

Enquiries regarding this Agenda:
Steven Lincoln (01284) 757108

Cabinet

***Wednesday 23 May 2012 at 5.00 pm
in the Conference Chamber 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*

The Constitution of the Cabinet is to be announced under item 6 on the agenda of the Annual Meeting of the Council to be held on 17 May 2012. As this Cabinet agenda was prepared prior to the Annual Meeting of the Council it reflects the Portfolio Holders and the portfolios held immediately prior to the Annual Meeting.

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 28 March 2012 (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: 18 April 2012**

Chairman – David Nettleton;

Contact Officer – Adriana Stapleton

Telephone: 01284-757613

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

Report **D5** attached.

Summary and reasons for recommendation:

On 18 April 2012 the Overview and Scrutiny Committee considered the following items:-

- (1) Cabinet Forward Plan: April to July 2012;
- (2) Work Programme: Update and Suggestion for Scrutiny;
- (3) Final Report of the Task and Finish Group
Universal Coverage of Broadband in St Edmundsbury;
- (4) Final report of the Task and Finish Group:
Review of the Continuing Success of the Bury St Edmunds Christmas Fayre;
- (5) Final report of the Task and Finish Group:
The Variable Quality of Paving in Bury St Edmunds Town Centre;
- (6) Interim Report of the Task and Finish Group:
Litter Collection and Litter/Dog Bin Distribution in the Borough;
- (7) Interim Report of the Task and Finish Group:
The Co-ordination of Licensing, Planning and Enforcement Functions Relating to Street Vending (the "A Boards" Review);
- (8) Update from Task and Finish Group:
Article 4 Directions/Conservation Area Policy;
- (9) Update: The Stanton Grundle; and
- (10) Quarter 4 Directed Surveillance Authorised Applications

A separate report is included on this Cabinet agenda for item (4) above.

Recommendation:

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

5. Report of the Overview and Scrutiny Committee: Review of the Continuing Success of the Bury St Edmunds Christmas Fayre (Jun12/04)

*Cabinet Member – Robert Everitt; Contact Officer – David Bayliss
Telephone: 01284-757080
e-mail: david.bayliss@stedsbc.gov.uk*

Report **D6** attached.

Summary and reasons for recommendations:

The Bury St Edmunds Christmas Fayre attracts many thousands of visitors to the area, and has grown steadily in size and popularity since its inception in 2004. The last Fayre in 2011 was the largest so far, with an estimated 100,000 people enjoying the festive event over the three-day period. To ensure the event remains a success, the Overview and Scrutiny Committee decided that it would benefit from a review of all aspects connected with the delivery of the Fayre. A Task and Finish Group was established to undertake the review, which comprised Members and officers.

Following the detailed appraisal, including the undertaking of extensive consultation, a number of recommendations to ensure the Fayre's continuing success were formulated, which were considered and endorsed by the Committee.

Recommendations:

- (1) The provision of additional and/or alternative sites for Park and Ride for use over the period of the Bury St Edmunds Christmas Fayre be investigated as a matter of urgency;
- (2) due to the size and how spread out the Fayre is, a system of segmentation of areas be introduced, with each area managed by an officer or steward, in order to provide more support to the event manager;
- (3) the Bury St Edmunds Christmas Fayre should remain a community event;
- (4) the Vision Statement for the Bury St Edmunds Christmas Fayre, as set out in Section 3.2 of Report C439, ie "The Christmas Fayre is a fun, festive and inclusive event for all ages designed to attract visitors, promote the area and have a positive effect on local people, and has a huge economic impact on businesses and the local area; spread throughout the town, the local community should continue to be a great part of its success", be adopted;
- (5) to help alleviate congestion and aid visitor flow, a map be produced that advertises other routes and quieter times around the town;
- (6) to further alleviate pedestrian congestion and promote the whole area, the utilisation of other parts of the town be investigated and, in consultation with highways and car park staff, be implemented if practical;
- (7) subject to investigation of the legal position, the Market could take place during the whole three days of the Fayre if appropriate; and

- (8) an online questionnaire be developed to receive customer feedback and additional information on Fayre users.

**6. Report of the Performance and Audit Scrutiny Committee:
30 April 2012**

Chairman – John Hale;

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

Report **D7** attached.

Summary and reasons for recommendation:

On 30 April 2012 the Performance and Audit Scrutiny Committee considered the following items:-

- (1) Internal Audit Charter;
- (2) Internal Audit Strategy;
- (3) Internal Audit Annual Report 2011/2012, Review of the Effectiveness of Internal Audit, and Outline Audit Plan 2012/2013;
- (4) Audit Commission Presentation of Audit Plan: Audit 2011/2012;
- (5) Audit Commission Presentation of Certification of Claims and Returns: Annual Report;
- (6) External Audit Fees: 2012/2013;
- (7) Key Performance Indicators: Fourth Quarter 2011/2012;
- (8) Biannual Corporate Complaints and Compliments Digest;
- (9) Budget Monitoring Report: 1 April 2011 to 29 February 2012;
- (10) Corporate Risk Register: Quarterly Monitoring Report; and
- (11) Annual Procurement Report 2011/2012.

A separate report is included on this Cabinet agenda for item (1) above.

Recommendation:

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

7. Report of the Performance and Audit Scrutiny Committee: Internal Audit Charter (Jun12/07)

Cabinet Member – David Ray;

*Contact Officer – Jon Snares
Telephone: 01284-757239
e-mail: jon.snares@stedsbc.gov.uk*

Report **D8** attached.

Summary and reasons for recommendation:

The Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice for Internal Audit in Local Government 2006 requires the Council to formally define the nature, role, responsibilities and reporting lines of Internal Audit in an Internal Audit Charter consistent with the Code.

In response to this, the Internal Audit Section operates an Internal Audit Charter which is reviewed annually, with any significant revisions presented to the Performance and Audit Scrutiny Committee. On 30 April 2012, the

Committee considered amendments to the Charter, which had been proposed to reflect the Internal Audit shared service arrangement between St Edmundsbury Borough Council and Forest Heath District Council. A number of other minor amendments had also been made to ensure the document remained accurate, and in line with good practice.

Recommendation:

The revised Internal Audit Charter, as set out in Appendix A to Report C450, be approved.

8. Annual Review and Appointment of Cabinet Working Parties and Other Groups

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

Report **D9** attached.

Summary and reasons for recommendations:

The Cabinet reviews annually its Working Parties and Groups, including membership and Terms of Reference.

Recommendations:

(1) Joint Staff Consultative Working Party

The arrangements for the merging of the Joint Staff Consultative Working Party with the equivalent at Forest Heath District Council be progressed as soon as possible.

(2) Joint Groups

The Membership of the joint groups listed in Section 3.3 of Report D9 be reviewed.

(3) Joint Development Management Policies Committee

Appointments are made to this Joint Committee.

(4) Working Parties

(1) A review be undertaken into the operation of the Cabinet Working Parties, and that a final report be presented to the Cabinet at its meeting scheduled for 12 September 2012; and

(2) in the meantime, the current Working Parties continue to operate.

9. New Standards Provisions in the Localism Act 2011 (Jun12/02)

*Cabinet Member – David Ray; Contact Officer – Joy Bowes
Telephone: 01284-757141
e-mail: joy.bowes@stedsbc.gov.uk*

Report **D10 TO FOLLOW**.

**10. Recommendations from the Shared Services Steering Group:
20 April 2012 (Jun12/01)**

*Cabinet Members – John Griffiths and David Ray; Contact Officer – Louise Hammond
Telephone: 01284-757008
e-mail: louise.hammond@stedsbc.gov.uk*

Report **D11** attached.

Summary and reasons for recommendations:

On 20 April 2012 the Shared Services Steering Group considered the following items:-

- (1) Shared Services Project Update;
- (2) Customer Access Strategy;
- (3) Environmental Health Service: Business Case;
- (4) Housing Shared Service: Transitional Business Case; and
- (5) Planning Shared Service.

Recommendations:

(1) Customer Access Strategy

- (1) The draft Customer Access Strategy, attached as Appendix 1 to Report No SSG12/014, be endorsed;
- (2) in consultation with the Chairman and Vice-Chairman of the Steering Group, the Strategic Director (Resources) (FHDC) and the Corporate Director (Community Services) (SEBC) be authorised to:-
 - (a) amend the draft Strategy, as required, to reflect the outcomes of an equality impact assessment and any feedback received at the forthcoming Customer Access Workshop for Councillors from both Councils; and then
 - (b) submit a final draft of the Strategy to their respective Cabinets and full Councils for approval at the earliest opportunity.

(2) Planning Shared Service

The outline Planning Shared Service Business Case, as detailed in Exempt Report SSG12/017X, be approved to enable informal consultation with staff and Planning and Development Control Members to be undertaken.

(3) Environmental Health Shared Service: Transitional Business Case

The transitional structure for the Environmental Health Shared Service, as detailed in the Business Case (Exempt Appendix 1 to Report SSG12/015), be supported.

(4) Housing Shared Service: Transitional Business Case

The transitional structure for the Housing Shared Service, as detailed in the Business Case (Exempt Appendix 1 to Report SSG12/016) be supported.

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

**11. Recommendations from the Licensing and Regulatory Committee:
2 April 2012 (Jun12/05)**

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

Report **D12** attached.

Summary and reasons for recommendations:

On 2 April 2012 the Licensing and Regulatory Committee considered the following items:-

- (1) Minutes: Sub-Committees;
- (2) Acceptance of Electronic Representations in Licensing Act 2003 Applications;
- (3) Update on Sex Establishment Licensing;
- (4) Dealing with the Problems of Late Night Drinking: Response to Home Office Consultation;
- (5) Procedure for Expedited Review Applications;
- (6) Street Collections: Proposal to Amend Procedures;
- (7) Summary of Licensing Applications and Appeals: 1 January to 31 March 2012; and
- (8) Exempt Minutes: Licensing and Regulatory Sub-Committee.

Recommendations:

(a) Acceptance of Electronic Representations in Licensing Act 2003 Applications

Hard copies of electronic representations (emails) submitted in respect of Licensing Act 2003 applications be no longer necessary.

(b) Street Collections: Proposal to Amend Procedures

- (1) The current requirement to consult with Suffolk Constabulary on applications for street collections be removed; and
- (2) the minimum period between application and the date of the proposed collection is reduced from 28 days to 10 working days.

Corporate Priority: Securing a Sustainable and Attractive Environment

12. Recommendations from the Sustainable Development Working Party: 1 May 2012 (Jun12/03)

*Cabinet Members – Terry Clements
and Peter Stevens;*

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

Report **D13** attached.

Summary and reasons for recommendations:

On 1 May 2012 the Sustainable Development Working Party considered the following items:-

- (1) Suffolk Local Flood Risk Management Strategy: Consultation; and
- (2) Joint Forest Heath and St Edmundsbury Affordable Housing Supplementary Planning Document.

Recommendations:

(1) Suffolk Local Flood Risk Management Strategy: Consultation

The draft Local Flood Risk Management Strategy, as outlined in Report C461, be approved for consultation purposes.

(2) Joint Forest Heath District Council and St Edmundsbury Borough Council Affordable Housing Supplementary Planning Document

- (1) Subject to the re-drafting of paragraph 5.18, the minor textual amendments referred to at the meeting and the Head of Legal and Democratic Services being satisfied as to the content of Appendix C of the document on the Unilateral Undertaking for Off-site Contributions, the draft Forest Heath District Council and St Edmundsbury Borough Council Affordable Housing Supplementary Planning Document, detailed in Appendix A to Report C462, be approved for public consultation; and
- (2) delegated authority be given to the Corporate Director for Economy and Environment, in consultation with the Portfolio Holder for Planning and Transport, to make any necessary minor typographical, grammatical or similar textual changes to the draft prior to publication for consultation purposes.

**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**

13. Environmental Efficiency of the Council's Leisure Centres (Jun12/06)

Cabinet Member – John Griffiths;

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

Report **D14** attached.

Summary and reasons for recommendations:

The Borough Council's two leisure centres are both managed by Abbeycroft Leisure, who pay utility costs directly to suppliers. Abbeycroft Leisure has commissioned an independent survey of their energy and water use. This survey has concluded that, with investment, considerable annual savings could be achieved. This paper deals with the funding of that investment.

Recommendations:

Subject to the approval of full Council:-

- (1) a five year loan of up to £150,000 be offered to Abbeycroft Leisure to enable them to carry out a scheme of environmental improvements at the Borough Council's two leisure centres; and
- (2) in view of the benefits to the Borough Council as landlord, the loan be offered at an interest rate of 2% above base rate, or 5%, whichever is the lower.