

ST EDMUNDSBURY BOROUGH COUNCIL

CABINET

**Minutes of a meeting held on Wednesday 1 December 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, Mrs Gower,
Mrs Mildmay-White, Ray and Stevens.

BY INVITATION: Councillors Aitkens (Chairman of the Policy Development
Committee) Hale (Chairman of the Performance and Audit
Scrutiny Committee) and Lockwood (Chairman of the Overview
and Scrutiny Committee) and Houlder.

75. Apologies for absence

No apologies for absence were received.

76. Minutes

The Committee Services Manager informed the Cabinet of an error contained within the minutes relating to the attendance at the meeting of 20 October 2010. Councillor Thorndyke had been incorrectly recorded as Chairman of the Joint Staff Consultative Panel but he should have been recorded as Chairman of the Rural Area Working Party.

Subject to the above amendment the minutes of the meeting held on 20 October 2010 were confirmed as a correct record and signed by the Chairman.

77. Declarations of Interests

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

**78. Report of the Performance and Audit Scrutiny Committee:
25 October 2010**

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

The Cabinet considered Report B334 (previously circulated) which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny Committee on 25 October 2010:-

- (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.

Councillor Hale, Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Cabinet. He explained the rationale behind amending the Council's lending criteria, which should increase the Council's return on its investments without compromising the security of that investment. He also stated that

of the 32 key performance indicators subject to scrutiny 17 were classified as green, 9 amber and 1 red. The final 5 were contextual indicators. He further reported that the Budget Monitoring Report for the period to 30 September 2010 indicated an overall underspend for the period of £453,000, and that budget variances over £10,000 were explained in the report. He emphasised that the report on Earmarked Reserves had shown that the Council had a balance of £13,295,000 as at 30 September 2010.



RECOMMENDED:- That

Treasury Management

Subject to the approval of full Council, the proposals to vary the Council's lending criteria, as set out in Section 7 of Report B249, be approved, 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.

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

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

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

The Cabinet received and noted Report B335 (previously circulated) which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 17 November 2010:-

- (1) Work Programme;
- (2) Cabinet Forward Plan: November 2010 to February 2011;
- (3) Follow-up report on use of Section 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.

Councillor Lockwood, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet. He emphasised that the Committee had received a very informative presentation from Phil McGill, Suffolk County Council's Transport, Planning and Procurement Manager, regarding the use of Section 106 funding to support public transport provision in St Edmundsbury. He was also pleased to report on the very successful operation of the West Suffolk Waste and Street Scene Joint Committee, which operated in partnership with Forest Heath District Council (FHDC). He considered the workings of this joint operation with FHDC was outstanding. However, he considered that resolutions to the parking situation on Skyliner Way, Bury St Edmunds could not be resolved at the present time. In view of the short timescale since the parking restrictions had been introduced it was premature to form any conclusions regarding their effectiveness. In addition, once the adoption of the whole road was completed then a further review would be undertaken, which would be reported to the Bury St Edmunds Area Working Party.

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

Forward Plan Reference: N/A Cabinet Member: All Portfolios

The Cabinet considered Report B336 (previously circulated) which contained the composite report from the Performance Audit and Scrutiny, Overview and Scrutiny and Policy Development Committees concerning the review of the Borough Council's Overview and Scrutiny Structure.

Councillor Aitkens, Chairman of the Policy Development Committee, introduced the composite Report from the three Committees. He stated that the three Committees had recommended that the Policy Development Committee be disbanded and that policy reviews should be undertaken by 'task and finish' groups reporting to a new Overview and Scrutiny Committee. It was recommended that the budget responsibilities of the Policy Development Committee should transfer to the Performance and Audit Scrutiny Committee. This transfer of responsibilities would require an additional meeting of the Performance and Audit Scrutiny Committee, and he suggested that consideration be given to increase in the number of members on that Committee.

Councillor Lockwood, Chairman of the Overview and Scrutiny Committee, informed the Cabinet that the Committee had largely reached the same conclusions as the Policy Development Committee and had endorsed the recommendations contained within the report.

In response to a question, Councillor Aitkens expressed the view that the Policy Development Committee could be disbanded as soon as practical.



RECOMMENDED:-

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

- (1) the Council's scrutiny structure be amended, as soon as possible, along the lines of Option 2, as set out in Report B270, as amended in Recommendation (3) below, with the removal of the Policy Development Committee and policy reviews being carried out by "task and finish" groups of a new Overview and Scrutiny Committee with a membership of 16 Members;***
- (2) "task and finish" groups reporting periodically and at the end of reviews to the Overview and Scrutiny Committee be encouraged as the preferred method of scrutiny for reviews;***
- (3) Option 2 of Report B270 be amended, with the budget responsibilities of the Policy Development Committee (including Dynamic Review – Innovation, Value and Enterprise (DR-IVE) and Policy Based Budgeting) transferring to the Performance and Audit Scrutiny Committee rather than the Overview and Scrutiny Committee;***
- (4) an additional meeting of the Performance and Audit Scrutiny Committee be set in November each year to consider the budget reports which were previously the responsibility of the Policy Development Committee;***
- (5) should the budget responsibilities of the Policy Development Committee be transferred to the Performance and Audit Scrutiny Committee, consideration be given to increasing the number of Members on that Committee; and***
- (6) no Member should be a full Member of both the Overview and Scrutiny Committee and Performance and Audit***

Scrutiny Committee, although a full Member of one Committee may be a substitute Member of the other.

81. Report of the Policy Development Committee: Review of Capital Programme

Forward Plan Reference: Dec10/05 Cabinet Member: Cllr John Griffiths

The Cabinet considered Report B337 (previously circulated) which sought approval for the re-scheduled Capital Programme.

The Policy Development Committee undertook a formal review of the Borough Council's Five Year Capital Programme annually as part of the budget setting process, with aim of keeping the programme up-to-date and to identify any items which were no longer a priority. The Capital Programme had been updated and re-scheduled to take into account approved changes to the Programme as well as latest estimates on the timing and scheduling of projects.

The Cabinet noted that following a thorough review the major changes to the Capital Programme were:-

- (1) Rougham School of Excellence, the Hockey Project, had been taken out of the Programme. This funding had been held for approximately 10 years and it was now felt that funding could no longer be ring-fenced for a project which had taken so long to develop and showed no signs of requiring the funding for the near future;
- (2) the residual allocation of £551,000 for Haverhill car parks had been reduced by £520,000 since work was almost complete. Similarly, £19,000 remaining on the Haverhill Depot was no longer required since that project had now been completed; and
- (3) the Disabled Facilities Grant had been replenished using an underspend from the Discretionary Homes Assistance Fund.



RECOMMENDED:-

That, subject to approval of full Council as part of the budget setting process, the re-scheduled Capital Programme, attached as Appendix 1 to Report B314, be approved.

82. Report of the Policy Development Committee: Article 4 Directions

Forward Plan Reference: Dec10/07 Cabinet Member: Cllr Terry Clements

The Cabinet considered Report B338 (previously circulated) which sought approval for a programme to raise awareness of the requirements of Article 4 Directions.

The Policy Development Committee had previously raised concerns about issues associated with Article 4 Directions. In particular, that residents may be unaware of the requirements of the Directions, and it was requested that a review be undertaken of the use of Article 4 Directions within the conservation areas. Because homeowners were often not aware of the Policy there was a danger that people would make changes to their properties, and then be required to change them back. Additionally, they may not have the funds to make the required changes.

RESOLVED:- That:-

- (1) officers seek to secure the participation of local residents and groups in the ongoing management of existing Article 4 Directions, including a re-survey and updating/re-issue of all existing Article 4 Directions;
- (2) workshops and seminars be arranged at locations convenient to residents for owners of traditional buildings, including listed buildings and those in conservation areas, with or without Article 4 Directions, with priority given to the owners of properties with Article 4 Directions in the Borough's conservation areas;
- (3) traders providing appropriate products and services be approached to pay for display space at the seminars and workshops mentioned in recommendation (2) above, in order to make the seminars self financing; and
- (4) consideration be given to extending Article 4 Directions to other conservation areas, with the support and co-operation of residents and parish councils.

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

Forward Plan Reference: N/A Cabinet Member: Cllr John Griffiths

The Cabinet considered Report B339 (previously circulated) which sought approval for proposals for savings and additional income, the use of the General Fund Reserve, and items of growth in respect of the 2011/2012 budget.

The Policy Development Committee played an integral role in delivering a sustainable budget for the Council, by scrutinising recommendations for savings, increases in income and growth. The Committee had considered a paper which set out the background to the 2011/2012 budget, and the progress made to date on delivering a balanced budget. The Dynamic Review – Innovation, Value and Enterprise (DRIVE) target for 2011/2012 was £2.646 million, of which £685,000 was proposed to be used from Reserves, leaving £1.961 million to be found from cost reductions or new income streams, whilst bearing in mind the need also to fund some growth for 2011/2012. Taking these items into account there was a remaining budget gap for 2011/2012 of £242,000. However, the detailed outcome of the Government's Comprehensive Spending Review would not be known until early December 2010, and may have an adverse effect on the gap.



RECOMMENDED:-

That, subject to the approval of full Council as part of the budget setting process,:-

- (1) ***the proposals for savings and additional income, as set out in Section 4.6 of Report B313, be considered for inclusion in the 2011/2012 budget and, where indicated, beyond;***
- (2) ***the use of £685,000 from the General Fund Reserve to help meet the Dynamic Review – Innovation, Value and Enterprise (DR-IVE) target for 2011/2012 be approved; and***

- (3) *all proposed areas of growth, as set out in Section 4.8 of Report B313, be considered for inclusion in the 2011/2012 budget and, where appropriate, beyond.*

84. Recommendation from Shared Services Steering Group: 19 November 2010

Forward Plan Reference: Dec10/11 Cabinet Member: Cllr John Griffiths

The Cabinet considered Report B340 (previously circulated) which informed the Cabinet of the following items discussed by the Shared Services Steering Group on 16 September 2010:-

- (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.

Councillor Ray, Vice Chairman of the Steering Group, drew relevant issues to the attention of the Cabinet. He informed the Cabinet that the Memorandum of Understanding would operate for approximately 6 months and be reviewed after the May 2011 elections.

RESOLVED:- That,

(a) **Memorandum of Understanding**

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

(b) **Branding for Shared Services**

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

(c) **Suffolk County Council: New Strategic Direction**

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.

85. West Suffolk House Joint Committee: 12 November 2010

Forward Plan Reference: Dec10/03 Cabinet Member: Cllr David Ray

The Cabinet received and noted Report B341 (previously circulated) which informed the Cabinet of the following items discussed by the West Suffolk House Joint Committee on 12 November 2010:-

- (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.

Councillor Ray, Chairman of the Joint Committee, drew relevant issues to the attention of the Cabinet. He emphasised that the current arrangements for monitoring

the car parking provision for staff and Members at the visitors' car park located to the front of West Suffolk House would be continued and the option of introducing a car parking ticket machine would not be implemented at this current time. He was also pleased to report that the 2011/2012 budget proposal had been agreed, and indicated a reduction of £106,750 from the 2010/2011 budget. He concluded by informing the Cabinet that the current West Suffolk House Building Manager was due to retire by 31 March 2011 and this provided an opportunity for the role to be reviewed. However, given the current restructuring being carried out within Suffolk County Council's Property Services, and the Shared Services approach being undertaken between the Borough Council and Forest Heath District Council it was considered appropriate to wait until these reviews were completed before appointing a permanent replacement.

(Councillors Aitkens and Lockwood left the meeting at the conclusion of this item.)

**86. Recommendations from Sustainable Development Working Party:
23 November 2010**

Forward Plan Reference: Dec10/04 Cabinet Member: Cllr Terry Clements

The Cabinet considered Report B342 (previously circulated) which informed the Cabinet of the following items discussed by the Sustainable Development Working Party on 23 November 2010:-

- (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.

A discussion was held regarding the proposed investment to fund renewable energy generation. It was considered that the Council should continue to explore other avenues of funding before finally committing to the scheme. Therefore, the recommendation to full Council was amended to the effect that up to £410,000 be allocated for this project and that Cabinet be given delegated authority to approve the final scheme prior to commencement.

A discussion was also held regarding the Masterplan for land off Crown Lane, Ixworth. In response to a question, the Cabinet was informed that an e-mail had been received from the Clerk to Ixworth and Ixworth Thorpe Parish Council immediately before this meeting of the Cabinet. This e-mail indicated that the Parish Council agreed that the development in the Crown Lane area was beneficial to Ixworth. However, they would prefer vehicular access so that the new residents would be able to access village facilities without having to go onto the bypass and make them feel part of the village. It was noted that although Parish Councillors had attended the Bidwells consultation event but that the Parish Council had not submitted a formal response to the consultation.



RECOMMENDED:- That, subject to the approval of full Council,:-

(a) Generating Income from Renewable Energy

- (1) Subject to final survey, tender and further investigation of other sources of funding, up to £410,000 from the Unallocated Capital Provision be allocated to fund renewable energy generation as identified in the investment models set out in Report B317;***
- (2) further analysis be carried out of a community-based investment model with the aim of realising***

an equitable return both for the Council and the community as well as energy and CO₂ savings; and

(3) Cabinet be given delegated authority to approve the final scheme.

(b) Replacement Local Plan – Policy RA2(b): Land off Crown Lane, Ixworth. Approval of Masterplan

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.

RESOLVED:- That

St Edmundsbury Local Development Framework – Annual Monitoring Report

- (1) The 2009/2010 Annual Monitoring Report, attached to Report B318, be approved for submission to GO-East; and
- (2) the Head of Planning and Economic Development Services, in consultation with the Portfolio Holder for Transport and Planning, be authorised to incorporate into the Annual Monitoring Report any further minor changes as are necessary to update it and make any spelling, grammatical, factual, formatting and numbering corrections, provided they do not materially affect the substance or meaning of the Report.

87. Recommendations from Rural Area Working Party: 18 November 2010
Forward Plan Reference: Dec10/10 Cabinet Member: Cllr John Griffiths

The Cabinet considered Report B343 (previously circulated) which contained the recommendations emanating from the meeting of the Rural Area Working Party held on 18 November 2010.

A discussion was held on the Village Hall to Village Hub concept and it was agreed that it was the Borough Council's role to raise awareness of Community Land Trusts and to assist parishes to explore the initiative further.

RESOLVED:- That

(a) Village Hall to Village Hub Concept

- (1) An event be hosted to raise awareness of 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

The discussion and decision on this item was undertaken during consideration of the previous item, minute 86 above.

(c) St Edmundsbury's Rural Youth Work Programme

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

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

- (1) 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;
- (2) the continuation of some projects from the 2008 to 2011 plan (denoted by a 'yes' in paragraph 2.4 of Report B303) be approved for inclusion in the 2011 to 2014 Rural Action Plan; and
- (3) 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.

88. Recommendations from Bury St Edmunds Working Party: 26 October 2010

Forward Plan Reference: Dec10/09 Cabinet Member: Cllr Robert Everitt

The Cabinet considered Report B344 (previously circulated) which contained the recommendations emanating from the meeting of the Bury St Edmunds Area Working Party held on 26 October 2010.

RESOLVED:- That

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.

89. Recommendations from Haverhill Area Working Party: 11 November 2010

Forward Plan Reference: Dec10/02 Cabinet Member: Cllr Anne Gower

The Cabinet considered Report B345 (previously circulated) which contained the recommendations emanating from the meeting of the Haverhill Area Working Party held on 11 November 2010.

A discussion was held regarding the Queen Street Shop Front Grant Scheme and it was considered imperative to introduce some specific timescales in order that the work would be carried out in a timely matter and not be subject to significant delays.

RESOLVED:- That

(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.

90. Recommendations from St Edmundsbury Growth Area Partnership Board: 26 November 2010

Forward Plan Reference: Dec10/13 Cabinet Member: Cllr Terry Clements

The Cabinet considered Report B346 (previously circulated) which contained the recommendations emanating from the meeting of the St Edmundsbury Growth Area Partnership Board held on 26 November 2010.

The Cabinet recognised the significance on the allocation of these funds and discussed the Growth Area Major Development Projects and Green Infrastructure Projects in detail.

RESOLVED:- That

(a) Growth Area Major Development Projects: Progress

£2.5m of Growth Area Funding be made available in the form of two forward funding loans, structured as set out in Report B325, for infrastructure and associated activities to support the delivery of the Eastern Relief Road at Suffolk Business Park, Bury St Edmunds.

(b) Regional Growth Fund

In partnership with Churchmanor, investigations be carried out with a view to seeking Regional Growth Funding to enable the early construction of the Bury St Edmunds Eastern Relief Road and enabling the delivery of the Suffolk Business Park extension.

(c) Growth Area Green Infrastructure Projects: Progress

- (1) In view of the likely objections to the order-making procedure involved in the creation of a bridleway for part of the proposed link between Nowton Park and Ickworth Park this project be not proceeded with at this time;
- (2) officers be asked to bring a report to the next meeting of the Growth Area Partnership Board on 2 March 2011 on other Green Infrastructure projects in Bury St Edmunds and the rural area, including options for local green links, in particular the Lark Valley path and a footpath/cycleway link between Ickworth Park and Bury St Edmunds; these to be in the form of detailed proposals to enable a decision to be made at that time; and
- (3) projects in Haverhill outlined in Section 4 of Report B326 be progressed under the auspices of the Haverhill Area Working Party as follows:-
 - (i) footpath link through the Haverhill Golf Driving Range;
 - (ii) tree planting within Wilsey open space;
 - (iii) railway walk interpretation improvement; and
 - (iv) proposals for the former Clements Primary School Open Space (in conjunction with the St Clements Community Group).

(d) Potential funding Project: Millfields Way, Haverhill

- (1) Land at Millfields Way be sold to Orbit Homes to develop an exemplar scheme of ten affordable homes to level 4 of the Commission for Architecture and the Built Environment Code for Sustainable Homes;
- (2) £180,000 be made available from the Growth Area Fund to grant aid Orbit Homes to fund the deficit in order to proceed with the scheme; and
- (3) £96,000 be released from Section 106 funds to subsidise the two wheelchair access units.

(e) Conservation Area Partnership Scheme, Haverhill

Subject to English Heritage providing matched funding, a sum of £50,000 of Growth Area Fund be earmarked for a Conservation Area Partnership Scheme for the Hamlet Road, Haverhill Conservation Area and the officers prepare and submit a grant application to English Heritage.

(f) Environmental Improvements to High Street, Haverhill

A sum of £750,000 of Growth Area Funding be allocated to the project for Environmental Improvements to the High Street, Haverhill and that approval of detailed design and community consultation and engagements be overseen by the Haverhill Area Working Party.

**91. West Suffolk Waste and Street Scene Services Joint Committee:
22 October 2010**

Forward Plan Reference: Dec10/01 Cabinet Member: Cllr Peter Stevens

The Cabinet considered Report B347 (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 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.

Councillor Stevens, Vice Chairman of the Joint Committee, informed the Cabinet that high standards were being maintained within the Waste Management Section. The Borough Council was the first authority to achieve a 50% rate of recycling and also to introduce three bin alternative week collections. It was now promoting the benchmark of cost per household for waste disposal, which was now being used by other authorities.

92. Engineering Services

Forward Plan Reference: N/A Cabinet Member: Cllr Terry Clements

The Cabinet considered Report B348 (previously circulated) which sought approval for the development of a Service Level Agreement or other appropriate arrangements to formalise the delivery of certain services and the fulfilment of the Borough Council's remaining agency obligations. It also sought approval for the staff structure to be implemented once the Agency Agreement with Suffolk County Council had transferred back to the County Council.

The current arrangement between the Borough Council and Suffolk County Council regarding delivery of highway services through an Agency Agreement was due to cease on 31 March 2011. It had been agreed with Suffolk County Council that Borough Council staff currently undertaking this work would be transferred to Suffolk County Council with effect from 31 January 2011. However, in order to deliver the residual engineering responsibilities of the Borough Council, and any services that continued to be delivered on behalf of Suffolk County Council through a Service Level Agreement, the Borough Council needed to have a staffing structure in place.

RESOLVED:- That

- (1) The Director of Economy and Environment, in consultation with the Portfolio Holder for Transport and Planning, be authorised to negotiate with Suffolk County Council the development of Service Level Agreements or other appropriate arrangements to formalise the delivery of certain services and the fulfilment of the Borough Council's remaining agency obligations in February and March 2011;

- (2) the staffing structure, as detailed in Appendix B to Report B348, be approved; and
- (3) recruitment to the posts be from within existing staffing resources.

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

**93. Recommendations from Licensing and Regulatory Committee:
Licensing Statement of Policy**

Forward Plan Reference: Dec10/12 Cabinet Member: Cllr Robert Everitt

The Cabinet considered Report B349 (previously circulated) which contained the recommendations emanating from the meeting of the Licensing and Regulatory Committee held on 8 November 2010 concerning the Licensing Statement of Policy.

In Spring 2010, the evidence available for continuing the Cumulative Impact Area Policy (commonly known as Special Area Policy) for the historic core of Bury St Edmunds was reviewed, subjected to public consultation and subsequently considered by the Committee on 12 July 2010 (Report B111 and Minute 8 referred). The Committee resolved at that meeting that there was insufficient evidence to support a Cumulative Impact Area Policy within the Licensing Statement of Policy. Instead, the Committee resolved to undertake a public consultation on the draft Licensing Statement of Policy without the inclusion of the Cumulative Impact Area Policy, and to set up a Licensing Forum for Bury St Edmunds, and subsequently Haverhill.

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 had been removed from the Licensing Statement of Policy.

The Cabinet noted that the Licensing and Regulatory Committee was to undertake a further public consultation on the Licensing Statement of Policy, incorporating the Cumulative Impact Area Policy as set out in the current Statement of Licensing Policy.



RECOMMENDED:-

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.***

94. Supported Housing Scheme: Lethrede, Risby

Forward Plan Reference: Dec10/14 Cabinet Member: Cllr Anne Gower

The Cabinet considered Report B350 (previously circulated) which sought approval of an allocation of £20,000 from the Borough Council's Affordable Housing Programme to be committed towards the delivery of the supported housing scheme for Lethrede, Risby.

Havebury Housing Partnership proposed to purchase a property in Risby known as Lethrede, currently owned by Suffolk County Council. The property needed refurbishing to provide a supported housing scheme for four adults with autism/learning disabilities. The Borough Council had been working in partnership with Havebury Housing Partnership and the County Council 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 had been successful and would help to deliver the scheme. The Borough Council had been asked to commit £20,000 grant from its Affordable Housing Capital Programme budget to assist in delivering the scheme.

RESOLVED:- That

- (1) an allocation of £20,000 from the Borough Council's Affordable Housing Capital Programme be approved to be committed towards the delivery of this scheme; and
- (2) the £20,000 allocation be 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.

95. Affordable Housing: Scheme at the Former Firework Factory Site, Bury Road, Chedburgh

The Cabinet received and noted a narrative item which informed the Cabinet that there was now an issue regarding access and location of the service road onto the neighbouring industrial estate and therefore the scheme had been further delayed.

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

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

96. Consolidation of Byelaws for Piercing Activities

Forward Plan Reference: Dec10/15 Cabinet Member: Cllr Robert Everitt

The Cabinet considered Report B351 (previously circulated) which sought approval to amalgamate the current five separate byelaws into a consolidated single byelaw.

There were various byelaws for the different piercing activities and it was proposed that these be consolidated into one set of byelaws covering the activities. These would enable a streamlined approach when dealing with new registrations and for those that carried out more than one activity. It also allowed efficiency within the administration of the service and improved, clear communication on the website. The opportunity was also taken to update the current byelaws concerning cosmetic piercing and semi-permanent skin colouring.



RECOMMENDED:- That, subject to the approval of full Council,:-

- (1) all current byelaws, as annexed to Report B351 in Appendices 1, 2, 3, 4 and 5, be revoked;***
- (2) the new consolidated set of byelaws, annexed to Report B351 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.***

97. Haverhill Golf Club: Request for Extension of Loan Arrangements

Forward Plan Reference: Dec10/17 Cabinet Member: Cllr John Griffiths

(Councillor Mrs Gower declared a personal interest as both the Chairman of the Haverhill Golf Club and herself were Board Members of the Haverhill Volunteer Centre and remained within the meeting for the consideration of this item.)

The Cabinet considered Report B352 which sought approval for making a further loan to Haverhill Golf Club to assist in financing the upgrading of its car parking and disabled access facilities.

Haverhill Golf Club was looking to upgrade the existing car parking facilities at an estimated cost of £77,000. These improvements were 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 had approached the Borough Council to provide assistance with financing this project through either:-

- (1) a £50,000 top-up to an existing Council loan to Club; or**
- (2) a loan repayment holiday for 18 months.**

The Club had a good record to date in meeting its repayment commitments to the Council. The loan was secured against the Club's assets and the interest rate payable was in excess of what was currently being achieved by the Council's investments. A review of the Club's financial statements indicated that it was currently of sufficient financial stability to support an extension of its loan facility. During the discussion it was agreed that the financial assistance should be in accordance with the aspirations of the Borough Council's cultural strategy.



RECOMMENDED:- That, subject to the approval of full Council,:-

- (a) the 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 be supported; and**
- (b) financial assistance be provided by means of an 18 month loan repayment holiday, as outlined in paragraph 5.2(b) of Report B352 and in accordance with the aspirations of the Borough Council's Cultural Strategy.**

The meeting concluded at 6.20 pm

**J H M GRIFFITHS
CHAIRMAN**