

Enquiries regarding this Agenda:
Steven Lincoln (01284) 757108

Cabinet

***Wednesday 1 December 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
Anne Gower	-	Haverhill and Housing
John Griffiths	-	Resources and Efficiency, 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 20 October 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: 25 October 2010

Chairman – John Hale;

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

Report **B334** attached.

Summary and reasons for recommendation:

On 25 October 2010 the Performance and Audit Scrutiny Committee considered the following items:-

- (1) Mid Year Treasury Management Performance Report and Investment Activity 1 April to 30 September 2010;
- (2) Key Performance Indicators: Second Quarter 2010/2011;
- (3) Council Improvement Plan 2010/2011 Update;
- (4) Biannual Corporate Complaints and Compliments Digest;
- (5) Mid Year 2010/2011 Internal Audit Progress Report;
- (6) Budget Monitoring Report: 1 April to 30 September 2010;
- (7) Corporate Risk Register: Quarterly Monitoring Report; and
- (8) Overview and Scrutiny Structure.

Recommendation:

Treasury Management

Subject to the approval of full Council, the Committee **RECOMMENDS** that approval be given to the proposals to vary the Council's lending criteria as set out in Section 7 of Report B249, subject to the maximum percentage limit of the Portfolio being reduced from 30% to 25% in the red colour code for both the Rated Banks and Institutions and the Rated Building Societies Sections.

5. Report of the Overview and Scrutiny Committee: 17 November 2010

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

Report **B335** attached.

Summary and reasons for recommendation:

On 17 November 2010 the Overview and Scrutiny Committee considered the following items:-

- (1) Work Programme;
- (2) Cabinet Forward Plan: November 2010 to February 2011;
- (3) Follow-up report on use of s.106 funding to support public transport provision in St Edmundsbury;
- (4) West Suffolk Waste and Street Scene Joint Committee;
- (5) Skyliner Way, Bury St Edmunds: Update on Councillor Call for Action;
- (6) Overview and Scrutiny Structure; and
- (7) Quarter 2 Directed Surveillance Authorised Applications.

Recommendations:

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

6. Report of the Policy Development Committee: 24 November 2010

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

Report **B336 TO FOLLOW**.

Summary and reasons for recommendation:

On 24 November 2010 the Policy Development Committee will consider the following items:-

- (1) Cabinet Forward Plan: November 2010 to February 2011;
- (2) Work Programme;
- (3) Delivering a Sustainable Budget 2011/2012;
- (4) Review of the Capital Programme;
- (5) Review of the policy, effectiveness and management of Article 4 Directions in Bury St Edmunds; and
- (6) Overview and Scrutiny Structure.

Recommendation:

The report of the Policy Development Committee will follow as Report **B336**.

7. Report of the Policy Development Committee: Review of Capital Programme (Dec10/05)

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

Report **B337 TO FOLLOW**.

Summary and reasons for recommendations:

A formal review of the Council's five year capital programme is undertaken annually as part of the budget setting process. Report B337 will set out the results of this review.

Recommendations:

The report of the Policy Development Committee will follow as Report **B337**.

8. Report of the Policy Development Committee: Article 4 Directions (Dec10/07)

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

Report **B338 TO FOLLOW**.

Summary and reasons for recommendations:

The report to the Committee is a review of the use of Article 4 Directions within the two Bury St Edmunds Conservation Areas, with particular regard to effective communication with the owners of properties affected by an Article 4 Direction.

The report explains what Article 4 Directions are, why the Borough Council has them, the workload they generate and the implications of not having them. It also suggests ways to improve the management of the Article 4 Directions.

Recommendations:

The report of the Policy Development Committee will follow as Report **B338**.

9. Report of the Policy Development Committee: Delivering a Sustainable Budget 2011/2012

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

Report **B339 TO FOLLOW**.

Summary and reasons for recommendations:

The Policy Development Committee plays an integral role in delivering a sustainable budget for the Council, by receiving and scrutinising officer recommendations for savings and growth.

This paper sets out the background to the 2011/2012 budget, and the progress made to date on delivering a balanced budget.

Recommendations:

Recommendations emanating from the meeting of the Policy Development Committee will follow as Report **B339**.

**10. Recommendations from Shared Services Steering Group:
19 November 2010 (Dec10/11)**

Cabinet Member – John Griffiths;

Contact Officer – Geoff Rivers

Telephone: 01284-757009

e-mail: geoff.rivers@stedsbcc.gov.uk

Report **B340** attached.

Summary and reasons for recommendations:

On 19 November 2010 the Shared Services Steering Group considered the following items:-

- (1) Memorandum of Understanding;
- (2) Branding for Shared Services;
- (3) Project Update;
- (4) Councillor and Staff Survey: Results;
- (5) Waste and Street Scene Services: Update; and
- (6) ICT Business Case.

Recommendations:

(a) Memorandum of Understanding

That the Memorandum of Understanding, detailed in Paper B304, be approved.

(b) Branding for Shared Services

That the design detailed in Appendix 1 to Report B305 be approved.

(c) Suffolk County Council: New Strategic Direction

That a meeting be convened with representatives of Suffolk County Council in January 2011 to which officers and Members of both St Edmundsbury Borough and Forest Heath District Councils be invited, together with representatives of parish councils and the voluntary sector from both areas.

11. West Suffolk House Joint Committee: 12 November 2010 (Dec10/03)

Cabinet Member – David Ray;

Contact Officer – Ivan Sams

Telephone: 01284-757304

e-mail: ivan.sams@stedsb.gov.uk

Report **B341** attached.

Summary and reasons for recommendation:

On 12 November 2010, the West Suffolk House Joint Committee considered the following:-

- (1) Report of the West Suffolk House Building Manager;
- (2) Car Parking to the Front of West Suffolk House: Update;
- (3) Review of the West Suffolk House Travel Plan;
- (4) Items of Interest;
- (5) West Suffolk House: Budget Proposals 2011/2012; and
- (6) West Suffolk House Building Manager: Amendment to Operating Agreement.

Recommendation:

The Cabinet is requested to **NOTE** this report from the West Suffolk House Joint Committee.

Corporate Priority: Securing a Sustainable and Attractive Environment

12. Recommendations from Sustainable Development Working Party: 23 November 2010 (Dec10/04)

Cabinet Member – Terry Clements;

Contact Officer – Patsy Dell

Telephone: 01284-757306

e-mail: patsy.dell@stedsb.gov.uk

Report **B342 TO FOLLOW**.

Summary and reasons for recommendations:

On 23 November 2010 the Sustainable Development Working Party will consider the following items:-

- (1) Generating Income from Renewable Energy;
- (2) Annual Monitoring Report; and
- (3) Replacement Local Plan – Policy RA2(b): Land off Crown Lane, Ixworth – Approval of Masterplan.

Recommendations:

Any recommendations emanating from this meeting of the Sustainable Development Working Party will follow as Report B342.

**13. Recommendations from Rural Area Working Party:
18 November 2010 (Dec10/10)**

Cabinet Member – John Griffiths;

Contact Officer – Alex Wilson

Telephone: 01284-757695

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

Report **B343** attached.

Summary and reasons for recommendations:

On 18 November 2010, the Rural Area Working Party considered the following items:-

- (1) Village Hall to Village Hub Concept;
- (2) Replacement Local Plan – Policy RA2(b): Land off Crown Lane, Ixworth: Approval of Masterplan;
- (3) Options for Off-Street Borough Car Park Charges 2011/2012;
- (4) St Edmundsbury's Rural Youth Work Programme; and
- (5) Review of the final year of the 2008 - 2011 Rural Action Plan and proposals for future extension.

Recommendations:

(a) Village Hall to Village Hub Concept

- (1) An event be hosted to promote Community Land Trusts and assist parishes to explore the Village Hall to Village Hub initiative further; and
- (2) in the first instance, however, all villages be circulated with information about the initiative and responses sought to ascertain the extent of overall interest.

(b) Replacement Local Plan – Policy RA2(b): Land off Crown Lane, Ixworth. Approval of Masterplan (Report B300). Also to be considered by the Sustainable Working Party on 23 November 2010

Subject to the approval of full Council, the Masterplan for the development of land off Crown Lane, Ixworth as contained in Appendix B of Report B300 be adopted as non-statutory planning guidance.

(c) Options for Off-Street Borough Car Park Charges 2011/2012

(The recommendations emanating from Report B301 in connection with the review of car parking charges, will be included in a composite report for consideration by the Cabinet on 19 January 2011, together with the recommendations emanating from the Haverhill and Bury St Edmunds Area Working Parties in respect of this issue.)

(d) St Edmundsbury's Rural Youth Work Programme

That investigation be carried out at the earliest opportunity into the joint commissioning of Rural Youth Work with Forest Heath District Council.

(e) Review of the final year of the 2008/2011 Rural Action Plan and proposals for future extension

- (1) The progress made towards the 2008 to 2011 Rural Action Plan be noted;
- (2) the Rural Action Plan be extended for a further three years to the end of March 2014, with funding from: the underspend from previous years; Local Authority Business Growth Incentive funding; and Economic Development section codes as set out in Paragraph 7.2 of Report B303;
- (3) the work programme for developing the new Rural Action Plan 2011 to 2014 be noted;
- (4) the continuation of some projects from the 2008 to 2011 plan (denoted by a 'yes' in paragraph 2.4 of this report) be noted, and these projects be approved for inclusion in the 2011 to 2014 Rural Action Plan; and
- (5) delegated authority be given to the Rural Area Working Party to carry out consultation on the draft Rural Action Plan once it has been collated, and to prepare and recommend a new plan to Cabinet.

**14. Recommendations from Bury St Edmunds Area Working Party:
26 October 2010 (Dec10/09)**

Cabinet Member – Robert Everitt;

Contact Officer – Sandra Pell

Telephone: 01284-757320

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

Report **B344** attached.

Summary and reasons for recommendations:

On 26 October 2010 the Bury St Edmunds Area Working Party considered the following items:-

- (1) Town Centre Lettings/Vacancies: Update;
- (2) Bid4Bury;
- (3) Bury St Edmunds Visitor Signing; and
- (4) Engineering Services Work Programme.

Recommendations:

Bury St Edmunds Visitor Signing

- (1) The proposals for improving the signing from the main arrival points in Bury St Edmunds, as outlined in Section 3 of Report B207, and for refurbishing the cast-iron fingerposts, as outlined in Section 4 of Report B207, be approved; and
- (2) the proposals for a retail signing scheme, as outlined in Section 5 of Report B207, be developed in partnership with retail organisations in Bury St Edmunds, for approval by the Bury St Edmunds Area Working Party before proceeding.

15. Recommendations from Haverhill Area Working Party: 11 November 2010 (Dec10/02)

Cabinet Member – Anne Gower;

Contact Officer – Geoff Rivers

Telephone: 01284-757009

e-mail: geoff.rivers@stedsb.gov.uk

Report **B345** attached.

Summary and reasons for recommendations:

On 11 November 2010, the Haverhill Area Working Party considered the following items:-

- (1) Gurteens' Former Factory Site, Chantry Mills, Haverhill;
- (2) Haverhill Partnership Review;
- (3) Queen Street Shop Front Grant Scheme: Update;
- (4) Review of Car Parking in Haverhill;
- (5) Haverhill Town Centre Management: Update on Work Programme; and
- (6) Haverhill Town Centre Management: Update on New Photographic Images of Haverhill.

Recommendations:

(a) Queen Street Shop Front Grant Scheme

- (1) A time limit to March 2011 be given for the submission of planning/advertisement applications, as detailed in Section 4.1 of Report B284, and this limit be added to the Queen Street Shop Front Grant Scheme;
- (2) the business located at 11 Queen Street, which had already obtained the necessary advertisement consent but had not undertaken the works within the specified six month timeframe, as detailed in Section 3.4 of Report B284, be granted an extension until March 2011 to carry out the works; and
- (3) all successful applicants to the Scheme be advised of the timescales that will now apply.

(b) Haverhill Town Centre Management: Update on New Photographic Images of Haverhill

- (1) The selected portfolio of photographic images for future marketing and promotion of Haverhill, as detailed in Section 2 of Report B287, be approved; and
- (2) subject to (1) above, the portfolio of images, which would have copyright granted to the Borough Council, as outlined in Section 4.2 of Report B287, be available for use by the media, partners, businesses and residents in print and electronic forms, upon request.

16. Recommendations from St Edmundsbury Growth Area Partnership Board: 26 November 2010 (Dec10/13)

Cabinet Member – Terry Clements; Contact Officer – Patsy Dell
Telephone: 01284-757306
e-mail: patsy.dell@stedsb.gov.uk

Report **B346 TO FOLLOW**.

Summary and reasons for recommendations:

On 26 November 2010 the St Edmundsbury Growth Area Partnership will consider the following items:-

- (1) Growth Area Fund update;
- (2) Regional Growth Fund;
- (3) Local Development Framework: Update;
- (4) Growth Area Major Development Projects: Progress;
- (5) Growth Area Green Infrastructure Projects: Progress; and
- (6) Potential Funding Projects:-
 - (a) Millfields Way, Haverhill: Development and Sale Proposals for Affordable Housing;
 - (b) Conservation Area Partnership Scheme, Haverhill; and
 - (c) Environmental Improvements to High Street, Haverhill.

Recommendations:

Any recommendations emanating from this meeting of the Partnership Board will follow as Report B346.

17. West Suffolk Waste and Street Scene Services Joint Committee: 22 October 2010 (Dec10/01)

Cabinet Member – Peter Stevens; Contact Officer – Mark Walsh
Telephone: 01284-757300
e-mail: mark.walsh@stedsb.gov.uk

Report **B347** attached.

Summary and reasons for recommendation:

On 22 October 2010 the West Suffolk Waste and Street Scene Services Joint Committee considered the following items:-

- (1) Progress on Delivering the 2010/2011 Joint Waste Service Plan;
- (2) Cleansing Review;
- (3) Hazardous Waste Collection and Disposal;
- (4) Defra Review of Waste Policy: Joint Response to Consultation;
- (5) Fleet Managed Tyre Contract; and
- (6) Update on the Joint Waste Collection Round Reorganisation.

Recommendation:

The Cabinet is requested to **NOTE** this report from the West Suffolk Waste and Street Scene Services Joint Committee.

18. Engineering Services

Cabinet Member – Terry Clements;

Contact Officer – Ivan Sams

Telephone: 01284-757304

e-mail: ivan.sams@stedsbc.gov.uk

Report **B348 TO FOLLOW**.

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

**19. Recommendations from Licensing and Regulatory Committee:
Licensing Statement of Policy (Dec10/12)**

Cabinet Member – Robert Everitt;

Contact Officer – Hilary Workman

Telephone: 01284-757113

e-mail: hilary.workman@stedsbc.gov.uk

Report **B349** attached.

Summary and reasons for recommendations:

Taking into account the responses received during the consultation period, the revised Licensing Statement of Policy was attached as Appendix A to Report B279, with a summary of the proposed changes attached as Appendix B. The consultation responses received were attached as Appendix C. Of the submissions, five respondents had expressed concern that the Cumulative Impact Area Policy (commonly known as the Special Area Policy) for Bury St Edmunds had been removed from the Licensing Statement of Policy.

On 8 November 2010, a detailed discussion on the Cumulative Impact Area Policy was held, during which the Chairman allowed local residents present at the meeting to make further contributions. There was some discussion of how the crime statistics provided should be interpreted, with some Members and residents making a distinction between recorded crimes and incidents of anti-social behaviour, which would be far higher.

The Committee concluded that the Licensing Statement of Policy, detailed in Report B279, which did not include a Cumulative Impact Area Policy, must be approved in order that a policy could be in place by the due date but that further consultation should be undertaken on a Cumulative Impact Area Policy. Therefore it was resolved that:-

Having reconsidered the evidence presented at its meeting of 12 July 2010, and taking into account the relevant responses to the recent public consultation, that a further public consultation be undertaken on the Licensing Statement of Policy, incorporating the Cumulative Impact Area Policy as set out in the current Statement of Licensing Policy, and that a decision on the inclusion of the Cumulative Impact Area Policy be made by the Licensing and Regulatory Committee on 21 March 2011, following consideration of the responses to that public consultation.

Recommendations:

That, subject to the approval of full Council,;-

- (1) following the tri-ennial review and the public consultation undertaken earlier this year, the Licensing Statement of Policy, attached as Appendix A to Report B279, be approved; and
- (2) the Corporate Director for Community, in consultation with the Portfolio Holder with responsibility for licensing, be authorised to make minor typographic, grammatical and/or factual changes.

20. Supported Housing Scheme: Lethrede, Risby (Dec10/14)

Cabinet Member – Anne Gower;

Contact Officer – Carole Herries

Telephone: 01284-757603

e-mail: carole.herries@stedsbc.gov.uk

Report **B350** attached.

Summary and reasons for recommendations:

Havebury Housing Partnership (HHP) propose to purchase a property in Risby known as Lethrede, currently owned by Suffolk County Council (SCC). The property needs refurbishing to provide a supported housing scheme for 4 adults with autism/learning disabilities.

St Edmundsbury Borough Council has been working in partnership with HHP and SCC on the project to meet a very specific need for this type of accommodation.

A bid for £120,000 to the Homes and Communities Agency has been successful and will assist in delivering the scheme

Recommendations:

Cabinet is requested to:-

- (1) approve an allocation of £20,000 from the Borough Council's Affordable Housing Capital Programme to be committed towards the delivery of this scheme; and
- (2) approve that the £20,000 allocation is drawn down within 6 months from the date of this meeting, otherwise the allocation will be withdrawn and reallocated to another affordable housing scheme within the Borough.

21. Affordable Housing: Scheme at the Former Fireworks Factory Site, Bury Road, Chedburgh

Cabinet Member – Anne Gower;

Contact Officer – Niki Hollingworth

Telephone: 01284-757604

e-mail: niki.hollingworth@stedsbc.gov.uk

Summary and reasons for recommendation:

On 21 October 2009 the Cabinet approved Paper A256 Affordable Housing Scheme at the former fireworks factory site, Bury Road, Chedburgh (minute 73 refers). An allocation of £400,000 from the Council's Affordable Housing Capital budget was agreed to enable the delivery of 17 affordable homes on the site. The grant was awarded to the Havebury Housing Partnership on the condition that start on site would take place by the end of March 2010.

On 28 April 2010 the Cabinet was advised that this had not taken place due to further negotiations with the developer and the local community to provide a safe footpath from the new scheme to the centre of the village (minute 172 refers). This matter has now been resolved and a satisfactory scheme for the footpath approved.

However, there are issues regarding access and location of the service road onto the neighbouring industrial estate; which have not been resolved at present and a resolution is unlikely to be accommodated within the current planning permission. A new planning application is the likely outcome, which will result in further delays. It is not possible at this stage to provide an approximate timescale for achieving this.

The scheme will provide a significant contribution to the provision of affordable housing in the Borough and, therefore, remains a priority. Officers will continue to monitor the scheme and report back to Cabinet when the position is clearer and it is possible to provide a projected start on site.

Recommendation:

The Cabinet is requested to **NOTE** this position.

22. Consolidation of Byelaws for Piercing Activities (Dec10/15)

Cabinet Member – Robert Everitt;

Contact Officer – Carole Herries

Telephone: 01284-757603

e-mail: carole.herries@stedsbc.gov.uk

Report **B351** attached.

Summary and reasons for recommendations:

This report provides details of draft byelaws regarding piercing activities carried out in the Borough. Persons providing these services should be registered by the Local Authority and must comply with byelaws relating to these activities. At present there are various byelaws for the different piercing activities and it is proposed that these be consolidated into one set of byelaws covering the activities. This will enable a streamlined approach when dealing with new registrations and for those that carry out more than one activity. It allows efficiency within the administrative side of the service and improved, clear

communication on the website. On the current byelaws for cosmetic piercing and semi-permanent skin colouring some amendments have been made to the original document, which are now incorrect.

The report seeks Cabinet approval to authorise the relevant officers to take steps to ensure the consolidated byelaws are adopted.

Recommendations:

Subject to the approval of full Council, that:-

- (1) all current byelaws, as annexed to this report in Appendices 1, 2, 3, 4 and 5, be revoked;
- (2) the new consolidated set of byelaws, annexed to this report, as Appendix 6 be adopted;
- (3) the affixing of the common seal to the set of byelaws be authorised; and
- (4) the Head of Legal and Democratic Services be authorised to carry out the necessary procedure and apply to the Secretary of State for confirmation.

23. Haverhill Golf Club: Request for Extension of Loan Arrangements (Dec10/17)

Cabinet Member – John Griffiths;

Contact Officer – Liz Watts

Telephone: 01284-757252

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

Report **B352** attached.

Summary and reasons for recommendation:

Haverhill Golf Club occupies a 118 acre site, of which 62 acres are leased from the Council. The Club is looking to upgrade their existing car parking facilities at an estimated cost of £77,000. These improvements are designed to enhance the aesthetics of the Golf Club; provide for improved disabled access and address concerns raised by the Club's insurers regarding the condition of the car park surface.

The Club has approached the Council to provide assistance with financing this project, through either:-

- (a) £50,000 top-up to an existing Council loan to the club; or
- (b) a loan repayment holiday of 18 months.

Recommendation:

It is **RECOMMENDED** that, subject to approval by the full Council,:-

- (a) the Council agree to support this request for an extension to the current loan agreement with the Haverhill Golf Club to assistance in financing the upgrading of its car parking and disabled access facilities; and
- (b) financial assistance should be provided by means of an 18 month loan repayment holiday, as outlined in paragraph 5.2(b) of Report B352.

Part 2 – Private

NONE