendations:

- (1) full Council endorse the "Transfer of council-owned community centres to community ownership – Expectations Document" attached as Appendix 1 to Report B203 as its adopted framework for working towards the transfer of community centres;
- (2) the project plan attached as Appendix 2 to Report B203 be agreed as the working timetable and basis for work towards the transfer of Southgate Community Centre to the Southgate Community Partnership, subject to the partnership satisfactorily meeting the milestones listed in the plan;
- (3) delegated authority be given to the Corporate Director Community Services, in consultation with the Portfolio Holder for Community Safety, to receive updates and determine whether the various milestones have been satisfactorily met;
- (4) where milestones have not been satisfactorily met, further negotiations take place with the Southgate Community Partnership, or the issue to be referred to Cabinet; and
- (5) the final decision on transfer be brought back to the Cabinet for consideration and a recommendation to full Council.

15. Havebury Housing Partnership: Articles of Association

Cabinet Member – Anne Gower;

Contact Officer – Alex Wilson

Telephone: 01284-757695

e-mail: alex.wilson@stedsbc.gov.uk

Under its Articles of Association, Havebury Housing Partnership (HHP) must receive the prior written consent of the Borough Council (the "Council Member") to change any governance arrangements in respect of the local authority directors. The Borough Council currently nominates one third of the directors, which equates to 5 from a Board of 15.

Following a governance review, HHP has recommended a number of changes which would need to be voted on by its Board at the forthcoming Annual General Meeting (AGM). These are minor amendments to take into account recognised good practice in housing association governance and do not affect either the Borough Council's level of representation, or its ability to make nominations. The main change is a move to fixed three year terms of office for the Council's nominees. As now, the Council does not need to nominate serving Councillors as its representatives. The Council is also asked to have regard to the skills, qualities and experience required by the Board.

A copy of the new rules are attached as Paper **B204** to this agenda.

Recommendation:

That the Borough Council gives written permission to Havebury Housing Partnership in advance of its Annual General Meeting to change its Articles of Association, as set out in **Paper B204**, and that the Borough Council's representative is also authorised to approve the changes at the Partnership's Annual General Meeting.

**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: Creating a prosperous local economy

16. Asset Management Plan: Ground Lease Shopping Centres in Bury St Edmunds (Sep10/12)

*Cabinet Member – Sara Mildmay-White; Contact Officer – Betty Albon
Telephone: 01284-757307
e-mail: betty.albon@stedsbc.gov.uk*

Exempt Report **B205** attached.

Summary and reasons for recommendations:

As part of the Asset Management Plan Review of all the Council's Assets, the decision in 2006 to retain the two housing estate Shopping Parades held on historic ground lease is being reassessed. Report B205 reconsiders the Asset

Management Plan options for the future Council ownership of the Freehold of the Hardwick and St Olaves Shopping Parades in Bury St Edmunds, as part of the objective of making better use of property resources, in accordance with good Asset Management planning. Selling the Freehold interest of the land does not have any impact on the leases held by the shops or their current Landlord.

Recommendations:

That the Hardwick and St Olaves Shopping Parades in Bury St Edmunds are declared surplus and the sites are sold, either by auction or by private treaty, as outlined in Report B205.

Corporate Priority: Raising Corporate Standards and Efficiency

17. Revenues Collection Performance and Write Offs

Cabinet Member – Paul Farmer;

Contact Officer – Liz Watts

Telephone: 01284-757252

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

Report **B206** attached.

Summary and reasons for recommendations:

The Revenues Section collects outstanding debts in accordance with either statutory guidelines or Council agreed procedures. When all these procedures have been exhausted the outstanding debt is written off using the delegated authority of the Chief Finance Officer (for debts up to £1,500) or by Cabinet (for debts over £1,500).

The reasons for recommending the write offs are included in Exempt Appendices attached to this report. The Collection Data in respect of National Non Domestic Rates (NDR) and Council Tax are shown in Section of the report.

Recommendations:

- (1) the levels of collection performance achieved, as set out in Section 4, be noted, in particular St Edmundsbury's performance in Council Tax Collection for 2009/10, which was joint 10th in the country.
- (2) the write off of three accounts for overpayments of housing/council tax benefits detailed in the exempt appendix to this report be approved.

Exempt Papers relating to previous item

18. Exempt Appendix: Asset Management Plan: Housing Estate Shopping Centres, Bury St Edmunds (Sep10/12)

*Cabinet Member – Sara Mildmay-White; Contact Officer – Betty Albon
Telephone: 01284-757307
e-mail: betty.albon@stedsbc.gov.uk*

Exempt Appendix 1 to Report **B205** attached.

19. Exempt Appendices: Revenues Collection Performance and Write Offs

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

Exempt Appendices 1, 2 and 3 to Report **B206** attached.