

Enquiries regarding this Agenda:  
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# ***Cabinet***

***Wednesday 14 September 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*

<b><i>Councillors:</i></b>		<b><i>Portfolios:</i></b>
Terry Clements	-	Transport and Planning
Robert Everitt	-	Bury St Edmunds and Community
Anne Gower	-	Haverhill and Housing
John Griffiths	-	Rural Affairs and External Relationships
Sara Mildmay-White	-	Culture and Sport and Economy and Asset Management
David Ray	-	Performance and Organisational Development and Resources and Efficiency
Peter Stevens	-	Environment and Street Scene

**QUORUM:**             *Three Members*

***Please switch off mobile communication  
devices during the meeting, unless exceptional  
circumstances require otherwise.***

# ***Agenda***

## **Procedural Matters**

**1. Apologies for Absence**

**2. Minutes**

To confirm the minutes of the meeting held on 20 July 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: 7 September 2011**

*Chairman – David Nettleton;*

*Contact Officer – Adriana Stapleton*

*Telephone: 01284-757613*

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

Report **C122 TO FOLLOW**.

#### Summary and reasons for recommendation:

On 7 September 2011 the Overview and Scrutiny Committee will consider the following items:-

- (1) Update on the Impact of the West Suffolk Local Strategic Partnership and Sustainable Community Strategy;
- (2) Cabinet Forward Plan: September to December 2011; and
- (3) 2011/2012 Work Programme: Update.

#### Recommendation:

Report C122 will provide information on the meeting of the Overview and Scrutiny Committee held on 7 September 2011.

#### **5. Report of the Performance and Audit Scrutiny Committee: 27 July 2011**

*Chairman – John Hale;*

*Contact Officer – Adriana Stapleton*

*Telephone: 01284-757613*

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

Report **C123** attached.

#### Summary and reasons for recommendation:

On 27 July 2011 the Performance and Audit Scrutiny Committee considered the following items:-

- (1) Annual Treasury Management Report 2010/2011 and Investment Activity 1 April to 30 June 2011;
- (2) 2011/2012 First Quarter Key Performance Indicators;
- (3) Data Quality Policy;
- (4) Audit Commission: International Financial Reporting Standards (IFRS) Briefing;
- (5) Audit Commission: Presentation of Annual Audit Fee Letter 2011/2012;
- (6) Review of the Effectiveness of Internal Audit;
- (7) Annual Governance Statement 2010/2011;
- (8) Anti-Fraud and Anti-Corruption Strategy;
- (9) Budget Outturn and Financial Highlights: 2010/2011;
- (10) Budget Monitoring Report: 1 April 2011 to 30 June 2011; and
- (11) Corporate Risk Register – Quarterly Monitoring Report.

Separate reports are included on this Cabinet agenda for items (3), (7) and (8) above.

Recommendation:

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

**6. Report of the Performance and Audit Scrutiny Committee:  
Data Quality Policy (Sep11/07)**

*Cabinet Member – David Ray;*

*Contact Officer – Davina Howes*

*Telephone: 01284-757070*

*e-mail: davina.howes@stedsbc.gov.uk*

Report **C124** attached.

Summary and reasons for recommendation:

The Council's first Data Quality Policy was adopted in March 2008, in accordance with Audit Commission best practice. The Policy has been revised due to legislation being introduced as part of the Localism Bill and in light of the Government's transparency agenda, in partnership with Forest Heath District Council, and was considered by the Committee.

An Equality Impact Assessment on the revised Policy found that all communities should benefit from the Policy, as it would ensure that decision-making and service delivery is undertaken based on sound and accurate information.

Recommendation:

The revised Data Quality Policy, attached to Report C77, be adopted.

**7. Report of the Performance and Audit Scrutiny Committee:  
Anti-Fraud and Anti-Corruption Strategy (Sep11/11)**

*Cabinet Member – David Ray;*

*Contact Officer – Jon Snares*

*Telephone: 01284-757239*

*e-mail: jon.snares@stedsbc.gov.uk*

Report **C125** attached.

Summary and reasons for recommendation:

The existing Anti-Fraud and Anti-Corruption Strategy was last updated in 2009, and needs to be kept under review in order to meet legal requirements and maintain the Council's high standards of corporate governance.

Amendments to the Anti-Fraud and Anti-Corruption Strategy were considered by the Committee. These amendments were proposed to reflect the implications of the Bribery Act 2010, which came into force on 1 July 2011. Internal Audit are currently undertaking a focused review to determine current adherence to the requirements of the Bribery Act 2010, to ensure the Council's procedures cover six key principles. The outcome of this review will be

reported to the Committee in the next Annual Fraud Report in April 2012, or sooner if significant concerns are raised.

Recommendation:

Subject to the approval of full Council, the revised Anti-Fraud and Anti-Corruption Strategy, attached to Report C81, be adopted.

**8. Report of the Performance and Audit Scrutiny Committee:  
Annual Governance Statement 2010/2011 (Sep11/12)**

*Cabinet Member – David Ray;*

*Contact Officer – Jon Snares*

*Telephone: 01284-757239*

*e-mail: jon.snares@stedsbc.gov.uk*

Report **C126** attached.

Summary and reasons for recommendations:

The Council is required to produce and publish an Annual Governance Statement (AGS), which covers six laid down core governance principles, and is to be approved by full Council, and signed by the Leader of the Council and the Chief Executive Officer.

The AGS for 2010/2011 accompanies the Statement of Accounts, and covers the Council's responsibilities in terms of the governance framework, the Borough Council's governance environment relating to the six laid down corporate governance principles, and the effectiveness of arrangements and any significant areas of weakness identified, with proposed actions to address them.

The governance framework is designed to facilitate the achievement of the Council's policies, aims, and objectives, and to identify and manage risk to a reasonable level. The governance framework is embedded within the Borough Council's Constitution and the systems, policies, procedures and operations in place throughout the Council.

The Committee confirmed that the internal control assessment and proposed additional areas for improvement (Assurance Framework and related Action Plan) provided at Appendices 1 and 2 of Report C80 were adequate.

Recommendations:

- (1) The Annual Governance Statement (AGS) for 2010/2011, as set out in Report C80, be recommended for approval by full Council prior to accompanying the Council's financial statements;
- (2) process used to compile the Annual Governance Statement and review of internal controls be endorsed for application in future years; and
- (3) internal control assessment and proposed additional areas for improvement (Assurance Framework and related Action Plan) at Appendices 1 and 2 of Report C80 be approved.

**9. Recommendations from Grant Working Party: 6 September 2011 (Sep11/01)**

*Cabinet Member – David Ray;  
Robert Everitt*

*Contact Officer – Cathy Manning  
Telephone: 01284-757002  
e-mail: cathy.manning@stedsbc.gov.uk*

Report **C127 TO FOLLOW**.

Summary and reasons for recommendations:

On 6 September 2011 the Grant Working Party will consider the following items:-

- (1) Rural Initiatives Grant Scheme Application for Project Funding 2011/2012: Brockley Village Hall;
- (2) Bardwell Parish Council: Reallocation of Grant Funding; and
- (3) Core Funding Applications: 2012/2013.

Recommendations:

Recommendations emanating from this meeting of the Working Party will follow as Report C127.

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

**10. Emergency Planning**

*Cabinet Member – Robert Everitt;*

*Contact Officer – Steven Lincoln  
Telephone: 01284-757108  
e-mail: steven.lincoln@stedsbc.gov.uk*

Report **C128** attached.

Summary and reasons for recommendations:

On 25 May 2011 the Cabinet considered its Annual Review and Appointment of Working Parties (Report C6 refers). Arising from the consideration of this report the Cabinet resolved that (minute 5(4) refers):-

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

On 8 July 2011 the Corporate Services Committee of Forest Heath District Council (FHDC) considered the issue of merging the two Emergency Planning bodies and on 20 July 2011 FHDC full Council resolved that a West Suffolk Joint Emergency Planning Panel be formed with a Terms of Reference detailed in Appendix B to this report, which is an expansion of those for the Borough Council's Emergency Planning Working Party. FHDC Emergency Planning Working Group has not been reconstituted.

Recommendations:

- (1) A West Suffolk Joint Emergency Planning Panel be formed with Forest Heath District Council based on the Terms of Reference detailed in Appendix B to Report C128;
- (2) the Head of Legal and Democratic Services be authorised to appoint to the West Suffolk Joint Emergency Planning Panel on the nomination of Group Leaders; and
- (3) the Borough Council's Emergency Planning Working Party be disbanded.

**11. Recommendation from Central Safety Working Party: 26 July 2011 (Sep11/08)**

*Cabinet Member – David Ray;*

*Contact Officer – Martin Hosker  
Telephone: 01284-757010  
e-mail: martin.hosker@stedsbc.gov.uk*

Report **C129** attached.

Summary and reasons for recommendation:

On 26 July 2011 the Central Safety Working Party considered the following items:-

- (1) Minutes: Combined Area Safety Committee;
- (2) Terms of Reference;
- (3) Incidents involving Employees and Incidents involving Members of the Public;
- (4) Health and Safety Policy: Amendment;
- (5) Health and Safety Legislation: Update;
- (6) Wellbeing Initiative: Update; and
- (7) Eye Care International.

Recommendation:

Subject to approval by full Council, the amendments to the Health and Safety Policy in respect of Instruction 15: Health, Safety and Environment Requirements for Contractors, as contained in Report C87, be approved.

**12. Havebury Housing Partnership: Changes to Representation on Board**

*Cabinet Member – Anne Gower;*

*Contact Officer – Carole Herries  
Telephone: 01284-757603  
e-mail: carole.herries@stedsbc.gov.uk*

Report **C130** attached.

Summary and reasons for recommendations:

Since it was established in 2002, Havebury Housing Partnership (Havebury) have had a Board which comprised representatives from three constituencies: tenants, Borough Council and independent. The Board has comprised fifteen members, five of each of the constituencies.

This report outlines Havebury's proposal to reduce the composition of the Board to twelve, with four ring-fenced places for tenants, and three for Council nominees. This will be in line with the National Housing Federation's 'Excellence in Governance' Code which Havebury have adopted.

Recommendations:

- (1) Havebury Housing Partnership's proposal to reduce the membership of the Board to twelve members, comprising three Council nominees, four tenants and five independent representatives be approved; and
- (2) the invitation to be represented on the Recruitment Panel for the five independent places available on the Board be accepted.

**Corporate Priority: Securing a Sustainable and Attractive Environment**

**13. Recommendations from Haverhill Area Working Party:  
8 September 2011 (Sep11/02)**

*Cabinet Member – Anne Gower;*

*Contact Officer – Geoff Rivers*

*Telephone: 01284-757009*

*e-mail: geoff.rivers@stedsbc.gov.uk*

Report **C131 TO FOLLOW.**

Summary and reasons for recommendations:

On 8 September 2011 the Haverhill Area Working Party will consider the following items:-

- (1) Haverhill Council Offices Partnership Project: Progress;
- (2) High Street Enhancement Scheme: Update; and
- (3) One Haverhill.

Recommendations:

Recommendations emanating from this meeting of the Haverhill Area Working Party will follow as Report C131.

**14. Recommendations from Sustainable Development Working Party:  
30 August 2011 (Sep11/03)**

*Cabinet Member – Terry Clements;*

*Contact Officer – Sandra Pell*

*Telephone: 01284-757302*

*e-mail: sandra.pell@stedsbc.gov.uk*

Report **C132** attached.

### Summary and reasons for recommendations:

On 30 August 2011 the Sustainable Development Working Party considered the following items:-

- (1) Terms of Reference;
- (2) 7<sup>th</sup> Annual Corporate Environmental Performance Report – 2010;
- (3) St Edmundsbury Local Development Framework Supplementary Planning Document: Development Design and Impact;
- (4) Replacement St Edmundsbury Borough Local Plan 2016; Development Brief for Land East of the Granary, Clare;
- (5) National Planning Policy Framework and Proposed Changes to Local Planning Regulations: Consultation Documents; and
- (6) Visit to Eastern Enterprise Hub.

### Recommendations:

#### **1. 7<sup>th</sup> Annual Corporate Environmental Performance Report**

- (1) The contents of Report C106 and Annexes be noted; and
- (2) the proposed changes to the Corporate Environmental Targets, set out in Annex 2 of Report C106, be adopted.

#### **2. St Edmundsbury Local Development Framework Supplementary Planning Document: Development Design and Impact**

Subject to full Council approval, the amended draft Supplementary Planning Document on Development Design and Impact, as contained in Appendix A of Report C107, be adopted.

#### **3. Replacement St Edmundsbury Borough Local Plan 2016: Development Brief for Land East of the Granary, Clare**

Subject to full Council approval, the Development Brief for the development of land east of The Granary, Clare, attached as Appendix A to Report C108, be adopted as non-statutory planning guidance for the determination of future planning applications.

#### **4. National Planning Policy Framework and Proposed Changes to Local Planning Regulations: Consultation Documents**

The comments of the Sustainable Development Working Party in respect of the two consultation documents be included in the submission of the Council's response to the Government.

#### **5. Consultation on Major Planning Application by Breckland District Council**

- (1) The Interim Joint Head of Planning, in consultation with the Chairman of the Sustainable Development Working Party and the Portfolio Holder for Transport and Planning, be given delegated authority to submit comments to Breckland District Council on the planning application and the Thetford Area Action Plan; and
- (2) any appropriate comments of the Sustainable Development Working Party be included into that response.



**15. Recommendations from Bury St Edmunds Area Working Party:  
13 September 2011 (Sep11/04)**

*Cabinet Member – Robert Everitt;*

*Contact Officer – Sandra Pell*

*Telephone: 01284-757230*

*e-mail: sandra.pell@stedsbc.gov.uk*

Report **C133 TO FOLLOW**.

Summary and reasons for recommendations:

On 13 September 2011 the Bury St Edmunds Area Working Party will consider the following items:-

- (1) Business Festival 2011;
- (2) Bury St Edmunds Summit: 13 October 2011;
- (3) Town Vitality/Viability Indicators and Benchmarking Progress;
- (4) Development Pipeline Update;
- (5) Great Town Award;
- (6) Markets Business Plan;
- (7) Engineering Update;
- (8) Advertising Consent/A Boards/Licensing Update; and
- (9) Bid4Bury Marketing Initiative.

Recommendations:

Recommendations emanating from this meeting of the Bury St Edmunds Area Working Party will follow as Report C133.

**16. Recommendations from Rural Area Working Party:  
12 September 2011 (Sep11/05)**

*Cabinet Member – John Griffiths;*

*Contact Officer – Alex Wilson*

*Telephone: 01284-757695*

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

Report **C134 TO FOLLOW**.

Summary and reasons for recommendations:

On 12 September 2011 the Rural Area Working Party will consider the following items:-

- (1) Membership Organisation for People Over 50;
- (2) Community Safety;
- (3) Replacement St Edmundsbury Borough Local Plan 2016: Development Brief for Land East of the Granary, Clare; and
- (4) Rural Area Working Party Work Programme.

Recommendations:

Recommendations emanating from this meeting of the Rural Area Working Party will follow as Report C134.

## 17. **Generating Income from Renewable Energy (Sep11/09)**

*Cabinet Member – Peter Stevens;*

*Contact Officer – Peter Gudde*

*Telephone: 01284-757042*

*e-mail: peter.gudde@stedsbc.gov.uk*

Report **C135** attached.

### Summary and reasons for recommendation:

On 14 December 2010 full Council approved that 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 and the Cabinet be given delegated authority to approve the final scheme.

This report summarises the procurement process that has been followed to secure a preferred supplier for the installation of solar photovoltaics on key Council property.

Details of the preferred bid are set out in *Exempt Annex 2*.

### Recommendation:

That the preferred supplier(s) set out in *Exempt Annex 2* of Report C135 be awarded the contract for the installation of solar photovoltaics on Council property.

## 18. **The Apex Business Plan (Sep11/06)**

*Cabinet Member – Sara Mildmay-white;*

*Contact Officer – Neil Anthony*

*Telephone: 01284-757064*

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

Report **C136** attached.

### Summary and reasons for recommendations:

The Apex in Bury St Edmunds opened in October 2010 and its first year of operation has demonstrated its potential as both an artistic and community venue. This paper looks at some of the key lessons learned and presents proposals to Cabinet to take The Apex project forward into its next stages.

### Recommendations:

- (1) The refreshed vision for The Apex, as detailed in paragraph 4.2 of this report, be approved and the summary of the Venue Director's proposals for business development, as detailed in paragraph 4.7, be noted;
- (2) it also be noted that a catering contractor for The Apex (and other town centre venues) will be appointed in December 2011;
- (3) subject to the approval of full Council, an additional capital budget of up to £35,000 be allocated to allow a supplementary scheme of works to the frontage, signage and foyer of The Apex to be implemented;

- (4) subject to the consent of the Fire Service, plans for the inclusion of a permanent bar/café counter in the foyer area be developed;
- (5) subject to the approval of full Council, a further sum of up to £50,000 be allocated as a contingency in the capital programme for the provision of the new bar if the Chief Finance Officer assesses that there is a greater return for the taxpayer through the Council making this investment rather than the new catering contractor; and
- (6) in consultation with the Portfolio Holder for Economy & Asset Management, Culture & Sport, the Corporate Directors for Community Services and Economy & Environment, as appropriate, be authorised to seek the necessary consents for and approve the final details and implementation of any additional works to the frontage, signage and foyer of The Apex, within agreed budgets.

## **Part 2 – Private**

**None**