

Enquiries regarding this Agenda:
Steven Lincoln (01284) 757108

Cabinet **(AMENDED)**

Wednesday 16 March 2011 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 16 February 2011 (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 Overview and Scrutiny Committee: 2 March 2011

Chairman – David Lockwood;

Contact Officer – Adriana Stapleton

Telephone: 01284-757613

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

Report **B504** attached.

Summary and reasons for recommendation:

On 2 March 2011 the Overview and Scrutiny Committee considered the following items:-

- (1) Progress on the Cultural Strategy;
- (2) Update on the Impact of the West Suffolk Local Strategic Partnership and Community Strategy;
- (3) Stanton Grundle Flooding Remedial Action;
- (4) Work Programme; and
- (5) Cabinet Forward Plan: March to June 2011.

Recommendation:

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

5. Report of the Overview and Scrutiny Committee: Progress on the Cultural Strategy (Mar11/08)

Cabinet Member – Lynsey Alexander; Contact Officer – Neil Anthony

Telephone: 01284-757064

e-mail: neil.anthony@stedsbc.gov.uk

Report **B505** attached.

Summary and reasons for recommendations:

From 2012, the Council's policy framework will take the form of three Master Plan visions for Bury St Edmunds, Haverhill and the rural areas, and Members therefore felt it appropriate that any future work on the Council's Cultural Strategy should be incorporated into the Master Planning process, where it will also reflect both the current financial climate and the shared services agenda with Forest Heath District Council. This approach will assist in identifying opportunities to provide residents and visitors to West Suffolk with continually developing and high quality services, and also to identify options which may significantly reduce the net revenue cost of the service.

Recommendations:

The work on the future Cultural Strategy of the Borough Council be incorporated into the current Master Planning process, and be carried out in partnership with Forest Heath District Council where appropriate.

6. Recommendations from Grant Working Party: 8 March 2011 (Mar11/02)

Cabinet Member – Robert Everitt;

Contact Officer – Cathy Manning

Telephone: 01284-757002

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

Report **B506 TO FOLLOW**.

Summary and reasons for recommendations:

On 8 March 2011 the Grant Working Party will consider the following items:-

- (1) Grants Policy Relating to Recreation, Village Halls and Play Area Grant Scheme Funding;
- (2) Review of the Rural Areas Community Initiatives Fund's Terms and Conditions;
- (3) Application for Funding in 2011/2012: Clare in Bloom; and
- (4) Chedburgh Parish Council.

Recommendations:

Recommendations emanating from this meeting will follow as Report B506.

Corporate Priority: Improving the Safety and Well Being of the Community

7. Citizens' Advice Bureaux: Core Funding

Cabinet Member – Robert Everitt;

Contact Officer – Cathy Manning

Telephone: 01284-757002

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

Summary and reasons for recommendations:

The recommendations of the Grant Working Party were considered by the Cabinet on 19 January 2011 and an amendment was agreed (minute 102 refers), including the grant for the Citizens' Advice Bureaux in the Borough. Rather than requiring the merger of the Bury St Edmunds and Haverhill Citizens' Advice Bureaux to have taken place by 1 April 2011 in order for the full first six months of funding allocated to be payable, Cabinet resolved that the first tranche of funding be released in full provided the Bureaux had held their Extraordinary General Meetings (EGM) committing to merger by 1 April 2011, something both Bureaux had advised was achievable.

Since that amendment was agreed, officers and the Portfolio Holder for Bury St Edmunds and Community Safety have been in further discussions with staff and the Chairmen of the Board of Trustees of the two Bureaux. They advise that the due diligence process, which each Bureaux has to go through, is underway but is not progressing as quickly as envisaged. In part this is because the work is being done by their respective accountants in a voluntary capacity to keep costs to a minimum. Although both Bureaux had originally scheduled EGMs for January 2011, and then both rescheduled them for March 2011, it looks increasingly unlikely that they will be able to take place as planned because

they cannot be held until the due diligence process has been completed. In particular, it must be demonstrated that the new organisation will be trading solvently.

In the circumstances, it would be extremely counter-productive to delay the funding available to the two Bureaux in respect of the first six months of 2011/2012 because they have failed to hold an EGM. This would create a large deficit in their accounts and, therefore, make the desired merger more problematic to achieve under due diligence. Officers are in receipt of minutes from both Bureaux which clearly state their commitment to merger and the scheduling of EGMs is further proof of their intention to do so.

Recommendations:

In the circumstances, it is **RECOMMENDED** that:-

- (1) the funding of the Bury St Edmunds and Haverhill Citizens' Advice Bureaux for the six months, April to September 2011, is released at the full rate previously agreed by Cabinet on 19 January 2011 in accordance with minute 102, on the basis that the Bureaux are continuing to actively work towards merger at the earliest opportunity in 2011;
- (2) officers continue to work closely with the two Bureaux in the coming months to support that merger and that a review of progress towards it is carried out prior to the release of the second half of the funding; and
- (3) that the Corporate Director for Community Services, in consultation with the relevant Portfolio Holder, be given delegated authority to decide, in the light of this review, whether the funding for October 2011 to March 2012 be paid at the full amount or in accordance with the Cabinet decision of 19 January 2011, minute 102 refers.

8. Transfer of Southgate Community Centre (Mar11/09)

Cabinet Members – Robert Everitt; Sara Mildmay-White *Contact Officer – Cathy Manning*
Telephone: 01284-757002
e-mail: cathy.manning@stedsb.gov.uk

Report **B507** attached.

Summary and reasons for recommendations:

In 2006/2007 the Cabinet asked the former Policy Development Committee to conduct a review of community centres. This review resulted in Cabinet accepting the recommendation (Minute 65 (2) 19 September 2007 refers): *'that the long-term aim of the Council is for all of the Community Centres to have a greater degree of community involvement in their management and to become more financially independent'*.

In Autumn 2009 officers contacted all the Community Associations regarding future models for the centres with a view to encouraging the asset transfer of community centres. Between January and March 2010 a leaflet was circulated to local voluntary and community groups, churches, schools and other public bodies to let the wider community know that the Council was willing to transfer its centres to appropriate community groups. This activity was reported to the Cabinet on 26 May 2010 (Paper B12 and Minute 12 refer).

As a result of that activity a new group came together in Southgate, Bury St Edmunds, the Southgate Community Partnership (SCP) formed by the Southgate Community Association and Southgate Church. This group has been working towards the transfer of the centre.

SCP is in the final stages of its business planning and production of the policies needed to comply with the Expectations Document. This report seeks in principle agreement to the transfer, with delegated authority to progress the final details.

Recommendations:

Subject to approval by full Council, that:-

- (1) the principle of transferring at nil value the freehold of Southgate Community Centre to the Southgate Community Partnership is agreed, subject to the Partnership:-
 - (a) completing its business planning;
 - (b) demonstrating that it has in place the necessary policies and procedures to meet the requirements of the Expectations Document of September 2010; and
 - (c) accepting in the transfer of the property sufficient safeguards to ensure that the centre remains in community use.
- (2) the Corporate Director for Community Services, in consultation with the appropriate Portfolio Holders for asset management and community, be given delegated authority to confirm that the requirements of the Expectations Document and safeguard measures have been met and to, thereby, approve the transfer.

9. Housing Access Scheme

Cabinet Member – Anne Gower;

Contact Officer – Carole Herries

Telephone: 01284-757603

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

Report **B508** attached.

Summary and reasons for recommendation:

The Council's current Damage Deposit Scheme offers a bond to assist low income households into the private rental sector. Officers have been exploring options to improve and develop the scheme to provide a Housing Option tool to assist those households who are homeless or threatened with homelessness.

The scheme will be renamed as The Access Scheme and will aim to assist in the region of 20 households in the first year.

The Access Scheme aims to further assist access to private rental accommodation by the inclusion of rent in advance payment. The rent in advance payments are recouped via housing benefit at cessation of the tenancy. The cost to the Council would be covered by the existing Damage Deposit budget with an additional £15,000 from the homelessness prevention

grant received from the Department of Communities and Local Government, making a total of £20,000 for this scheme.

Recovery of rent in advance monies paid via the scheme will be in full at the end of the tenancy. In order to safeguard this money it will be loaned on our behalf by the Ipswich and Suffolk Credit Union. Payment of the initial rent in advance has historically taken place under the existing scheme. The Access Scheme allows for money to be collected via weekly payments to repay any loan made and/or full collection of final rent payment on termination of the tenancy. The Ipswich and Suffolk Credit Union are able to monitor and chase loan payments and are regulated by the Financial Services Authority. Monies collected will be recycled to allow further access to the scheme.

Recommendation:

Cabinet approve the implementation of The Access Scheme to be formally launched on the 1 April 2011.

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

Cabinet Member – Robert Everitt;

Contact Officer – Claire McKenna

Telephone: 01284-757056

e-mail: Claire.mckenna@stedsbc.gov.uk

Summary and reasons for recommendation:

Following a recommendation from the Cabinet, on 14 December 2010 the Council approved the consolidation of the byelaws of piercing activities (minute 73(B)(6) refers). Following further information the Cabinet is now asked to agree a date upon which the consolidation of byelaws for piercing activities shall come into force.

Recommendation:

The Borough Council hereby adopts by resolution sections 14 to 17 of Part VIII of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Local Government Act 2003) in their entirety to come into force on 1 June 2011 within the administrative area of St Edmundsbury Borough Council for the proper regulation of persons carrying out the practices of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

Corporate Priority: Securing a Sustainable and Attractive Environment

11. Recommendations from Sustainable Development Working Party: 7 March 2011 (Mar11/03)

Cabinet Member – Terry Clements;

Contact Officer – Ian Poole

Telephone: 01284-757350

e-mail: ian.poole@stedsbcc.gov.uk

Report **B509** attached.

Summary and reasons for recommendations:

On 7 March 2011 the Sustainable Development Working Party will consider the following items:-

- (1) Suffolk Local Transport Plan;
- (2) Policy BSE16: West Suffolk College, Bury St Edmunds: Approval of Amendment to Masterplan;
- (3) Policy HAV3: Employment Site, Hanchett End, Haverhill: Approval of Masterplan;
- (4) Policy BSE2: Vinefields Farm, Bury St Edmunds, Strategic Housing Site: Approval of Masterplan; and
- (5) Thetford Area Action Plan.

Recommendations:

(a) Suffolk Local Transport Plan

- (1) Suffolk County Council be advised that the Borough Council are disappointed with the third Local Transport Plan as it lacks vision, depth and consideration for St Edmundsbury over the next 20 years;
- (2) the contents of paragraphs 8.1 to 8.10 of Report B491 form the basis of representations to be submitted to Suffolk County Council in relation to the third Local Transport Plan; and
- (3) a letter be sent from the Chairman of the Sustainable Development Working Party to the Suffolk County Council Portfolio Holder for Roads, Transport and Planning expressing the strength of concern regarding the content of the draft third Local Transport Plan.

(b) Policy BSE16: West Suffolk College, Bury St Edmunds: Approval of Amendment to Masterplan

Subject to full Council approval, and no significant issues arising during the remainder of the consultation period, the amendments to the Masterplan for the development of West Suffolk College, Bury St Edmunds, as detailed in Appendix A to Report B492, be adopted as non-statutory planning guidance.

(c) Policy HAW3: Employment Site, Hanchett End, Haverhill: Approval of Masterplan

Subject to full Council approval, the Masterplan for the development of the employment site at Hanchett End, Haverhill, attached as Appendix A to Report B493, be adopted as non-statutory planning guidance for a limited period of three years.

(d) Policy BSE2: Vinefields Farm, Bury St Edmunds: Strategic Housing Site: Approval of Masterplan

Subject to full Council approval, and no significant issues arising during the remainder of the consultation period, the Masterplan for the development of Vinefields Farm, Bury St Edmunds, as detailed in Appendix B to Report B494, and as amended to include reference to enabling potential rear access from the Masterplan site to adjoining residential properties in Eastgate Street, be adopted as non-statutory planning guidance.

(e) Thetford Area Action Plan

The previous concerns, namely the level of growth and the need to provide commensurate infrastructure improvements, be reiterated in the response to the Draft Final Thetford Action Plan.

12. Recommendations from Rural Area Working Party: 10 March 2011 (Mar11/04)

Cabinet Member – John Griffiths;

Contact Officer – Alex Wilson

Telephone: 01284-757695

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

Report **B510 TO FOLLOW**.

Summary and reasons for recommendations:

On 10 March 2011 the Rural Area Working Party will consider the following items:-

- (1) Petition: Reinstatement of some form of regular public transport through the villages of Stansfield and Poslingford;
- (2) Rural Action Plan Final Document;
- (3) Rural Vision 2031;
- (4) Waste & Street Scene Services Cleansing Services; and
- (5) Rural Area Working Party Work Programme.

Recommendations:

Any recommendations emanating from this meeting of the Rural Area Working Party will follow as Report B510.

**13. Recommendations from Bury St Edmunds Area Working Party:
22 February 2011 (Mar11/01)**

Cabinet Member – Robert Everitt;

Contact Officer – Sandra Pell

Telephone: 01284-757320

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

Report **B511** attached.

Summary and reasons for recommendations:

On 22 February 2011 the Bury St Edmunds Area Working Party considered the following items:-

- (1) Petition: 'Make the King's Road Area Safe';
- (2) Masterplan: Vinefields, Bury St Edmunds;
- (3) Amendment to the Masterplan: West Suffolk College, Bury St Edmunds;
- (4) Town Centre Lettings/Vacancies: Update;
- (5) St Andrews Street South Update; and
- (6) Engineering Services Work Programme.

Recommendations:

(a) St Andrews Street South, Bury St Edmunds

- (1) Physical changes to the layout of St Andrews Street South, Bury St Edmunds, as detailed in Section 4 and shown on the Plan at Appendix B to Report B465, be implemented at a cost of £35,000 funded from the unallocated capital allocation for public realm works;
- (2) the additional loading and waiting restrictions, including incorporating the night-time taxi ranks, as detailed in Section 5 of Report B465, be implemented;
- (3) the signing for the existing access restrictions in St Andrews Street South between Woolhall Street and Risbygate Street be improved; and
- (4) Suffolk County Council be requested to undertake these changes.

(b) Engineering Services Works Programme

- (1) The canvassing of existing Zone H permit holders for their opinions on the extension of the eligibility to include other nearby properties in Kings Road (East), be approved, as outlined in paragraph 3.2.2 of Report B466. This consultation to be taken forward with proposals for additional permit bays in Kings Road (West);
- (2) the implementation of the traffic calming scheme in Horsecroft Road, Bury St Edmunds, funded by Suffolk County Council, be approved, as outlined in paragraph 4.1 and shown at Appendix B to Report B466;
- (3) the installation, on each corner of the War Memorial, Angel Hill, of additional signage, be approved, as outlined in paragraph 4.2 and shown in Option A of Appendix B to Report B466; and

- (4) 2 hours free parking, designated short stay spaces and annual season tickets for stays in excess of 2 hours between 9.00 am and 5.00 pm Mondays to Saturdays, in line with neighbourhood permit charge of £76 within the town, be implemented for the Vinery Road, Bury St Edmunds car park.

14. Recommendations from St Edmundsbury Growth Area Partnership Board: 2 March 2011 (Mar11/10)

*Cabinet Member – Terry Clements; Contact Officer – Ian Poole
Telephone: 01284-757350
e-mail: ian.poole@stedsb.gov.uk*

Report **B512** attached.

Summary and reasons for recommendation:

On 2 March 2011 the St Edmundsbury Growth Partnership considered the following items:-

- (1) Local Development Framework: Update;
- (2) Growth Area Major Development Projects: Progress;
- (3) Growth Area Green Infrastructure Projects: Progress;
- (4) Conservation Area Partnership Scheme: Haverhill; and
- (5) Growth Area Fund Expenditure Summary.

Recommendation:

(a) Growth Area Major Development Projects: Progress Hanchett End Business Park, Haverhill

A loan of £750,000 be made to Carisbrooke Developments on condition that it be used to facilitate the bringing forward of the business development, rather than any residential development that might eventually be allowed in the Masterplan, and that repayment in full be made to the Council when the first business unit is occupied on site or three years after the adoption of the Masterplan, whichever is sooner.

(b) Growth Area Major Development Projects: Renewable Energy Generation Scheme

The remaining balance on the Growth Area Capital Funds be allocated as a contribution to the Council's Renewable Energy Generation Scheme previously approved by Cabinet in December 2010.

(c) Growth Area Green Infrastructure Projects: Progress

- (1) Funding from Growth Area Funds be provided for the following Green Infrastructure Projects:-
 - (i) Lark Valley Path Improvements: £137,000
 - (ii) Tollgate Recreation Ground: £20,000
 - (iii) Oakes Road Open Space: £45,000
 - (iv) Lake Avenue Open Space: £30,000
 - (v) Spring Lane Nature Reserve: £35,000
 - (vi) Gainsborough Recreation Ground: £15,000
 - (vii) Ram Meadow accessibility and environmental improvements: £10,000

- (2) the residual funds allocated for Green Infrastructure, amounting to £36,000, be reserved, together with any savings which can be achieved or underspends arising through the availability of grant and from other sources in respect of the projects listed in (1) above, be considered for funding other Green Infrastructure Projects outside Bury St Edmunds or Haverhill.

15. Downing Close, off Mount Road, Bury St Edmunds: Adoption of Road

*Cabinet Member – Terry Clements; Contact Officer – Stephen Boor
Telephone: 01284-757323
e-mail: stephen.boor@stedsbc.gov.uk*

Summary and reasons for recommendation:

Downing Close was developed by the Borough Council some years ago. It was developed in two phases and the carriageway for Phase 1 was adopted as highway maintainable at the public expense some time ago. The footways and remaining carriageway were left awaiting completion of the houses within this development. Construction has now been completed and the remainder of the carriageway, the footways and service strip, are in a suitable condition to be adopted as public highway maintainable at the public expense.

Using the powers contained within the Highways Agency agreement with Suffolk County Council this authority can adopt the areas shown on the **plan attached as Paper B513**. This also discharges the undertaking the Borough Council gave to the purchasers of the building plots in Downing Close that the highway would be adopted.

Recommendation:

It is **RECOMMENDED** that the areas of Downing Close, Bury St Edmunds shown on the Plan at Paper B513 be adopted as maintainable at the public expense.

**16. Recommendations from Licensing and Regulatory Committee:
14 March 2011**

*Cabinet Member – Robert Everitt; Contact Officer – Hilary Workman
Telephone: 01284-757113
e-mail: hilary.workman@stedsbc.gov.uk*

Report **B514 TO FOLLOW**.

Summary and reasons for recommendations:

On 14 March 2011 the Licensing and Regulatory Committee will consider the following:-

- (1) Review of inclusion of Cumulative Impact Policy in St Edmundsbury Borough Council Statement of Licensing Policy (Report B501); and
- (2) Sex Entertainment Licences: Regulation of Lap Dancing and other Sexual Entertainment Venues (Report B502).

Both of the above reports relate to Licensing Policies and will also be considered by Council on 5 April 2011.

Recommendations:

The recommendations emanating from this meeting of the Licensing and Regulatory Committee will follow as Report B514.

Part 2 – Private

NONE