

Enquiries regarding this Agenda:  
Claire Skoyles (01284) 757176

# ***Cabinet (Special Meeting)***

***Wednesday 12 December 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*

***Councillors:***

*Terry Clements  
Robert Everitt*

*Anne Gower*

*John Griffiths  
Sara Mildmay-White  
David Ray  
Peter Stevens*

***Portfolios:***

- Planning and Transport*
- Tourism and Community Services*
- Housing, Licensing and Environmental Health*
- Corporate and Rural Affairs*
- Culture and Sport*
- Performance and Resources*
- 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. **Declarations of Interests**

Members are reminded of their responsibility to declare any pecuniary or local non-pecuniary 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

(Decisions Plan reference (where applicable) shown in brackets)

3. **Petition**

Mr John Bosley, of Starre Road, Bury St Edmunds wishes to present a petition, on behalf of the residents of Starre Road, containing in excess of 40 signatures against the use of No 37 Starre Road as a House of Multiple Occupation. The petitioners request that St Edmundsbury Borough Council makes an immediate Article 4 Direction requiring a planning application to provide the residents of Starre Road with the opportunity to make formal representation of their objections.

*In accordance with the Council's Constitution, 'if petitioners so wish, a petition containing not less than 20 signatures may, instead, be presented to the Leader of the Council or to the Chairman of the appropriate Committee or the relevant Chief Officer, for consideration by the Cabinet or the appropriate Committee(s), provided seven working days' notice in writing has been given to the Proper Officer before the relevant meeting. When a petition is considered by the Cabinet or the appropriate Committee, a representative of the petitioners may speak at that meeting for not more than three minutes.'*

The Cabinet is asked to consider the petition and Report **D221 TO FOLLOW**, and make a decision on whether to serve an Article 4 Direction on Starre Road, Bury St Edmunds.

### **Corporate Priority: Working together for an efficient Council**

4. **Report of the Overview and Scrutiny Committee:  
Two Year Review of The Apex (Dec12/03)**

*Cabinet Member – Sara Mildmay-White; Contact Officer – Alex Wilson  
Telephone: 01284-757695  
e-mail: alex.wilson@stedsbc.gov.uk*

## Report **D222 TO FOLLOW**

### Summary and reasons for recommendations:

The Apex in Bury St Edmunds opened in October 2010. Prior to 2009, the Council had intended the new venue as a hall-for-hire, but it was decided at that time, given its potential, to invest in the building operationally as a programmed arts venue. It was recognised that this decision should be reviewed by Cabinet after two years of operation. The March 2009 Business Plan for The Apex also contained a commitment to look at alternative governance models for the project after two years.

On 25 July 2012, Cabinet received Paper D85 which comprised the initial report for the review. Cabinet agreed at that time to proceed to the development of a business case for a wider arts trust (or 'Single Operation') to run both the Theatre Royal and The Apex. This work would be carried out with the Theatre, Arts Council England and Suffolk County Council.

Given the interest in the review, it was agreed that the Borough Council's Overview and Scrutiny Committee would not only carry out its own two year review of The Apex in early December 2012, but also advise Cabinet on the merits of the business case for the Single Operation and of an alternative plan to achieve savings through a retained in-house operation.

All Members were invited to the meeting of the Overview and Scrutiny Committee on 5 December 2012 and received full copies of Report D209 considered by that Committee. The Committee's recommendations for consideration by the Cabinet will be contained in Report D222.

### Recommendations:

Recommendations emanating from the Overview and Scrutiny Committee on the issue detailed above will follow in Report D222.

## **5. Response to the Overview and Scrutiny Committee's Review of Car Parking Charges throughout the Borough (Dec12/02)**

*Cabinet Member – Terry Clements; Contact Officer – Mark Walsh  
Telephone: 01284-757300  
e-mail: mark.walsh@stedsb.gov.uk*

Report **D223** attached.

Summary and reasons for recommendations:

On 21 November 2012, the Cabinet 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.'*

The Cabinet's detailed response to the Overview and Scrutiny Committee's recommendations emanating from its review on car parking charges throughout the Borough is set out in Report D223.

Recommendations:

- (1) Subject to the budget setting process, where applicable, and in response to Report D190, which contained 17 recommendations from the Overview and Scrutiny Committee regarding car parking charges throughout the Borough:
  - (a) Recommendations (2), (3), (4), (5), (7), (9), (10), (12), (15), (16), (17) be accepted;
  - (b) Recommendations (1), (8), and (13) be accepted with modifications, as set out in Section 4.5 of Report D223;
  - (c) Recommendations (6), (11) and (14) be rejected, for the reasons set out in Section 4.6 of Report D223; and
- (2) Cabinet give consideration to the further options proposed by officers at Section 4.7 of Report D223 and make additional recommendations to Council if required.

**6. Local Council Tax Support Scheme 2013/2014 (Dec12/01)**

*Cabinet Member – David Ray; Contact Officer – Rachael Mann  
Telephone: 01638-719245  
e-mail: rachael.mann@forest-heath.gov.uk*

Report **D224** attached.

Summary and reasons for recommendations:

The Welfare Reform Act abolishes Council Tax Benefit (CTB), and replaces it with a Local Council Tax Support (LCTS) scheme. The new Local Government Finance Act 2012 and regulations set out how the Council must create a LCTS scheme. This means the majority of LCTS

awards will be based on criteria set and administered by each local billing authority (such as St Edmundsbury), having consulted with the major precepting authorities (including Suffolk County Council, Fire and Police authorities) and the public. The Act and regulations direct how authorities must support pensioners, with little change to the way their entitlement is presently decided.

Under the new regulations, the Council is required to adopt a new policy detailing a local scheme by 31 January 2013.

Recommendations:

- (1) To agree and recommend to Council the Local Council Tax Support Scheme, as set out in Section 4 of Report D224 and detailed in the Policy document contained in Appendix A to Report D224;
- (2) to apply for the transitional grant for one year support, as detailed in Sections 4.14 to 4.18 of Report D224;
- (3) to agree and recommend to Council the change to the Council's Scheme of Delegation to Officers as set out under Legal and Policy implications at Section 10.2 of Report D224; and
- (4) to recommend to Council that if the final funding decisions are not known by the date of the Council meeting on 18 December 2012, that delegated authority be given to the Head of Resources and Performance, in consultation with the Leader of the Council and the Portfolio Holder for Performance and Resources, to make final decisions on any additional changes to the Local Council Tax Support Scheme arising as a result of the final funding decisions, as detailed in Section 10.3 of Report D224.

**Working together for prosperous and environmentally responsible communities**

**7. Supplementary Planning Document for Open Space Contributions: Consultation**

*Cabinet Member – Terry Clements; Contact Officer – Nicola Baker  
Telephone: 01284-757306  
e-mail: nicola.baker@stedsbc.gov.uk*

**Report D225 TO FOLLOW**

Summary and reasons for recommendations:

A Supplementary Planning Document relating to the provision of open space, sport and recreation facilities in conjunction with the provision

of new housing development has been developed to assist all parties in the provision and subsequent maintenance of such facilities.

Prior to being adopted as Supplementary Planning Guidance, the document needed to be the subject of public consultation. Consultation was carried out between 25 September and 6 November 2012 and Report D225 will detail the responses received during consultation and consequential amendments to the document.

Recommendations:

The recommendations contained in Report D225 will follow.

**8. Careers Guidance Software Package (Dec12/05)**

*Cabinet Member – John Griffiths; Contact Officer – Andrea Mayley  
Telephone: 01284-757343  
e-mail: andrea.mayley@stedsbcc.gov.uk*

Report **D226** attached.

Summary and reasons for recommendations:

The effectiveness of Careers Information Advice and Guidance (Careers IAG) for young people has been identified as a key strand of Suffolk County Council's (SCC) Raising the Bar programme (a joined-up approach to raising attainment and aspiration across the whole age range from early years to further education in Suffolk). Due to the transfer of responsibilities for Careers IAG to schools, a new market of online products is emerging that can support this provision. One such product is U-Explore.

Suffolk County Council is leading an evaluation of U-Explore which will not be complete until April 2013.

U-Explore has proposed a two year package that would enable schools/education providers in West Suffolk to have licences for students/parents to have access to the system; local support for one year to help embed the system; and the ability to localise the information for a total cost of £45,000 (plus VAT) for Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC). U-Explore is already operational in Waveney District Council. Mid Suffolk and Babergh District Councils are also considering procuring the package.

There are other providers of online careers advice and it is proposed that a procurement process be followed to ensure that this opportunity is open to other providers and we achieve the best available package and best value for our investment.

The benefits of District/Borough Council intervention in careers advice include the opportunity for schools in West Suffolk to have uniform access to high quality careers advice; the opportunity to directly influence the aspiration and attainment levels locally – resulting in growth in the local economy; the ability to start to build strong relationships with schools and local education providers; and the ability to help local businesses by providing work ready employees.

Recommendation:

Delegated authority be given to the Head of Economic Development and Growth in consultation with the Portfolio Holder for Corporate and Rural Affairs, to start a procurement process to acquire a two year careers guidance software package, as detailed in Section 4 of Report D226, funded from unallocated Local Authority Business Growth Incentive (LABGI) funding.

\*\*\*\*\*

**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 the relevant paragraphs of Part 1 of Schedule 12(A) of the Act, as indicated against each item of business to be transacted in private. It is considered the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

As detailed on the Notice of an intended Key Decision and a matter which may be considered at a Private Meeting published on 4 December 2012, it invited members of the public to submit representations in relation to why meetings to consider items listed in the agenda intended for consideration in private should be open to the public.

| <b>Details of representations received</b> | <b>Borough Council's response</b> |
|--|-----------------------------------|
| None received                              | Not required                      |

\*\*\*\*\*

## Part 2 – Private

### Working together for prosperous and environmentally responsible communities

#### 9. **Reduced Business Rate Package for Research/Business Parks (Dec12/04) (Dec12/01P)**

*Cabinet Member – John Griffiths; Contact Officer – Andrea Mayley  
Telephone: 01284-757343  
e-mail: andrea.mayley@stedsbc.gov.uk*

Exempt Report **D227** attached.

#### Summary and reasons for recommendations:

The summary and reasons for recommendations are detailed in Exempt Report D227.

#### Recommendations:

The recommendations are detailed in Exempt Report D227.