

ST EDMUNDSBURY BOROUGH COUNCIL

CABINET

**Minutes of a meeting held on Wednesday 16 March 2011 at 5.00 pm
in the Conference Room West (F1R09), West Suffolk House,
Western Way, Bury St Edmunds**

PRESENT: Councillor S J Mildmay-White (Deputy Leader of the Council)
(in the Chair)
Councillors Mrs Alexander, Clements, Everitt, Mrs Gower, Ray and
Stevens

BY INVITATION: Councillor Lockwood (Chairman of the Overview and Scrutiny
Committee), Councillor Thorndyke (Chairman of the Rural Area
Working Party), and Councillors Cox, Farmer and Spicer.

127. Apologies for absence

An apology for absence was received from Councillor Griffiths.

128. Minutes

The minutes of the meeting held on 16 February 2011 were confirmed as a correct record and signed by the Chairman.

129. Declarations of Interests

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

130. Report of the Overview and Scrutiny Committee: 2 March 2011

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

The Cabinet received and noted Report B504 (previously circulated) which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 2 March 2011:-

- (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.

Councillor Lockwood, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet. He stated that the Committee was responsible for monitoring the Community Strategy and the development of the West Suffolk Local Strategic Partnership (WSLSP). The Committee had discussed the distribution of the WSLSP Performance Reward Grant funding during 2010 through the Community Chest and also received an update on projects which had received Partnership Funding in November 2009. Detailed presentations were given on four of these, by the Council's Substance Misuse Co-ordinator on the SOS Bus and Holden Cook from the Bury Volunteer Centre on Pathways to Progression, Integrating Community Engagement and the Flexibus. Members had also discussed the future direction of the West Suffolk Local Strategic Partnership. Councillor Lockwood then informed the Cabinet that the Committee felt that regular monitoring of the Stanton Grundle Flooding Remedial Action was no longer necessary, unless the situation changed significantly, although an update on the funding position was requested in one year's time. The

Councillor Call for Action in respect of on-street parking in Skyliner Way, Bury St Edmunds should be reviewed once the adoption of the whole road had been completed. The introduction of significant waiting restrictions or the creation of additional parking on Skyliner Way would be an issue for consideration following that adoption.

131. Report of the Overview and Scrutiny Committee: Progress on the Cultural Strategy

Forward Plan Reference: Mar11/08 Cabinet Member: Cllr Lynsey Alexander

The Cabinet considered Report B505 (previously circulated) which sought approval for the future work on the Cultural Strategy to be incorporated into the current Master Planning process and to be carried out in partnership with Forest Heath District Council (FHDC) where appropriate.

From 2012, the Council's policy framework would take the form of three Master Plan visions for Bury St Edmunds, Haverhill and the rural areas, and the Overview and Scrutiny Committee, therefore, felt it appropriate that any future work on the Council's Cultural Strategy should be incorporated into the Master Planning process, where it would also reflect both the current financial climate and the shared services agenda with Forest Heath District Council. This approach would 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.

Councillor Lockwood, Chairman of the Overview and Scrutiny Committee, drew relevant issues to the attention of the Cabinet.

RESOLVED:-

That 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.

132. Recommendations from Grant Working Party: 8 March 2011

Forward Plan References: Mar11/02 Cabinet Member: Cllr Robert Everitt

(Councillor Clements declared a personal interest as Chedburgh was in his Suffolk County Council Ward and remained in the meeting for the consideration of this item.)

The Cabinet considered Report B506 (previously circulated) which detailed the recommendations emanating from the meeting of the Grant Panel held on 8 March 2011.

The Cabinet discussed the grant to Clare in Bloom and sought clarification about the concern expressed by the Grant Working Party that funding awarded in previous years had not been fully utilised and that there was a sizeable balance carried forward to 2011/2012. The Cabinet was informed that the Clare in Bloom Committee budgeted on a two yearly cycle and therefore in some years there was an underspend that would be utilised in the following year.

RESOLVED:- That

(a) Application for Funding in 2011/2012: Clare in Bloom

- (1) A grant of £2,000 be awarded to Clare in Bloom in 2011/2012 from the approved 'In Bloom' budget of £2,925; and

- (2) discussions be held with the Clare in Bloom Committee to advise that the grant to Clare in Bloom is likely to be reduced by a greater amount in future years.

(b) Chedburgh Parish Council

Although the total cost of the project to modernise the village play area has been reduced, as outlined in Section 2 of Report B498, the grant of £7,500 previously awarded to Chedburgh Parish Council from the Recreation, Village Hall and Play Area Grant Scheme fund, be confirmed.

133. Citizens' Advice Bureaux: Core Funding

Forward Plan Reference: N/A Cabinet Member: Cllr Robert Everitt

The Cabinet considered a narrative item which sought an amendment to the previously agreed funding arrangements for the Bury St Edmunds and Haverhill Citizens' Advice Bureaux.

The Cabinet had agreed that in order for the first full six months of funding allocated for 2011/2012 to be payable, the first tranche of funding would 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. However, officers and the Portfolio Holder for Bury St Edmunds and Community Safety had held discussions with staff and the Chairmen of the Board of Trustees of the two Bureaux and they had now advised that the due diligence process, which each Bureaux had to go through, was underway but not progressing as quickly as envisaged. In part this was attributable to the work being done by their respective accountants in a voluntary capacity to keep costs to a minimum. It now looked increasingly unlikely that the Bureaux would be able to hold EGMs by the due date of 1 April 2011. However, there was a clear commitment from both Bureaux to a merger and the Borough Council was in receipt of minutes from both Bureaux which clearly stated this commitment.

Councillor Spicer, the Borough Council's representative on the Bury St Edmunds and District Citizens' Advice Bureau Management Committee, informed the Cabinet of recent discussions held by the Bureau and emphasised that work was continuing for the proposed merger to take place. He understood that an EGM would take place in April 2011. He also informed the Cabinet of the sad loss of the husband of the Manager of the Bureau and it was agreed that the Borough Council should give its condolences.

The Cabinet recognised the commitment made by staff of the Bureaux and appreciated their work and good relationships with the Council.

The Cabinet concluded that, in the circumstances, it would be extremely counter productive to delay the funding available for the two Bureaux in respect of the first six months of 2011/2012 because they had failed to hold an EGM.

RESOLVED:- That

- (1) the funding of the Bury St Edmunds and Haverhill Citizens' Advice Bureaux for the six months, April to September 2011, be 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.

(Councillors Lockwood and Spicer left the meeting at the conclusion of the debate on this item.)

134. Transfer of Southgate Community Centre

***Forward Plan Reference: Mar11/09 Cabinet Members: Cllr Robert Everitt
Cllr Sara
Mildmay-White***

The Cabinet considered Report B507 (previously circulated) which sought approval to the principle of transferring at nil value the freehold of Southgate Community Centre to the Southgate Community Partnership.

On 19 September 2007, the Cabinet accepted a recommendation from the former Policy Development Committee 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'*. This issue was revisited in the Autumn of 2009 and officers had contacted community associations, 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 community centres to appropriate community groups. As a result of this 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 had been working towards the transfer of the Southgate Community Centre.

SCP was now in the final stages of its business planning and production of the policies needed to comply with the Expectations Document that had been approved by full Council.



RECOMMENDED:- That

- (1) ***the principle of transferring at nil value the freehold of Southgate Community Centre to the Southgate Community Partnership be 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.

135. Housing Access Scheme

Forward Plan Reference: N/A Cabinet Member: Cllr Anne Gower

The Cabinet considered Report B508 (previously circulated) which sought approval for the implementation of the Access Scheme to be formally launched on 1 April 2011.

The Council's current Damage Deposit Scheme offered 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 were homeless or threatened with homelessness. The scheme would be renamed as The Access Scheme and would aim to assist in the region of 20 households in the first year.

The Access Scheme aimed to further assist access to private rental accommodation by the inclusion of 'rent in advance' payments. The 'rent in advance' payments were 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 new scheme.

The Cabinet was informed that recovery of 'rent in advance' monies paid via the scheme would be in full at the end of the tenancy. In order to safeguard this money it would be loaned on the Council's 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 allowed 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 was able to monitor and chase loan payments and was regulated by the Financial Services Authority. Monies collected would be recycled to allow further access to the scheme.

RESOLVED:-

That the Access Scheme, outlined in Report B508, be approved and to be formally launched on 1 April 2011.

136. Consolidation of Byelaws for Piercing Activities

Forward Plan Reference: N/A Cabinet Member: Cllr Robert Everitt

The Cabinet considered a narrative item which sought approval for the consolidation of byelaws for piercing activities to come into force on 1 June 2011.

On 14 December 2010 the Council, following a recommendation from the Cabinet, approved the consolidation of the byelaws for piercing activities. However, there was now a need to agree a date upon which the consolidation of byelaws should come into force.

RESOLVED:-

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.

**137. Recommendations from Sustainable Development Working Party:
7 March 2011**

Forward Plan Reference: Mar11/03 Cabinet Member: Cllr Terry Clements

(Councillor Mrs Mildmay-White declared a prejudicial interest regarding item 4, Vinefield Farm, Bury St Edmunds: Strategic Housing Site: Approval of Masterplan, and item 5, Thetford Area Action Plan, as she was a close associate of a landowner and left the meeting for the consideration of these two specific items. Councillor Ray was elected Chairman for the discussions on these two items.)

The Cabinet considered Report B509 (previously circulated) which contained the recommendations emanating from the meeting of the Sustainable Development Working Party held on 7 March 2011.

Councillor Clements, Vice Chairman of the Sustainable Development Working Party, drew relevant issues to the attention of the Cabinet. He stated that the Borough Council had been consulted on the draft Suffolk Local Transport Plan and that the Working Party was very disappointed by the content of the draft document especially in relation to the lack of vision and substance, which would not provide a basis for long term planning or securing funding. As the consultation period closed on Friday 11 March 2010, the content of the report and recommendations of the Working Party formed the basis of a response that had been submitted to the County Council. The response was on the proviso that the recommendations had to be endorsed by the Cabinet.

Councillor Clements then stated that the West Suffolk College Masterplan was adopted in 2007 and had been prepared at a time when there was an element of certainty concerning Government funding for projects. However, as a result of the reduction in funding opportunities, but with a need to continue to improve the facilities on the campus, a revised Masterplan had been prepared. The College had undertaken consultation on the revisions and the comments they received were generally supportive.

Councillor Clements then stated that the Borough Council prepared and adopted a Concept Statement for the Hanchett End Business Park in 2010. Consequent to this, Carisbrooke Developments had prepared and consulted on a draft Masterplan for the site. The Concept Statement recognised the viability issues of bringing forward the allocation in the short term and that there may be a need to consider higher value uses on the site to make the overall objectives deliverable. The developers had prepared a draft Masterplan, which included a viability assessment and, in order to bring the site forward in the short term, had proposed including an area of residential development on the eastern side of the site and a landmark commercial development to provide a 'gateway' at the entrance to the town. There had been a mixed reaction to the content of the Masterplan, with many supporting bringing forward the site and others objecting to the detail. As a result the developers had amended the Masterplan to exclude the link, increase the landscape buffer and remove the indicative detail of the residential element of the scheme. This would be dealt with through the preparation of the planning application.

Councillor Clements then informed the Cabinet that in 2007 a Concept Statement for the development of Vinefields, in Bury St Edmunds was approved by the Council. A draft Masterplan had now been prepared and consulted upon. The scheme included housing and the provision of new open space at the southern end of the site. Following consultation, some concerns had been brought to the Council's attention about potential rights of access to the rear of properties on Eastgate Street, which could be affected by the Masterplan. As a result, the Working Party was recommending approval with a minor amendment to be made to make reference to the development enabling the

potential to achieve this rear access. In conclusion, Councillor Clements informed the Cabinet that the Borough Council had previously objected to earlier drafts of the Thetford Area Action Plan due to the potential impact the level of growth could have on major services in Bury St Edmunds, the A34 and the villages of Barnham and Ingham. The final draft version of the document was now being consulted on and these concerns had not been addressed. The Working Party was, therefore, recommending that these objections were maintained to the draft final Area Action Plan. He also stated that the Borough Council had alerted the County Council to these concerns from a transport point of view and asked the County Council to support this matter.

RESOLVED:- That

(1) Suffolk Local Transport Plan

- (a) 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;
- (b) 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
- (c) 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.

(2) 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.



RECOMMENDED:- That

(1) 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.

(2) Policy HAV3: 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.

(3) 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.

138. Recommendations from Rural Area Working Party: 10 March 2011

Forward Plan Reference: Mar11/04 Cabinet Member: Cllr John Griffiths

The Cabinet considered Report B510 (previously circulated) which contained the recommendations emanating from the meeting of the Rural Area Working Party held on 10 March 2011.

On 1 December 2010 Cabinet agreed to extend the Rural Action Plan for a further three years to cover the period from April 2011 to March 2014 (Minute 87(d)(1) referred).

The first phase of consultation on the Action Plan, asking members of the public for project ideas, was carried out in December 2010. Following an analysis of the responses received, a draft Rural Action Plan was presented to the Rural Area Working Party on 13 January 2011 (Paper B408 referred). At this meeting the draft Rural Action Plan was approved by Members to go out to consultation. The second phase of consultation took place from 14 January to 28 February 2011. The responses from this phase of consultation had now been analysed and a final Rural Action Plan had been produced and was attached to Report B499.

Councillor Thorndyke, Chairman of the Rural Area Working Party, drew relevant issues to the attention of the Cabinet. He informed the Cabinet that as a result of the consultation only one item, *'Encourage villages to make the most of the 2012 Olympic opportunity'* had been deleted but several items had been merged, the result being that the total number of projects had been reduced from 45 to 37.

Councillor Thorndyke then informed the Cabinet that the Working Party had received a petition which called upon the Borough Council for support against the sudden cancellation of the daily bus service through Stansfield and Poslingfield. As a result of the Working Party's deliberations it was agreed that it should try and initiate a meeting between representatives of the bus operators, Suffolk County Council and the Borough Council in order to see if there were any possible solutions.

The Cabinet recognised the problems raised by the petition and it was suggested that alternative transport arrangements be explored.

RESOLVED:- That

Rural Action Plan 2011 to 2014

- (a) The Rural Action Plan for 2011 to 2014, attached as Appendix A to Report B499, be approved; and
- (b) the Corporate Director for Community Services, in consultation with the Chairman and Vice-Chairman of the Rural Area Working Party, be authorised to make any

necessary minor amendments to the final document prior to publication.

**139. Recommendations from the Bury St Edmunds Area Working Party:
22 February 2011**

Forward Plan Reference: Mar11/01 Cabinet Member: Cllr Robert Everitt

The Cabinet considered Report B511 (previously circulated) which sought approval for the recommendations emanating from the meeting of the Bury St Edmunds Area Working Party on 22 February 2011.

Councillor Everitt, Chairman of the Bury St Edmunds Area Working Party, reminded the Cabinet of the concerns surrounding vehicular access arrangements in St Andrews Street South and detailed the proposed changes to the road layout and access arrangements. He added that the works in respect of the changes to the road layout would be co-ordinated with British Gas which was relaying gas mains.

RESOLVED:- That

(1) St Andrews Street South, Bury St Edmunds

- (a) 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;
- (b) the additional loading and waiting restrictions, including incorporating the night-time taxi ranks, as detailed in Section 5 of Report B465, be implemented;
- (c) the signing for the existing access restrictions in St Andrews Street South between Woolhall Street and Risbygate Street be improved; and
- (d) Suffolk County Council be requested to undertake these changes.

(2) Engineering Services Works Programme

- (a) 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);
- (b) 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;
- (c) 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

- (d) 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.

140. Recommendations from St Edmundsbury Growth Area Partnership Board: 2 March 2011

Forward Plan Reference: Mar11/10 Cabinet Member: Cllr Terry Clements

The Cabinet considered Report B512 (previously circulated) which sought approval to the recommendations emanating from the meeting of the St Edmundsbury Growth Area Partnership Board held on 2 March 2011.

Councillor Clements, Chairman of the Board, drew relevant issues to the attention of the Cabinet. He stated that although the proposed residential development would assist with the viability of Hanchett End Business Park, there remained considerable up front expenditure to ensure required services and infrastructure were in place. The developers had indicated that a time limited loan of £750,000 from the Growth Area Fund would assist in bringing the site forward. The Partnership Board had recommended that this loan be approved subject to its being used to bring forward the business development and that it should be repaid to the Borough Council when the first business unit was occupied or three years after the adoption of the site Masterplan, whichever was the sooner. In response to a question, Councillor Clements informed the Cabinet that the developers had indicated that they were in agreement that an appropriate interest rate be applied to the loan and this would be subject to negotiation. The Chief Finance Officer confirmed that the loan would only be made once the Council's usual financial checks had been undertaken on the company.

Councillor Clements then reminded the Cabinet that the Borough Council had already approved investing £410,000 into the Renewable Energy Generation Scheme. Officers had investigated and received confirmation that it would be appropriate for the Borough Council to transfer the balance of capital funds to this project and at present this amounted to approximately £60,500.

Councillor Clements then continued by again reminding the Cabinet that it had previously endorsed a proposal to allocate 10% of the Growth Area Funds to Green Infrastructure Projects and it was agreed that the project would primarily be informed by the content of the Green Infrastructure Strategy. The Board had considered a number of projects that would improve facilities and bring forward much needed investment that would be required for the longer term. The main project identified would deliver improvements to the Lark Valley Path. This would create improved linkages to other paths. The Board had also recommended that the residual funds, amounting to approximately £36,000 plus any savings from agreed projects should be reserved for projects in the rural area. These could be identified through the preparation of the Rural Vision.

RESOLVED:-

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

- (a) 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; and

- (b) the loan to be subject to interest at a rate to be agreed by the Chief Finance Officer, in consultation with the Portfolio Holder.

(2) 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.

(3) Growth Area Green Infrastructure Projects: Progress

- (a) 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

- (b) 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.

141. Downing Close, off Mount Road, Bury St Edmunds: Adoption of Road
Forward Plan Reference: N/A Cabinet Member: Cllr Terry Clements

The Cabinet considered a narrative item which sought approval for the adoption of the road in Downing Close, Bury St Edmunds and, therefore, maintainable at the public expense.

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, were 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, the Borough Council could adopt the areas shown on the plan attached as Paper B513. This also discharged the undertaking the Borough Council gave to the purchasers of the building plots in Downing Close that the highway would be adopted.

RESOLVED:-

That the areas of Downing Close, Bury St Edmunds shown on the Plan at Paper B513 be adopted as maintainable at the public expense.

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

Forward Plan Reference: N/A Cabinet Member: Cllr Robert Everitt

The Cabinet considered Report B514 (previously circulated) which sought approval for the re-adoption of a Cumulative Impact Policy for a specified area of Bury St Edmunds and the revised Statement of Licensing Policy for Sex Establishments.

The Council was required to review its Licensing Statement of Policy every three years. The current Licensing Statement of Policy was approved by full Council on 14 December 2010 and published on 5 January 2011. This revised Statement of Licensing Policy had been previously considered by the Licensing and Regulatory Committee on 8 November 2010 after being subject to public consultation. On 8 November 2010 the Committee concluded that having reconsidered the evidence presented at its meeting on 12 July 2010 and taking into account the relevant responses to the public consultation further public consultation be undertaken incorporating the Cumulative Impact Policy (also known as the Special Area Policy). However, there was a need to have a revised policy in place by January 2011 and the Policy approved did not include the Cumulative Impact Policy.

On 14 March 2011, the Licensing and Regulatory Committee had considered the response to the further public consultation and representations made by Councillor Farmer, a local Ward Member and Committee Member. The Committee had concluded that the Cumulative Impact Policy should be re-adopted and included in the Licensing Statement of Policy.

Councillor Farmer, the local Ward Member and Committee Member, drew relevant issues to the attention of the Cabinet. He stated that a Special Area Policy stopped proliferation of licences having a cumulative impact in the designated area, by putting the onus on the applicant to ensure licensing objectives in the 2003 Act were met. It, therefore, made applicants consider carefully about their application and raised the standards of the applications. This was a comfort to residents/businesses in the area, yet did not prevent new applicants from being successful. He considered this to be a 'win-win' policy. He continued by stating that recent consultation resulted in 50 letters/e-mails all in favour of the Special Area Policy, including support from the Safer Neighbourhood Team, Bury St Edmunds Town Council and Churchgate Area Association. The Licensing and Regulatory Committee had agreed unanimously to re-adopt the Special Area Policy.

The Council's Statement of Licensing Policy in respect of Sex Establishments provided the framework for restricting such premises by location on the merits of the application and the representations made. A formal public consultation on the draft Policy was undertaken between 29 November 2010 and 18 February 2011.



RECOMMENDED:- That

- (a) Review of Inclusion of Cumulative Impact Policy in St Edmundsbury Borough Council Licensing Statement of Policy***

Taking into consideration the schedule of responses to the recently concluded public consultation, the Council re-adopt a Cumulative Impact Policy for the Area identified in

Appendix A of Report B501 and the Licensing Statement of Policy published on 5 January 2011 be amended accordingly.

(b) *Sex Entertainment Licences: Regulation of Lap Dancing and other Sexual Entertainment Venues*

The revised Statement of Licensing Policy for Sex Establishments, attached as Appendix A to Report B502, be adopted and the timescales for administering applications for Sexual Entertainment Venues following the proposed adoption of the additional powers arising as a result of the amendment to Part II of the Local Government (Miscellaneous Provisions) Act 1982 by Section 27 of the Policing and Crime Act 2009 be noted.

The meeting concluded at 6.27 pm

CHAIRMAN