

ST EDMUNDSBURY BOROUGH COUNCIL

CABINET

Minutes of a meeting held on Wednesday 21 November 2012 at 5.00 pm in the Conference Chamber 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: Councillors Hale (Chairman of the Performance and Audit Scrutiny Committee), Nettleton (Chairman of the Overview and Scrutiny Committee) and Cox

58. Apologies for absence

No apologies for absence were received.

59. Minutes

The minutes of the meeting held on 12 September 2012 were confirmed as a correct record and signed by the Chairman.

60. Declarations of Interests

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

61. Report of the Overview and Scrutiny Committee: 24 October 2012

Decisions Plan Ref: N/A Cabinet Member: All Portfolio Holders

The Cabinet considered Report D189 (previously circulated) which informed the Cabinet of the following items discussed by the Overview and Scrutiny Committee on 24 October 2012:

- (1) Work Programme Update;
- (2) Decisions Plan – November 2012 to May 2013;
- (3) Final Report of the Task and Finish Group: Review of Car Parking Charges Throughout the Borough;
- (4) St Edmundsbury Tenancy Strategy Monitoring Report;
- (5) Safeguarding Children and Young People Policy and Guidance – Joint 'West Suffolk' Policy; and
- (6) Quarter 2 Directed Surveillance Authorised Applications.

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

62. Report of the Overview and Scrutiny Committee: Final Report of the Task and Finish Group; Review of Car Parking Charges Throughout the Borough

Decisions Plan Ref: Nov12/02 Cabinet Member: Cllr Terry Clements

The Cabinet considered Report D190 (previously circulated) which sought approval for a number of recommendations arising from the Overview and Scrutiny Committee's review of car parking charges throughout the Borough.

A petition had been presented to full Council on 28 February 2012 by the Chief Executive of Bid4Bury, regarding the 'across the board' increase in car parking charges proposed from April 2012. The petition suggested that a far more sophisticated, creative approach to gaining the additional income by the Borough Council was required. The Leader of the Council had responded to the petition by advising Council that *'a review would be undertaken by the appropriate Committee into car parking charges throughout the Borough to see if there were more entrepreneurial ways of charging, and that businesses and other organisations should be involved'*.

The Overview and Scrutiny Committee was subsequently requested to carry out the review. Research had been undertaken into the background to previous years' charging changes, and evidence had been gathered to support changes to the charges from 2013 onwards. After meeting with stakeholders plus public surveys carried out across the car parks in September and October 2012, together with analysing the operation of each of the car parks in the Borough individually, the conclusions of the Review Group were that some car parking charges should alter, but that many should remain the same.

A number of other issues with regard to car parking also arose during the course of the review, and these were covered in the extensive recommendations to Cabinet. For ease of reference, the changes to car parking and season ticket charges proposed in the Overview and Scrutiny Committee's Recommendation (1) were attached at Appendix A to Report D190.

Councillor Nettleton, Chairman of the Overview and Scrutiny Committee, was asked if there was anything he wished to highlight from the review. In response, he drew attention to the Cabinet's previous approval of the offer of two hours free parking and annual season tickets for stays in excess of two hours between 9.00 am and 5.00 pm Monday to Saturdays in the Vinery Road Car Park in Bury St Edmunds (Cabinet Minute 139(2)(d) 16 March 2011 referred); however, he believed these arrangements had yet to be implemented. In addition, he reported that he had received emails from the Chamber of Commerce and Councillor Farmer regarding proposed amendments to particular recommendations of the Committee.

Councillor Nettleton was thanked for his Committee's extensive work in carrying out a full review of car parking charges throughout the Borough which had resulted in a total of 17 recommendations being presented for the Cabinet to consider. However, whilst a number of the recommendations received general support, Members wished to consider each recommendation in further detail before making a final decision on each. The Cabinet, therefore, considered it appropriate to defer consideration of this item to its next meeting arranged for 12 December 2012.

RESOLVED: That

- (1) The Overview and Scrutiny Committee is thanked for the detailed work it has carried out to review car parking charges in the Borough; and
- (2) the Cabinet receives the Committee's recommendations and reports back on 12 December 2012 with its response, so that any actions can be incorporated in the normal budget setting process for 2013/2014.

63. Report of the Overview and Scrutiny Committee: Safeguarding Children and Young People Policy and Guidance – Joint 'West Suffolk' Policy

Decisions Plan Ref: Nov12/05 Cabinet Member: Cllr Robert Everitt

The Cabinet considered Report D191 (previously circulated) which sought approval for a joint Safeguarding Children and Young People Policy and guidance for West Suffolk.

As the shared services programme with Forest Heath District Council (FHDC) progressed, and the joint staff structure was implemented, a joint Safeguarding Children and Young People Policy would be important to avoid any confusion on the process for referring concerns, along with providing contact details of where to go for advice and support.

The joint Policy enabled FHDC and St Edmundsbury Borough Council (SEBC) to fulfil their statutory obligations under the Children Act 2004 by establishing effective arrangements to safeguard and promote the welfare of children and young people. The new Head of Housing for FHDC and SEBC would take on responsibility as 'designated officer', alongside two deputy officers, whose contact details would be added to the Policy, which would then be widely circulated. It was also important that future legislation changes were incorporated into the Policy, and it would therefore, be reviewed on an annual basis.

Councillor Everitt, Portfolio Holder with the responsibility for Safeguarding Children and Young People, drew relevant issues to the attention of the Cabinet.

Councillor Nettleton, Chairman of the Overview and Scrutiny Committee, stated that the Committee had supported the Policy but had recommended some minor amendments, as detailed in the recommendation to full Council below.



RECOMMENDED:

That subject to the approval of full Council: The West Suffolk Joint Safeguarding Children and Young People Policy and Guidelines for Working with Children and Young People, as contained within the Appendix to Report D169, be approved and adopted subject to the following amendments:

- (1) ***Page 6, Paragraph 5.3 – the sentence at the end 'If a Child or Young Person is at immediate risk of significant harm dial 999 as in any emergency' be***

emboldened and moved so as to be the first paragraph of Section 5;

(2) Page 6, Paragraph 6.1 – the last sentence be emboldened; and

(3) Page 11, Paragraph 4, sub paragraph (d) – the words ‘child or’ be inserted before the words ‘Young Person’.

**64. Report of the Performance and Audit Scrutiny Committee:
12 November 2012**

Decisions Plan Ref: N/A

Cabinet Member: All Portfolio Holders

The Cabinet received and noted Report D192 (previously circulated) which informed the Cabinet of the following items discussed by the Performance and Audit Scrutiny Committee on 12 November 2012:

- (1) Mid-Year 2012/2013 Internal Audit Progress Report;
- (2) Joint Anti-Money Laundering Policy;
- (3) Joint National Fraud Initiative Strategy;
- (4) Budget Monitoring Report: 1 April 2012 to 30 September 2012;
- (5) Key Performance Indicators: Second Quarter 2012/2013;
- (6) Biannual Corporate Complaints and Compliments Digest; and
- (7) Mid Year Treasury Management Performance Report and Investment Activity 1 April to 30 September 2012.

Councillor Hale, Chairman of the Performance and Audit Scrutiny Committee, drew relevant issues to the attention of the Cabinet, including that items (2) and (3) were the subject of separate reports on this agenda and the Cabinet’s consideration of these items would follow the noting of this report.

The Cabinet formally noted the content of Report D170, which had firstly been presented to the Treasury Management Sub-Committee prior to the Performance and Audit Scrutiny Committee. Report D170 was the Mid Year Treasury Management Performance Report and Investment Activity 1 April to 30 September 2012, including the extended counterparty lending limits approved by the Chief Finance Officer, in consultation with the Portfolio Holder for Performance and Resources and the Members of the Treasury Management Sub-Committee in October 2012, as set out in Section 4.3.3 of Report D170, namely:

- (a) increased lending limits with ‘blue’ Government-backed counterparties (namely Lloyds and Royal Bank of Scotland groups) from £12 million to £15 million; and
- (b) increased lending limits with ‘green’ counterparties (including banks such as Barclays and Santander) from £4 million to £6 million.

Full Council would also be asked to note Report D170 and the extended counterparty lending limits detailed above.

(Councillor Nettleton left the meeting during the consideration of this item.)

**65. Report of the Performance and Audit Scrutiny Committee:
Joint Anti-Money Laundering Policy**

Decisions Plan Ref: Nov12/09 Cabinet Member: Cllr David Ray

The Cabinet considered Report D193 (amended) (previously circulated) which sought approval for the Joint Anti-Money Laundering Policy.

The Council's current Anti-Money Laundering Policy was last revised in December 2010. It was good practice to review arrangements periodically and as such a review of the Policy had been undertaken to ensure it continued to reflect best practice, legislation and shared services arrangements.

The Joint Anti-Money Laundering Policy aimed to maintain and improve upon the high standards of conduct which currently existed within St Edmundsbury Borough Council (SEBC) to ensure that third parties were not able to use the Council for the purposes of money laundering. The Policy set out the procedures which must be followed to enable both SEBC and Forest Heath District Council to comply with its legal obligations.

Councillor Ray, Portfolio Holder for Performance and Resources, drew relevant issues to the attention of the Cabinet. He highlighted that an amended version of Report D193 had been previously circulated to add an additional recommendation which if approved, would authorise the Head of Resources and Performance, in consultation with himself, to make minor amendments to the Joint Policy without firstly needing to seek approval from the Cabinet and full Council to make such minor changes.

Councillor Hale, Chairman of the Performance and Audit Scrutiny Committee, added that the Committee supported the joint Policy but had recommended an additional sentence to the end of the paragraph 2.3 of the Policy. This addition was accepted by the Cabinet.



RECOMMENDED:

- (1) The Joint Anti-Money Laundering Policy between St Edmundsbury Borough Council and Forest Heath District Council, as set out at Appendix A to Report D180, be recommended for approval through full Council, subject to the addition of the words 'although it is accepted that Members are far less exposed to the risks of money laundering' at the end of paragraph 2.3; and***
- (2) the Head of Resources and Performance be authorised, in consultation with the Portfolio Holder for Performance and Resources, to make any minor typographical, factual, spelling, grammatical and other minor changes to the Joint Anti-Money Laundering Policy as set out at Appendix A to Report D180, provided they do not materially affect the substance or meaning of the Policy.***

**66. Report of the Performance and Audit Scrutiny Committee:
Joint National Fraud Initiative Strategy**

Decisions Plan Ref: Nov12/15 Cabinet Member: Cllr David Ray

The Cabinet considered Report D194 (amended) (previously circulated) which sought approval for the Joint National Fraud Initiative Strategy.

The National Fraud Initiative (NFI) was a data matching exercise which involved the comparison of information held by and between around 1,300 organisations, with the objective of detecting and preventing fraud and error. St Edmundsbury Borough Council (SEBC) and Forest Heath District Council (FHDC) collected and used many different types of data from a wide variety of sources.

This joint NFI Strategy replaced the Strategy currently in place at SEBC, produced in 2008, and was the first such Strategy for FHDC. Since the introduction of the data matching service, participation in the NFI had become mandatory and considered a corporate activity, which also incorporated data security and data protection. The document aimed to define the key roles and responsibilities of all stakeholders involved with the NFI exercise to ensure that fair processing compliance was maintained, mandatory data sets were correctly provided and investigations were undertaken as necessary, based on the associated risks.

The Strategy also set out the key activities and responsibilities of officers in relation to the follow-up of matched reports and reporting progress on the investigation of errors and potential frauds, and also aimed to provide a means of ensuring staff had the correct knowledge, understanding and support in order to discharge their NFI roles and responsibilities.

Councillor Ray, Portfolio Holder for Performance and Resources, drew relevant issues to the attention of the Cabinet. He highlighted that an amended version of Report D194 had been previously circulated to add an additional recommendation which if approved, would authorise the Head of Resources and Performance, in consultation with himself, to make minor amendments to the Joint Strategy without firstly needing to seek approval from the Cabinet and full Council to make such minor changes.

Councillor Hale, Chairman of the Performance and Audit Scrutiny Committee, made additional comments to those of Councillor Ray, which were noted by the Cabinet.



RECOMMENDED:

- (1) The Joint National Fraud Initiative Strategy between St Edmundsbury Borough Council and Forest Heath District Council, as set out in Appendix A to Report D181, be recommended for approval through full Council, subject to the consideration of any recommendations for amendment proposed by Forest Heath District Council;***
- (2) the Internal Audit Manager be given delegated authority to update information on NFI Outcomes (paragraph 1.4) and Data Leads (paragraph 7.3) within the Strategy, as appropriate; and***

- (3) *the Head of Resources and Performance be authorised, in consultation with the Portfolio Holder for Performance and Resources, to make any minor typographical, factual, spelling, grammatical and other minor changes to the Joint National Fraud Initiative Strategy as set out at Appendix A to Report D181, provided they do not materially affect the substance or meaning of the Policy.*

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

67. Recommendations from the West Suffolk Joint Emergency Planning Panel: 9 October 2012

***Decisions Plan Ref: Nov12/16 and Nov12/17 Cabinet Member:
Cllr Robert Everitt***

The Cabinet considered Report D195 (previously circulated) which informed of the recommendations emanating from the meeting of the West Suffolk Joint Emergency Planning Panel held on 9 October 2012.

On 9 October 2012 the West Suffolk Joint Emergency Planning Panel considered the following items:

- (1) Emergency Planning: Incidents and Exercises;
- (2) Business Continuity;
- (3) Community Preparedness;
- (4) Performance and Capability Assessment; and
- (5) Training and Exercising.

Councillor Everitt, Portfolio Holder with the responsibility for emergency planning, drew relevant issues to the attention of the Cabinet. In response to a question, Councillor Everitt stated that whilst the Community Resilience Support Network meetings detailed in Section 4 of Report D157 had already taken place, further meetings were due to be held in St Edmundsbury Borough and Forest Heath District and these would also need promoting within local communities to help them prepare for potential emergencies.

RESOLVED: That

(a) Promotion of Community Resilience Network Meetings

The forthcoming Community Resilience Support Network Meetings, as detailed in Section 4 of Report D157, be promoted with their Councillor colleagues and with Town and Parish Councils in St Edmundsbury Borough and Forest Heath District.

(b) Performance and Capability Performance Report

The proposal to move towards producing a single West Suffolk Capability and Performance Report, as detailed in Section 4 of Report D158, be supported.

**68. Recommendations from the Shared Services Steering Group:
24 October 2012: Transforming Customer Access**

***Decisions Plan Ref: Nov12/12 Cabinet Members: Cllr John Griffiths
and David Ray***

The Cabinet considered Report D196 (previously circulated) which informed of the recommendations emanating from the meeting of the Shared Services Steering Group held on 24 October 2012.

On 24 October 2012 the Shared Services Steering Group considered the following items:

- (1) Transforming Customer Access (i) Target Operating Model for West Suffolk and (ii) Suffolk County Council's Public Access Arrangements: Post 2014;
- (2) Update from the Joint Chief Executive;
- (3) Budget Monitoring of Shared Services Savings; and
- (4) Future Back Office Requirements – Update on Progress.

Councillor Ray, Vice Chairman of the Steering Group, drew relevant issues to the attention of the Cabinet. He stated that a Target Operating Model (TOM) had been developed to support services to undertake detailed Business Process Re-engineering work. The TOM would provide the mechanism by which services ensured that their transformational re-design was consistent with the Borough Councils' and Forest Heath District Councils' customer access vision. Suffolk County Council's proposed District Integration Model, outlined in Appendix B to Report SSG12/027, promoted joined up customer access across the County, Borough and District Councils and therefore whilst a detailed business case needed to be developed, the principle of the District Integrated Model for public access, was supported by the Steering Group. The Cabinet accepted the recommendations as proposed.

In response to a question, the Cabinet was informed that additional suggestions for supporting customer access could possibly be incorporated into the detailed work being undertaken to achieve both Councils' customer access vision.

RESOLVED: That

Transforming Customer Access (i) Target Operating Model for West Suffolk and (ii) Suffolk County Council's Public Access Arrangements Post-2014

- (1) The Target Operating Model , as contained in Appendix A to Report SSG12/027, be approved as a basis for transforming customer access and service delivery across West Suffolk; and
- (2) Suffolk County Council's District Integrated Model for public access, as outlined in Appendix B to Report No SSG12/027, be agreed in principle, with a view to a detailed business case being developed for further consideration by Forest Heath District Council and St Edmundsbury Borough Council at a later date.

69. Recommendations from the West Suffolk Joint Staff Consultative Panel: 29 October 2012: Joint Employee Email and Internet Usage Policy

Decisions Plan Ref: Nov12/13 Cabinet Member: Cllr David Ray

The Cabinet considered Report D197 (previously circulated) which sought approval for the recommendations emanating from the meeting of the West Suffolk Joint Staff Consultative Panel on 29 October 2012.

On 29 October 2012 the West Suffolk Joint Staff Consultative Panel considered the following items:

- (1) Presentation on the Staff Survey Results;
- (2) Update on Progress on the Single Pay and Reward Strategy; and
- (3) Joint Forest Heath District Council and St Edmundsbury Borough Council Email and Internet Usage Policy

Councillor Ray, Portfolio Holder for Performance and Resources informed Members that although this was a new policy in its joint format, it was fundamentally an amalgamation of the two existing Forest Heath District Council and St Edmundsbury Borough Council policies.

RESOLVED: That

Joint Employee E-mail and Internet Usage Policy

- (1) The new Joint Employee Email and Internet Usage Policy, as contained in Appendix A to Report JSP12/001, be approved; and
- (2) any future minor/housekeeping changes required to the Joint Employee Email and Internet Usage Policy be delegated to the Head of Human Resources to amend, and that only major/fundamental changes be referred to Members for approval.

70. Recommendation from the West Suffolk Joint Health and Safety Panel: 30 October 2012: Joint Health and Safety Policy

Decisions Plan Ref: Nov12/18 Cabinet Member: Cllr David Ray

The Cabinet considered Report D198 (previously circulated) which informed the Cabinet of the recommendations emanating from the meeting of the West Suffolk Joint Health and Safety Panel held on 30 October 2012.

On 30 October 2012 the West Suffolk Joint Health and Safety Panel considered the following items:

- (1) Employee Accidents and Accidents Involving Members of the Public 2011/2012: Summary;
- (2) Employee Accidents and Accidents Involving Members of the Public 1 April 2012 to 30 September 2012: Summary;
- (3) Joint Health and Safety Policy: Revised Instruction 3 – Accidents, Near Misses, Ill Health and Dangerous Occurrences Reporting;
- (4) Health and Safety Executive: Fee for Intervention (FFI) Cost Recovery Scheme;
- (5) Christmas Fayre, Bury St Edmunds;
- (6) Drug and Alcohol Testing; and
- (7) Health and Safety Update.

Councillor Ray, Portfolio Holder for Performance and Resources, informed the Cabinet that the amendments to the Joint Health and Safety Policy had become necessary because of changes to the Reporting of Diseases, Dangerous Occurrences Regulations (RIDDOR). The amendments which would be incorporated in the revised Instruction 3 of the Policy were detailed in Report D198.

RESOLVED: That

Joint Health and Safety Policy: Revised Instruction 3 – Accidents, Near Misses, Ill Health and Dangerous Occurrences Reporting

The revised Instruction 3 of the Joint Health and Safety Policy, as outlined in Appendix A of Report D175, be approved.

71. Review of Cabinet Working Parties

Decisions Plan Ref: Nov12/03 Cabinet Members: Cllr John Griffiths and David Ray

The Cabinet considered Report D199 (previously circulated) which sought approval for the recommendations arising from the review of the Cabinet Working Parties.

The Cabinet currently operated the following Working Parties (excluding those now run jointly with Forest Heath District Council (FHDC) relating to shared services, staff matters, safety and emergency planning):

- (a) Bury St Edmunds Area Working Party;
- (b) Haverhill Area Working Party;
- (c) Rural Area Working Party;
- (d) Sustainable Development Working Party; and
- (e) Grant Working Party.

On 25 May 2012, the Cabinet agreed to review these Working Parties in autumn 2012. This review has now been carried out and the suggested changes were contained in Report D199.

Councillor Ray, Portfolio Holder for Performance and Resources commended Alex Wilson, Director, on behalf of the Cabinet for the work undertaken on the review. He added that Forest Heath District Council appeared to accept the principle of the joint arrangements where applicable, however, these needed to be ratified formally.

RESOLVED:

That subject to the agreement of Forest Heath District Council's Cabinet regarding joint arrangements that:

- (1) the changes be implemented in respect of Working Parties and Steering Groups, as detailed in Sections 2 to 6 of Report D199, as part of planning for 2013/2014;
- (2) the Head of Legal and Democratic Services be authorised to appoint Members of St Edmundsbury Borough Council to the provisionally named West Suffolk Growth Steering Group on the nominations of Group Leaders, in

accordance with the requirements detailed in Section 3.3 of Report D199; and

- (3) the Overview and Scrutiny Committee be asked to disband its Diversity Group with effect from May 2013, to allow Cabinet to form a new Joint Diversity Working Party as part of its next annual review of working parties.

72. Report of the Anglia Revenues and Benefits Partnership Joint Committee: 13 September 2012

Decisions Plan Ref: N/A Cabinet Member: Cllr David Ray

The Cabinet received and noted Report D200 (previously circulated) which informed the Cabinet of the decisions taken by the Anglia Revenues and Benefits Partnership Joint Committee on 13 September 2012.

On 13 September 2012 the Anglia Revenues and Benefits Partnership Joint Committee considered the following items:

- (1) Joint ARP Health and Safety Policy;
- (2) Fraud;
- (3) Performance Report;
- (4) Future Strategy;
- (5) Welfare Reform; and
- (6) Forthcoming Issues.

Councillor Everitt, Chairman of the Anglia Revenues and Benefits Partnership (ARP) Joint Committee, informed the Cabinet that a review of ARP was currently being undertaken, principally as a result of two new members joining the partnership. An interim report would be presented to the Joint Committee in December 2012 with a final report containing the outcomes of the review being provided in January 2013. This review would coincide with the review currently being undertaken by the Borough Council's Overview and Scrutiny Committee.

In response to questions, the Cabinet was informed that:

- (a) additional staff resources would be implemented to address the anticipated increase in queries following the Government's introduction of the Universal Credit/Housing Benefit/Welfare Reform changes; and
- (b) one of the objectives of the review was to ascertain whether ARP could confidently manage the two additional member councils joining the partnership and also with the legislative changes highlighted in (a) above.

73. Report of the Shared Offices Joint Committee: 16 November 2012

Decisions Plan Ref: Nov12/01 Cabinet Members: Cllrs John Griffiths and David Ray

The Cabinet received and noted Report D201 (previously circulated) which informed the Cabinet of the following items discussed by the Shared Offices Joint Committee.

On 16 November 2012, the Shared Offices Joint Committee considered the following items:

- (1) Building Manager's Report;

- (2) West Suffolk House and Haverhill House: Budget Proposals: 2013/2014; and
- (3) Items of Interest.

Councillor Ray, Chairman of the Joint Committee, drew relevant issues to the attention of the Cabinet, including that the Joint Committee had considered budget proposals for the operation of West Suffolk House and Haverhill House for 2013/2014. Whilst the proposals had been approved subject to the budget setting process, the Joint Committee had asked the officers to undertake further work regarding ongoing maintenance costs.

In response to queries addressed in Report D201, the Cabinet was informed that the mobile buzzer at Haverhill House had now been made a permanent fixture and a risk assessment had been undertaken on the practise of staff carrying hot drinks through the reception area and the view had been taken that this practice posed no significant risk to members of the public.

74. Recommendations from the Licensing and Regulatory Committee: 15 October 2012: Review of Licensing Statement of Policy

Decisions Plan Ref: Nov12/04 Cabinet Member: Cllr Anne Gower

The Cabinet considered Report D202 (previously circulated) which sought approval for the revised Licensing Statement of Policy.

The current Licensing Statement of Policy was reviewed and published in January 2011, with further amendments taking effect from April 2011. The Council was obliged under the Licensing Act 2003 to review its Licensing Statement of Policy every third year following its initial adoption. This three year period would expire on 4 January 2014.

The Police Reform and Social Responsibility Act 2011 made a number of changes to the Licensing Act 2003, justifying an early review of the current Licensing Statement of Policy. A full public consultation on the amended Policy was carried out between 9 July and 28 September 2012, and the Policy has been amended as a result of this.

Councillor Mrs Gower, Portfolio Holder for Housing, Licensing and Environmental Health, informed the Cabinet that following the introduction of new regulations regarding the Late Night Levy there may need to be further changes to the Policy. However, this had been referred to in the Policy and provision had been made for inclusion as appendices, enabling consultation to take place on any future appendices rather than re-consulting on the entire Policy. The Cabinet considered this was a sensible approach.



RECOMMENDED:

That subject to the approval of full Council:

- (1) The revised Licensing Statement of Policy, as contained in Appendix A to Report D160, be approved; and***
- (2) the Specialist Lead Officer - Licensing be given delegated authority, after consultation with the Portfolio Holder for Housing, Licensing and Environmental Health, to make any typographical,***

grammatical or contextual changes to the Policy before adoption.

75. Revised West Suffolk Lettings Policy Document

Decisions Plan Ref: Nov12/19 Cabinet Member: Cllr Anne Gower

The Cabinet considered Report D203 (previously circulated) which sought approval for the revised West Suffolk Lettings Policy document.

The Lettings Policy document was first approved by St Edmundsbury Borough Council's (SEBC) and Forest Heath District Council in August 2007 with the introduction of Home-Link, the Sub-Regional Choice Based Lettings Scheme. The document set out how SEBC and FHDC worked in partnership with Registered Providers who had properties in the area would allocate them through the Home-Link Choice Based Lettings Scheme. The Government, as part of its social housing and welfare reforms, had changed policy and regulations about who was given priority to go on the Housing Register and what size property they could claim housing benefit for. Due to these changes, the seven partner Councils who comprised Home-Link were compelled to review their Lettings Policy to ensure compliance with the new changes.

Following adoption, the new joint Lettings Policy would come into force on 1 April 2013.

An amendment to Section 4.2(b) of Report D203 was tabled, which stated:

'Former Armed Forces personnel will be allowed onto the Housing Register even if they do not have a local connection. They will be awarded additional priority by backdating their date in band by the amount of time they spent in the Armed Forces instead of the normal use of the date they were placed in that band. (See S.2.4 and S.3.3.1(e))'

Councillor Mrs Gower, Portfolio Holder for Housing, Licensing and Environmental Health, drew relevant issues to the attention of the Cabinet. She also duly responded to questions raised by Councillor Cox in connection with the detail of the Policy.

Councillor Ray suggested an amendment to add *'except in the cases detailed in Section 2.4 below'*, to the end of the sentence in Section 2.3.1(a) of the Policy for clarification purposes. This amendment was accepted by the Cabinet.



RECOMMENDED:

That, subject to the approval of full Council:

- (1) The changes to the current Lettings Policy detailed in Section 4.2 of Report D203 be noted, as amended to reflect the tabled changes to Section 4.2(b) of the Report;***
- (2) the new West Suffolk Lettings Policy, contained in Appendix A to Report D203, be approved, as amended to add 'except in the cases detailed in***

Section 2.4 below', to the end of the sentence in Section 2.3.1(a) of the Policy; and

- (3) *the Head of Housing, in consultation with the Portfolio Holder for Housing, Licensing and Environmental Health, be authorised to make any minor typographical, factual, spelling and grammatical changes to the document provided they do not materially affect the substance or meaning of the Strategy.*

76. Report of the West Suffolk Waste and Street Scene Services Joint Committee: 19 October 2012

Decisions Plan Ref: N/A Cabinet Member: Cllr Peter Stevens

The Cabinet received and noted Report D204 (previously circulated) which informed the Cabinet of the following items discussed by the West Suffolk Waste and Street Scene Services Joint Committee on 19 October 2012:

- (1) Progress on delivering the 2012/2013 Joint Waste Service Plan and Review of Performance;
- (2) Update on Vehicle Sign Branding Project;
- (3) Update on Suffolk Waste Partnership (SWP) – Textiles Project; and
- (4) Update on the Procurement of Waste Transfer and Recycling Services.

Councillor Stevens, Portfolio Holder for Waste and Street Scene Services and Vice Chairman of the Joint Committee drew relevant issues to the attention of the Cabinet.

77. Recommendations from the Haverhill Area Working Party: 15 November 2012

Decisions Plan Ref: N/A Cabinet Member: Cllr Anne Gower

The Cabinet considered Report D205 (previously circulated) which provided the recommendations emanating from the Haverhill Area Working Party meeting held on 15 November 2012.

On 15 November 2012 the Haverhill Area Working Party considered the following items:

- (1) TheatreBus Services in Haverhill;
- (2) Chantry Mill Development Site: Update;
- (3) Haverhill High Street Improvement Scheme: Progress Update;
- (4) Public Art in the Town Centre of Haverhill (PATCH): Update; and
- (5) Review of Article 4 Directions in Haverhill.

Councillor Mrs Gower, Portfolio Holder with the responsibility for Haverhill, informed the Cabinet that the Haverhill Area Working Party had recommended that consultation should be undertaken on the removal of the Article 4 Direction in the two Haverhill Conservation Areas, namely Queen Street and Hamlet Road.

Should consultation indicate that the Article 4 Direction should be removed, this would mean that planning permission would no longer be required to carry out alterations such as replacing windows and doors, altering boundary walls, fences and railings, replacing roof coverings and removing chimneys. The Cabinet noted that whilst the purpose of the Direction was to prevent the loss of original features and details, very few

original features had survived in these Conservation Areas since its imposition in 2003. Directions must be monitored at least every three years to identify any unauthorised works. This required sufficient staff resources and with a reduction in Conservation resources being imminent with the implementation of shared services, a realistic decision needed to be made about the future of the Direction in Haverhill. It was considered that its use had not been effective and therefore appropriate that consultation should be undertaken with the occupants of the affected properties regarding its removal.

In response to a question, the Cabinet was informed that the removal of the Article 4 Direction in the Conservation Areas in Haverhill would not set a precedent for those imposed in Bury St Edmunds as there were very distinctive differences between the Conservation Areas in the two towns. The Article 4 Directions had been served in each Conservation Area for varying reasons. In Haverhill, the Council was principally aiming to preserve the brickwork, chimney and roofline details; however, in Bury St Edmunds' Conservation Areas, these details, together with other important features such as original window and doors had also been sought to be preserved.

RESOLVED:

That occupants of affected properties be consulted on the removal of the Article 4 Direction in the two Haverhill Conservation Areas (Queen Street and Hamlet Road), as illustrated in Appendices 1 and 2 to Report D185.

(Councillor Cox left the meeting during the consideration of this item.)

78. Revocation of Air Quality Management Order

Decisions Plan Ref: Nov12/14 Cabinet Member: Cllr Anne Gower

The Cabinet considered Report D206 (previously circulated) which sought approval for the revocation of an Air Quality Management Order in Great Barton.

An Air Quality Management Area was designated, by Order in April 2010, in the vicinity of the Post Office, The Street, Great Barton, following an assessment of nitrogen dioxide levels, which confirmed that there was an exceedence of the annual mean objective for that pollutant.

Councillor Mrs Gower, Portfolio Holder for Housing, Licensing and Environmental Health informed the Cabinet that the Order was designated on the understanding that it was sufficient for residential occupiers alone to be 'exposed' to the pollutants in their home.

She added that upon further consideration of the requirements of the Environment Act 1995 and the accompanying Regulations, this had led officers to question the legitimacy of the designation. Having sought legal advice, it had been determined that the exceedence of the pollutant must be outside and that members of the public must be regularly present. Upon assessment, confirmation was given that no members of the public were regularly present in that location and therefore the Air Quality Management Area (AQMA) should not have been designated and the Order should be revoked.

Some concern was expressed that the Department of Environment, Food and Rural Affairs (DEFRA) and Suffolk County Council (SCC) had not supported the revocation and considered the AQMA should be retained.

However, having noted DEFRA's and SCC's comments detailed in Section 7.4 of the report, Members concluded the revocation of the Air Quality Management Order remained appropriate given the absence of regular public exposure and the likely cost of meaningful action. The retention of the AQMA would necessitate the Council carrying out a further assessment of the air quality inside the AQMA, and producing an action plan detailing the proposed actions to improve air quality, which would cost in the region of £10,000 to £15,000 to produce.

RESOLVED:

That the Air Quality Management Order 2010/1, The Street, Great Barton, as detailed in Section 4 of Report D206, be revoked.

79. Authorities Monitoring Report 2011/2012 – Housing Delivery
Decisions Plan Ref: N/A Cabinet Member: Cllr Terry Clements

The Cabinet considered Report D207 (previously circulated) which sought approval for the publication of the Housing Delivery Monitoring Report 2011/2012.

Local Planning Authorities are required, as part of the preparation of planning policies, to monitor the delivery of policies and proposals. The monitoring information had previously been published in the Local Development Framework Annual Monitoring Report. The regulations concerning the preparation of Annual Monitoring Reports changed in the Localism Act 2011 and it was no longer necessary to produce a single report covering all subjects by 31 December of the monitoring year. The new 'Authorities Monitoring Report' could cover single topics as chosen by Local Authorities and required monitoring information to be made available as soon as it was available to the Council. Given the Government's drive to ensure sufficient housing land was available, an initial single topic monitoring report had been prepared on housing to cover the situation as at 1 April 2012.

Councillor Clements, Portfolio Holder for Planning and Transport drew relevant issues to the attention of the Cabinet.

RESOLVED: That

- (1) The contents of the Housing Delivery Monitoring Report 2011/2012, as contained in Appendix 1 to Report D207, be noted and approved for publication; and
- (2) delegated authority be given to the Head of Planning and Regulatory Services, in consultation with the Portfolio Holder for Planning and Transport, to make any necessary minor typographical, grammatical or similar textual changes to the draft report before publication.

80. Revenues Collection Performance and Write-Offs

Decisions Plan Ref: Nov12/01P Cabinet Member: Cllr David Ray

The Cabinet considered Report D208 (previously circulated) which provided the collection data in respect of National Non-Domestic Rates and Sundry Debts and sought approval for the write-off of debts as contained within the Exempt Appendices.

The Revenues Section collected outstanding debts in accordance with either statutory guidelines or Council agreed procedures. When all these procedures had been exhausted the outstanding debt was 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 were included in Exempt Appendices 1, 2 and 3.

Discussion was held on the public part of the report and subsequently it was proposed, seconded and,

RESOLVED:

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 involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12(A) of the Act.

The Cabinet referred to specific details in the exempt appendices regarding the amounts proposed to be written-off.

RESOLVED:

That the write off of the amounts detailed in the exempt appendices to Report D208, be approved as follows:-

Exempt Appendix 1: 15 accounts for Business Rates totalling £170,592.84;

Exempt Appendix 2: 1 Sundry Debtor account totalling £48,872.45; and

Exempt Appendix 3: 6 Housing Benefit overpayments totalling £12,948.20.

The meeting concluded at 6.42 pm

**J H M GRIFFITHS
CHAIRMAN**