

Enquiries regarding this Agenda:
Steven Lincoln (01284) 757108

Cabinet

***Wednesday 1 February 2012 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> |
|----------------------------|---|--|
| Terry Clements | - | Planning and Transport |
| Robert Everitt | - | Tourism and Community Services |
| Anne Gower | - | Housing, Licensing and Environmental Health |
| John Griffiths | - | Corporate and Rural Affairs |
| Sara Mildmay-White | - | Culture and Sport |
| David Ray | - | Performance and Resources |
| Peter Stevens | - | Environment and Waste Management |

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 meetings held on 23 November and 20 December 2011 (copies 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 Performance and Audit Scrutiny Committee: 28 November 2011

Chairman – John Hale;

*Contact Officer – Adriana Stapleton
Telephone: 01284-757613
e-mail: adriana.stapleton@stedsbc.gov.uk*

Report **C314** attached.

Summary and reasons for recommendation:

On 28 November 2011 the Performance and Audit Scrutiny Committee considered the following items:-

- (1) Delivering a Sustainable Budget 2012/2013;
- (2) Review of the Capital Programme; and
- (3) Capital Programme Audited Accounts.

Recommendation:

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

5. Report of the Overview and Scrutiny Committee: 11 January 2012

Chairman – David Nettleton;

*Contact Officer – Adriana Stapleton
Telephone: 01284-757613
e-mail: adriana.stapleton@stedsbc.gov.uk*

Report **C315** attached.

Summary and reasons for recommendation:

On 11 January 2012 the Overview and Scrutiny Committee considered the following items:-

- (1) Cabinet Forward Plan: January to April 2012;
- (2) 2011/2012 Work Programme: Update;
- (3) Review of the first six months of overview and scrutiny since the 2011 elections: July to December 2011;
- (4) Update from Task and Finish Group: Article 4 Directions;
- (5) Affordable Housing: Annual Update; and
- (6) Quarter 3 Directed Surveillance Authorised Applications.

Recommendation:

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

**6. Recommendations from Shared Services Steering Group:
23 November and 6 December 2011**

*Cabinet Members – John Griffiths;
and David Ray*

*Contact Officer – Louise Hammond
Telephone: 01284-757008
e-mail: louise.hammond@stedsbc.gov.uk*

(a) 23 November 2011

Report **C316** attached

Summary and reasons for recommendation:

On 23 November 2011 the Shared Services Steering Group considered the following items:-

- (1) Shared Services Project Update;
- (2) Updated Shared Services Communications Strategy;
- (3) Customer Access Project;
- (4) Phase 2 Services; Presentation on Emerging Themes and Opportunities;
- (5) West Suffolk Waste and Street Scene Services Partnership: Progress of Business Plan to Achieve a Single Service; and
- (6) Shared Services Project Board: Notes.

Recommendation:

Communications Strategy

The updated Shared Communications Strategy, as detailed in Report SSG/11/002, be approved.

(b) 6 December 2011: For information only

On 6 December 2011 the Shared Services Steering Group considered the Communications Shared Service: Full Business Case, and recommended it for approval, together with the allocation of £17,000 transitional funding for 2012/2013. A special meeting of Cabinet was held on 20 December 2011 which approved these recommendations.

**7. Recommendations from Grant Working Party: 6 December 2011
(Feb12/01)**

Cabinet Member – Robert Everitt;

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

Report **C317** attached.

Summary and reasons for recommendations:

On 6 December 2011 the Grant Working Party considered the following items:-

- (1) Rural Initiatives Grant Scheme (RIGS): Applications for Project Funding: 2011/2012;
- (2) 2012/2013 Core Funding Applications from Voluntary Organisations;
- (3) Grants or Management Fees for Former Council Leisure Services;

- (4) Brecks Partnership and Dedham Vale Area of Natural Beauty (AONB) and Stour Valley Project; and
- (5) Tackling Drug and Alcohol Problems.

Recommendations:

All the recommendations are listed in Report C317.

8. Recommendations from Shared Offices Joint Committee (formerly West Suffolk House Joint Committee): 20 January 2012 (Feb12/04)

*Cabinet Members – John Griffiths and David Ray; Contact Officer – Ivan Sams
Telephone: 01284-757304
e-mail: ivan.sams@stedsbc.gov.uk*

Report **C318** attached.

Summary and reasons for recommendations:

On 20 January 2012 the West Suffolk House Joint Committee considered the following items:-

- (1) Terms of Reference;
- (2) Report of the West Suffolk House Building Manager;
- (3) Generating Income from Renewable Energy; and
- (4) Items of Interest.

Recommendations:

Terms of Reference

- (1) The amended Terms of Reference for the West Suffolk House Joint Committee, attached as Appendix 2 to Report C294 as amended, be approved as the Terms of Reference for the Shared Offices Joint Committee;
- (2) the West Suffolk House Joint Committee be renamed the Shared Offices Joint Committee; and
- (3) delegated authority be granted to the Head of Legal Services of Suffolk County Council and the Head of Legal and Democratic Services of the Borough Council to amend the Joint Committee Constitutional Agreement in line with the amended Terms of Reference for the Joint Committee.

9. Pay Policy Statement 2012/2013 (Feb12/10)

Cabinet Member – David Ray

Contact Officer – Louise Hammond

Telephone: 01284-757008

e-mail: louise.hammond@stedsbc.gov.uk

Report **C319** attached.

Summary and reasons for recommendations:

Section 38/11 of the Localism Act 2011 requires local authorities to produce a Pay Policy Statement for 2012/2013 by 31 March 2012 and for each financial year thereafter.

The Pay Policy Statement being recommended for adoption is attached at Appendix A to Report C319. Forest Heath District Council (FHDC) will be adopting this same format and it is anticipated that a single Pay Policy will be produced for both Councils from 2013/2014.

Recommendations:

The Pay Policy Statement for 2012/2013, attached as Appendix A to Report C319, be approved for consideration by Council on 28 February 2012.

10. Discretionary Rate Relief: Charitable and Non Profit Making Organisations (Feb12/13)

Cabinet Member – David Ray

Contact Officer – Liz Watts

Telephone: 01284-757252

e-mail: liz.watts@stedsbc.gov.uk

Report **C320** attached.

Summary and reasons for recommendations:

The Discretionary Rate Relief Guidelines were approved by Cabinet on 17 September 2008 (minute 58 refers). It was agreed by Cabinet that a periodic review of the guidelines be undertaken, and any subsequent changes be proposed as appropriate.

Recommendations:

In order that Discretionary Rate Relief Awards can continue to be made in an efficient, fair and transparent manner, Cabinet is recommended to approve that:-

- (a) the list of organisations **not** eligible for discretionary rate relief is expanded to include organisations set out in bold in paragraph 2.4.1 of Report C320;
- (b) any applicant with reserves or annual surpluses above the following levels are **not** eligible for discretionary rate relief:-
 - (i) **Reserves:** £100,000 in reserves, including a minimum of £30,000 in liquid assets; or
 - (ii) **Average annual surplus:** £25,000
- (c) a Discretionary Rate Relief Award cap be set at £5,000 per organisation per annum.

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

11. Queen's Diamond Jubilee Celebrations (Feb12/09)

*Cabinet Member – Sara Mildmay-White; Contact Officer – Damien Parker
Telephone: 01284-757090
e-mail: damien.parker@stedsbc.gov.uk*

Report **C321** attached.

Summary and reasons for recommendations:

This report sets out the proposed arrangements being put in place within the Borough to Celebrate Queen Elizabeth II's Diamond Jubilee.

Recommendations:

- (1) Details surrounding the Borough Council's support in facilitating community organisations to hold events of their own be supported;
- (2) proposal in respect of the reinstatement of the old beacon in Eastgate Nursery, Bury St Edmunds and a beacon be lit at St Mary's Church, Haverhill be supported; and
- (3) commemorative tree planting, landscape and naming proposals in both the rural and town areas, as outlined in Report C321, be approved.

12. Gypsy and Traveller Site: Kelly's Meadows, Depden

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

Report **C322 TO FOLLOW**.

13. Empty Homes and Wasted Space Strategy 2009–2011

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

The Empty Homes and Wasted Space Strategy was approved by Cabinet on 16 September 2009 (minute 51 refers).

During the life of the Strategy there have been a number of successes including: the setting up of an Empty Homes Steering Group (multi-departmental task force); the process of identifying and monitoring empties which is now well established; and the private sector leasing scheme with Housing Action is progressing despite the market being a difficult one at this time.

The Strategy outlines those empty homes which will be targeted robustly for action, namely those that have been empty for more than 12 months and that are causing nuisance to neighbours. However, officers also try to engage with

all empty home owners where the property has been empty for more than 12 months through correspondence and discussion. Identifying the number of empty homes in the Borough is a 'snapshot in time' as there is constant movement of empty properties as they are brought back into use and others become empty so exact monitoring can be difficult. However, since the Strategy was implemented in 2009 (when there were 487 identified as being empty over 6 months), over 300 long term empty properties have been brought back into use. As at December 2011 there were 301 empty properties over 6 months old, of which 123 are long term empty properties (over 12 months) the owners of which are all actively engaging and liaising with officers. 3 of these properties have been empty for more than 10 years, and are being brought back into use directly as a result of officers' interventions. In 47 other cases, renovation work is being undertaken or the property is on the market for sale and progress is being monitored by officers. The remainder are in discussion with officers about the options available for them. The option for the Borough Council to pursue a Compulsory Purchase Order is available, however, it has not been necessary to start legal proceedings, which are both expensive and time consuming, as negotiation has been successful in persuading owners to take action to bring the properties back into use.

The Strategy is now due for a review, but as it has been effective during the past two years it is recommended that the current Strategy is extended for a further 6 months. A full refresh of the strategy will then be carried out jointly with Forest Heath District Council as part of the shared services agenda during 2012.

One of the options in the Strategy is for owners to bring an empty property back into use via the private sector leasing scheme which the Council has entered into with Housing Action. Subject to certain terms and conditions under the private sector leasing scheme, Housing Action can provide owners with a guaranteed rent, covering damage, voids and any tenant debt. The Council has been working in partnership with Housing Action in providing a private sector leasing scheme since April 2011, and they have a target to bring 75 new properties onto the scheme in the first 5 years. There are currently 30 properties in the private sector leasing scheme which includes 22 from the previous scheme that transferred to Housing Action from Havebury Housing Partnership (Havebury), and a further 8 which Housing Action have brought into the scheme, and a further 2 properties in the pipeline about to be brought into the scheme. Officers are also working with Housing Action to deliver a promotional event in February/March 2012 to further promote the scheme to potential landlords.

Bringing empty properties back into use through the private sector leasing scheme will not only assist Housing Action in achieving their target of 75 new properties for the scheme but also see the Council receive 'new homes bonus' for every empty property brought back into use.

As part of the Strategy, Cabinet approved the sum of £75,000 to be set aside from the affordable housing capital allocation to be used to help bring empty homes back into use. That funding could be used to offer grants to private owners to facilitate necessary works to properties to make them habitable and lettable. In return owners are required to provide nomination rights to the Borough Council for an agreed period of time, which means applicants from the housing register will be housed in these properties.

Cabinet is requested to consider a change from offering grants to private owners to offering loans instead. In this way the money can be recouped and

recycled, thus assisting more empty homes onto the scheme. This has been successfully used by Housing Action in other areas they are operating.

Owners who wish to access a loan will be required to enter into a leasing agreement with Housing Action Ltd under the terms of the private sector leasing scheme. The owner would agree that a portion of the money owed each month from the leasing agreement would be paid directly to the Borough Council until the loan is repaid. Interest will be charged on the loan in line with other loans the council has made.

Recommendations:

It is **RECOMMENDED** that:-

- (1) the current Empty Homes and Wasted Space Strategy 2009–2011 be extended for a further 6 months to allow a full refresh to be carried out jointly with Forest Heath District Council; and
- (2) the change from giving grants to providing loans for owners to make improvements to their houses in return for nomination rights from the housing register be approved.

Corporate Priority: Securing a Sustainable and Attractive Environment

**14. Recommendations from Sustainable Development Working Party:
31 January 2012 (Feb12/06)**

*Cabinet Member – Terry Clements and
Peter Stevens*

*Contact Officer – Sandra Pell
Telephone: 01284-757302
e-mail: sandra.pell@stedsbc.gov.uk*

Report **C323 TO FOLLOW**.

Summary and reasons for recommendations:

On 31 January 2012 the Sustainable Development Working Party will consider the following items:-

- (1) Joint Suffolk Section 106 Supplementary Planning Document;
- (2) Air Quality Management and New Development: Draft Supplementary Guidance;
- (3) Mid Suffolk District Council Core Strategy: Focused Review Submission Consultation;
- (4) St Edmundsbury Local Development Framework: Draft Bury St Edmunds Vision 2031: Consultation;
- (5) St Edmundsbury Local Development Framework: Draft Haverhill Vision 2031: Consultation;
- (6) St Edmundsbury Local Development Framework: Draft Rural Vision 2031: Consultation; and
- (7) St Edmundsbury Retail Appraisal 2011.

Recommendations:

Recommendations emanating from this meeting of the Working Party will follow as Report C323.

**15. Recommendations from Rural Area Working Party:
23 January 2012 (Feb12/05)**

Cabinet Member – John Griffiths;

*Contact Officer – Alex Wilson
Telephone: 01284-757695
e-mail: alex.wilson@stedsbc.gov.uk*

Report **C324 TO FOLLOW**.

Summary and reasons for recommendations:

On 23 January 2012 the Rural Area Working Party considered the following items:-

- (1) Parish Conference Planning: Spring 2012;
- (2) Draft Rural Vision 2031 Document; and
- (3) Rural Area Working Party Work Programme.

Recommendations:

Recommendations emanating from this meeting of the Area Working Party will follow as Report C324.

**16. Recommendations from Bury St Edmunds Area Working Party:
24 January 2012 (Feb12/03)**

Cabinet Member – Robert Everitt;

*Contact Officer – Sandra Pell
Telephone: 01284-757230
e-mail: sandra.pell@stedsbc.gov.uk*

Report **C325 TO FOLLOW**.

Summary and reasons for recommendations:

On 24 January 2012 the Bury St Edmunds Area Working Party will consider the following items:-

- (1) Amendments to the boundaries of the Bury St Edmunds Town Centre and Victoria Street Conservation Areas;
- (2) Highways Update;
- (3) Vision 2031;
- (4) Town Vitality/Viability Indicators; and
- (5) Annual Ratepayers Event: 19 January 2012.

Recommendations:

Recommendations emanating from this meeting of the Area Working Party will follow as Report C325.

**17. Recommendations from Haverhill Area Working Party:
26 January 2012 (Feb12/02)**

Cabinet Member – Anne Gower;

Contact Officer – Geoff Rivers

Telephone: 01284-757009

e-mail: geoff.rivers@stedsb.gov.uk

Report **C326 TO FOLLOW**.

Summary and reasons for recommendations:

On 26 January 2012 the Haverhill Area Working Party will consider the following items:-

- (1) Haverhill Community Football Project;
- (2) Public Art in the Town Centre of Haverhill (PATCH): Update;
- (3) Draft Haverhill Vision 2031 Document;
- (4) Haverhill Shopper Project: Update;
- (5) BT/Openreach Installation of Superfast Broadband in Haverhill;
- (6) High Street Improvement Scheme, Haverhill: Update;
- (7) Naming of the Public Plaza;
- (8) Welcome Signs for Haverhill; and
- (9) Terms of Reference.

Recommendations:

Recommendations emanating from this meeting of the Area Working Party will follow as Report C326.

18. Abbey Gardens, Bury St Edmunds: Application to Heritage Lottery Fund Parks for People Programme (Feb12/12)

Cabinet Member – Sara Mildmay-White;

Contact Officer – Damien Parker

Telephone: 01284-757090

e-mail: damien.parker@stedsb.gov.uk

Report **C327** attached.

Summary and reasons for recommendations:

Following the work undertaken by a Member steering group, the Borough Council adopted a management plan for Abbey Gardens in 2010. The management plan set out a number of aspirations for the future of the site, some of which required significant financial investment. In order to try and progress some of those aspirations and ensure that the Gardens remain a popular and well maintained venue, Officers investigated a range of possible funding sources. The only major source of external funding for improvements of the scale proposed in the Abbey Gardens is the Heritage Lottery Fund (HLF) Parks for People Programme. An initial bid for funding to the HLF was submitted in February 2011. Despite this initial bid being unsuccessful the Borough Council received some useful feedback, which will help inform a proposed future bid.

The HLF Parks for People scheme is a two-stage application process. The first stage application sets out the outline plans and funding estimates to complete

the project. It also requests the funding necessary to consult on and draw together the more detailed feasibility works to inform the stage two applications. The application that the Borough Council made in February 2011, and is now re-making, is a stage one application. Stage one is highly competitive and despite our initial stage one bid being unsuccessful, the HLF was very supportive of the Borough Council trying again (see feedback in Appendix 1 attached to the report).

The Borough Council, with help from the Friends of Abbey Gardens, conducted a consultation on the 10 December 2011 concerning the outline plans, which had been prepared for the stage one bid. Over 130 people were recorded attending the event, and the majority were broadly supportive of the proposals, although certain aspects were deemed more contentious.

This report sets out the contents of the proposed bid for consideration by the Cabinet.

Recommendations:

- (1) Officers be authorised to pursue a stage one Heritage Lottery Fund (HLF) Parks for People grant application for the works proposed in Abbey Gardens; and
- (2) subject to the bid being successful, a working party of Members is appointed to oversee the project through to completion.

19. Suffolk County Council's Transfer of Country Parks and the future of Clare Castle Country Park (Feb12/14)

*Cabinet Member – Sara Mildmay-White; Contact Officer – Damien Parker
Telephone: 01284-757090
e-mail: damien.parker@stedsbc.gov.uk*

Report **C328** attached.

Summary and reasons for recommendations:

There are two Suffolk County Council Country Park sites within the Borough of St Edmundsbury, these being Knettishall Heath Country Park and Clare Castle Country Park. The County Council has adopted a policy of seeking to transfer its management and maintenance responsibilities for its Country Parks to more local control. This report sets out the extent of the Borough Council's involvement in trying to ensure that there are sustainable measures put in place to ensure that the current County Councils park facilities within the Borough have a long term future.

Suffolk Wildlife Trust has put forward a bid to take on the management of Knettishall Heath Country Park, and officers believe that the Trust are well placed to take on this responsibility.

Public consultation concerning possible options for the future management of Clare Country Park, organised by the County Council, is scheduled to take place on 8 February 2012. This report outlines how the Borough Council has been asked to assist this process. This assistance may require the operational involvement of the Borough Council's Parks Service in the future management

of the Park, but only if that is an option desired by the local community, and one that can be achieved on a cost neutral basis to the authority. In order that the outcome of the consultation exercise can be acted upon in 2012/2013, it is also proposed that, if applicable, Cabinet authorises officers to put in place any support and services requested from the Borough Council by the local community under the chosen option.

Recommendations:

- (1) The proposal from Suffolk Wildlife Trust to manage Knettishall Country Park be supported; and
- (2) subject to it being on a cost neutral basis to the Borough Council, and as outlined in section 5 of Report C328, that the Head of Leisure Services, in consultation with the Portfolio Holder for Culture and Sport and the Local Ward Member for Clare, be authorised to negotiate and implement arrangements for any involvement of the Borough Council in the future management of Clare Country Park if such a role is required in order to implement the option selected by the local community through the February 2012 public consultation exercise.

20. Report from the West Suffolk Waste and Street Scene Services Joint Committee: 27 January 2012 (Feb12/07)

Cabinet Member – Peter Stevens;

Contact Officer – Mark Walsh

Telephone: 01284-757300

e-mail: mark.walsh@stedsbcc.gov.uk

Report **C329 TO FOLLOW.**

Summary and reasons for recommendations:

On 27 January 2012 the West Suffolk Waste and Street Scene Services Joint Committee will consider the following items:-

- (1) Procurement of Waste Transfer and Recycling Services;
- (2) Vehicle Procurement Programme; and
- (3) Options for Diverting Organic Waste.

Recommendations:

Recommendations emanating from this meeting of the Joint Committee will follow as Report C329.

21. Vision 2031: Issues Consultation 2011 Feedback

Cabinet Member – Terry Clements;

Contact Officer – Ian Poole

Telephone: 01284-757350

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

Report **C330 TO FOLLOW.**

Summary and reasons for recommendation:

Cabinet is aware that initial consultation on issues and possible visions for the three Vision 2031 documents took place in February and April 2011. People

were invited to submit comments on-line, via postcards, email and normal written correspondence.

All the comments received have been considered in preparing the content of the draft Vision 2031 documents for Bury St Edmunds, Haverhill and the Rural Area that have been considered by the respective Area Working Parties and the Sustainable Development Working Party in January 2012. The recommendations of those working parties in respect of the draft documents are considered elsewhere on this agenda.

As part of the formal town planning process, a report of the public consultation has to be published that summarises the comments received and the local planning authority's response to them. **Paper C330** is a draft Vision 2031 Issues Consultation Feedback Report. It summarises all the comments submitted to the Borough Council during the February to April 2011 consultation and a proposed response to them.

Recommendation:

Cabinet is recommended to approve the Consultation Feedback Report, Report C330, for publication.

**EXEMPT INFORMATION – EXCLUSION OF PUBLIC
TERMS OF FORMAL RESOLUTION**

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

Part 2 – Private

**Corporate Priority: Raising Corporate Standards and
Efficiency**

22. Revenues Collection Performance and Write Offs

Cabinet Member – David Ray;

Contact Officer – Liz Watts

Telephone: 01284-757252

e-mail: liz.watts@stedsbc.gov.uk

Report **C331** attached.

Summary and reasons for recommendations:

The Revenues Section collects outstanding debts in accordance with either statutory guidelines or Council agreed procedures. When all these procedures

have been exhausted the outstanding debt is written off using the delegated authority of the Chief Finance Officer (for debts up to £1,500) or by Cabinet (for debts over £1,500).

The specific reasons for recommending each write off are included in Exempt Appendices 1, 2, 3 and 4.

The Collection Data in respect of Council Tax, National Non Domestic Rates and Sundry Debts is shown in Section 8 of this report.

Recommendations:

The write off of the amounts detailed in the exempt appendices to Report C331 be approved as follows:-

Exempt Appendix 1: 24 accounts for Council Tax totalling £63,130.65;
Exempt Appendix 2: 29 accounts for Business Rates totalling £167,671.82;
Exempt Appendix 3: 4 accounts for Sundry Debts totalling £7,854.97; and
Exempt Appendix 4: 2 Housing Benefit overpayments totalling £8,212.94.

Exempt Papers relating to previous item

23. Exempt Appendices: Revenues Collection Performance and Write Offs

Cabinet Member – David Ray

Contact Officer – Liz Watts

Telephone: 01284-757252

e-mail: liz.watts@stedsbc.gov.uk

Exempt Appendices 1, 2 and 3 to Report **C331** attached.