

ST EDMUNDSBURY BOROUGH COUNCIL

CABINET

Minutes of a meeting held on Wednesday 25 May 2011 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 Clements, Everitt, Mrs Gower, Mrs Mildmay-White,
Ray and Stevens

BY INVITATION: Councillor Hale (Chairman of the Performance and Audit Scrutiny
Committee)
Councillors Cox and Nettleton

1. Apologies for absence

There were no apologies for absence.

2. Minutes

The minutes of the meeting held on 27 April 2011 were confirmed as a correct record and signed by the Chairman.

3. Declarations of Interests

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

4. Report of the Performance and Audit Scrutiny Committee: 26 April 2011

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

The Cabinet received and noted Report C5 (previously circulated) which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny Committee on 26 April 2011:-

- (1) Key Performance Indicators: Fourth Quarter 2010/2011;
- (2) Council Improvement Plan;
- (3) Biannual Corporate Complaints and Compliments Digest;
- (4) Audit Commission Presentation of Audit Plan: Audit 2010/2011;
- (5) Internal Audit Annual Report 2010/2011 and Outline Audit Plan 2011/2012;
- (6) Budget Monitoring Report: 1 April 2010 to 28 February 2011;
- (7) International Financial Reporting Standards (IFRS) Preparations;
- (8) Corporate Risk Register: Quarterly Monitoring Report; and
- (9) Annual Procurement Report: 2010/2011.

Councillor Hale, Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Cabinet. He reported that a total of 49 complaints had been received during 2010/2011 and this compared to 30 during 2009/2010 and 42 in 2008/2009. He stated that 72 compliments had been received during 2010/2011. Councillor Hale then gave a detailed breakdown on the Committee's examination of the Budget Monitoring Report for the period to 28 February 2011. He concluded by informing the Cabinet of the progress achieved on procurement, which included achieving savings of £433,071 during 2010/2011.

In response to a question, Councillor Hale informed the Cabinet that the Committee scrutinised the complaints in some detail and ensured that they had been satisfactorily addressed and resolved. He stated that he would bring an example to the next meeting of the Cabinet which he was due to attend.

Councillor Cox raised concerns about an entry in the Corporate Risk Register associated with Queen Street, Haverhill with reference to problems with parking. It was agreed that officers would take up the issue with Suffolk County Council.

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

5. Annual Review and Appointment of Working Parties

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

The Cabinet considered Report C6 and an Addendum to C6 (previously circulated) which sought a review of the Cabinet's Working Parties and other Groups, including the appointment to Joint Committees.

The Cabinet reviews annually its Working Parties and other Groups, including membership and Terms of Reference. The Cabinet held a detailed discussion on the continuation of its Working Parties, Membership, exploring joint meetings with Forest Heath District Council, Democratic Services attendance at meetings and appointments to Joint Committees and the Shared Services Steering Group.

RESOLVED:- That,

(1) The Public Venue (The Apex) Working Party

The Working Party be disbanded and any significant matters be the subject of a report to Cabinet.

(2) St Edmundsbury Growth Area Partnership Board

The Board be disbanded and any residual issues be the subject of a report to Cabinet.

(3) Sustainable Development Working Party

(a) The Membership of the Working Party to include:-

- (i) Portfolio Holder for Transport and Planning;
- (ii) Members from the Bury St Edmunds, Haverhill and Rural Area Working Parties; and
- (iii) Development Control Committee.

(b) 'Provide Guidance on Strategic Waste Management Matters' be deleted from the Terms of Reference.

(4) Shared Services

Merging of Emergency Planning, Central Safety and Joint Staff Consultative Working Parties with the equivalent at Forest Heath District Council be explored.

(5) Democratic Services Attendance at Meetings

The administration of Working Parties as outlined in Section 5 of Report C6 be endorsed.

(6) Cabinet Appointments

(a) Anglia Revenues Partnership Joint Committee

Councillors Everitt and Mrs Gower be appointed as full Members and Councillors Clements and Griffiths be appointed as substitute Members.

(b) Shared Services Steering Group

Councillors Everitt, Mrs Mildmay-White and Ray be appointed as full Members and Councillor Griffiths be appointed as substitute Member.

(c) West Suffolk House Joint Committee

Councillors Everitt and Ray be appointed as full Members and Councillors Griffiths and Mrs Mildmay-White be appointed as substitute Members.

(d) West Suffolk Waste & Street Scene Services Joint Committee

Councillors Ray and Stevens be appointed as full Members and Councillors Clements and Everitt be appointed as substitute Members.

(7) Appointments to Working Parties

The Head of Legal and Democratic Services be given delegated authority to appoint Members and Substitute Members to the Working Parties on the basis of nominations from Group Leaders.

6. Generating Income From Renewable Energy: Progress

Forward Plan Reference: N/A Cabinet Member: Cllr Peter Stevens

The Cabinet considered Report C7 (previously circulated) which sought approval for allocating £17,000 from Growth Area Funding for the proposed installation of Solar Energy generation at the proposed Nowton Park Visitor Centre.

This report set out the following:-

- (1) the findings of further exploration of other avenues of funding to fund renewable energy generation;
- (2) preferred procurement routes for renewable technologies; and
- (3) specific investment proposals for renewable energy.

The outcome of research into alternative sources of funding had identified that funds were available for green infrastructural capital investment from the Growth Area Fund and a contribution had been agreed in March 2011. The Borough Council had also been working with its local authority partners in Suffolk, in particular Forest Heath District Council, to achieve the most suitable, timely and cost efficient procurement options for the project. A range of procurement options had been considered. Based on European Union procurement rules and other criteria, it was concluded that the following options provided the best procurement approach:-

- (1) for new build sites: renewable energy technologies could be procured alongside the construction contract; and

- (2) for existing buildings: a framework agreement had been identified which would allow the Borough Council to procure renewable technologies in a cost effective manner. Other framework agreements had also been identified which could be used in the event of problems with the preferred option.

The first site where renewable energy technologies were proposed was the Nowton Park Visitor Centre, planned for construction during the second half of 2011. Subject to survey, the Centre was likely to be suitable for both a solar thermal collector and photovoltaic array. These systems would help to heat water for the use in the sports changing facilities and also produce electricity.

RESOLVED:- That,

- (a) the preferred procurement routes, as outlined in paragraph 5.4 of Report C7, be adopted; and
- (b) subject to survey, specific funding in the region of £17,000 be allocated from Growth Area Funding for the proposed installation of solar energy generation at the proposed Nowton Park Visitor Centre.

7. Growth Area Fund Loan: Hanchett End Business Park, Haverhill

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

The Cabinet considered a narrative item which sought approval for a previously agreed loan to facilitate the development of the Hanchett End Business Park in Haverhill to be made to a different organisation than previously agreed.

On 16 March 2011 the Cabinet considered the recommendations from the St Edmundsbury Growth Area Partnership Board and resolved to make a loan of £750,000 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. Since the Cabinet decision, officers had been informed that although the Masterplan for the site was prepared by Carisbrooke, the developers of the site would actually be a company called Jaynic Investments LLC (Jaynic), with Carisbrooke managing the development on their behalf. A request, therefore, had been made for the loan to be paid to Jaynic.

In response to a question, the Cabinet was informed that the officers had undertaken the necessary credit checks on Jaynic, which confirmed that, from the review of the current available financial information, the company appeared to be of sufficient financial stability to fulfil its obligations under the arrangement proposed. In addition there would be a charge over the land as a means to secure the loan.

RESOLVED:- That

The growth area fund loan of £750,000 for Hanchet End Business Park, Haverhill, originally approved by Cabinet on 16 March 2011 be amended to be payable to Jaynic Investments LLC.

The meeting concluded at 5.37 pm

**J H M GRIFFITHS
CHAIRMAN**