



### 3. **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)**

### 4. **Petition**

Mr Andrew Hinchley, of Bridewell Lane, Bury St Edmunds wishes to present a petition, on behalf of the residents in Bury St Edmunds containing in excess of 20 signatures, relating to an area of land in Bury St Edmunds known as the Leg of Mutton. The petitioners request that in order to protect this land from development, St Edmundsbury Borough Council amends Section 11.5 of the Bury St Edmunds' Vision 2031 Preferred Options to:

*"The area of land bounded by the A14, Rougham Hill and the River Lark (known as Leg of Mutton) forms an important open area, protecting views of the town centre and will be protected from any development".*

*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 respond accordingly.

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

### 5. **Report of the Overview and Scrutiny Committee: 6 March 2013**

*Chairman – David Nettleton;*

*Contact Officer – Adriana Stapleton*

*Telephone: 01284-757613*

*e-mail: [adriana.stapleton@stedsbc.gov.uk](mailto:adriana.stapleton@stedsbc.gov.uk)*

Report **D329** attached.

Summary and reasons for recommendation:

On 6 March 2013 the Overview and Scrutiny Committee considered the following items:

- (1) Update on the Impact of the West Suffolk Partnership;
- (2) Loans to Organisations made by the Borough Council;
- (3) Conservation Area Policy/Article 4 Directions;
- (4) Work Programme Update; and
- (5) Decisions Plan: March to September 2013

Recommendation:

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

**6. Recommendations from the West Suffolk Joint Health and Safety Panel: 18 February 2013: Amendments to the Joint Health and Safety Policy (Mar13/06)**

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

Report **D330** attached.

Summary and reasons for recommendation:

On 18 February 2013 the West Suffolk Joint Health and Safety Panel considered the following items:

- (1) Minutes: Joint Health and Safety Group;
- (2) Employee Accidents and Accidents Involving Members of the Public: 1 October 2012 to 31 December 2012: Summary;
- (3) Joint Health and Safety Policy; and
- (4) Health and Safety: Update

Recommendation:

**Joint Health and Safety Policy**

Subject to the approval of the respective Cabinets and full Council, the amendments to the Joint Health and Safety Policy as contained in Reports D299 to D300 inclusive, be adopted.

**7. Recommendations from the Grant Working Party:  
5 March 2013: (Mar13/09)**

*Cabinet Member – Robert Everitt; Contact Officer – Neil Anthony  
Telephone: 01284-757064  
e-mail: neil.anthony@westsuffolk.gov.uk*

Report **D331** attached.

Summary and reasons for recommendations:

On 5 March 2013 the Grant Working Party considered the following items:

- (1) Rural Initiatives Grant Scheme (RIGS): Application for Project Funding from Hopton Community Swimming Committee; and
- (2) Streamlining Rural Grants Decision Making.

Recommendations:

**(a) Rural Initiatives Grant Scheme (RIGS): Application for Project Funding from Hopton Community Swimming Committee**

A grant of £10,000 be awarded to the Hopton Community Swimming Committee towards the refurbishment of the swimming pool and changing room facilities at Hopton Primary School, subject to the Head of Economic Development and Growth being satisfied that:

- (a) the leasehold of the facilities to Hopton Community Swimming Committee is in place for a minimum period of 10 years;
- (b) permission has been granted to extend the opening hours of the swimming pool and facilities for use by the community; and
- (c) all other match-funding is in place.

**(b) Streamlining Rural Grants Decision Making**

The following be approved:

- (1) all applications for Rural Initiatives Grant Scheme funding be dealt with via the e-mail system, as detailed in Section 4 of Report D318, subject to the provisos:
  - (a) that in the event that there is no consensus of agreement in the case of an individual application a special meeting of the Working Party be called to consider the matter; and

- (b) the system be subject to annual review at the meeting of the Working Party held in December of each year which will also consider Core Funding Grants.
- (2) subject to (1) above, the Grants Policy and the scheme of delegation be amended to reflect the use of the e-mail system for grants up to the maximum of £10,000.

## **8. The Apex Performance Panel**

*Cabinet Member – Sara Mildmay-White; Contact Officer – Neil Anthony  
Telephone: 01284-757695  
e-mail: neil.anthony@westsuffolk.gov.uk*

Report **D332** attached.

### Summary and reasons for recommendation:

One of the proposals from The Apex Two Year Review carried out by the Overview and Scrutiny Committee in December 2012, subsequently adopted by the Cabinet (Reports D209 and D222 refer) was to establish an informal performance panel for The Apex, to assist in the next stage of its development and oversee its savings programme.

The review indicated that Cabinet would need to approve terms of reference for the Panel, and the proposal from a first informal session held in February 2013 is contained in the report.

### Recommendation:

The terms of reference for The Apex Performance Panel, as detailed in Report D332, be approved.

## **9. Annual Meeting of the Council and Mayor Making: 16 May 2013**

*Cabinet Members – Sara Mildmay-White and David Ray; Contact Officer – Joy Bowes  
Telephone: 01284-757141  
e-mail: joy.bowes@westsuffolk.gov.uk*

### Summary and reasons for recommendation:

At its meeting on 26 March 2013 the Mayoral Advisory Committee will, as in previous years, discuss with officers arrangements for the Annual Meeting of the Council and Mayor Making. Although the administration of meetings is a matter for officers, it has been custom and practice for the Mayoral Advisory Committee to be consulted about the arrangements.

Members will be aware that a member working group has considered changing the timings and venue, as well as other arrangements, for Mayor Making and the Annual Meeting for future years and those recommendations will be brought to a future meeting of full Council.

For 2013 only, minor amendments are proposed, and these are to be discussed on 26 March 2013 (Report **D326** to the Mayoral Advisory Committee attached for information).

Whilst arrangements for Mayor Making are not an executive matter, but rather an administrative matter for officers, because of its importance as a ceremonial occasion in the Civic Year it is felt appropriate that Members be made aware of any proposed changes as early as possible.

Any further proposals for changes in 2013 made by the Mayoral Advisory Committee on 26 March will be reported verbally at this meeting of Cabinet.

Recommendation:

Cabinet is recommended to **NOTE** the proposed changes to the administrative arrangements for Mayor Making and Annual Council 2013 set out in Report D326 to the Mayoral Advisory Committee.

**10. Exemption to Contract Procedure Rules**

*Cabinet Member – Peter Stevens;*

*Contact Officer – Joy Bowes*

*Telephone: 01284-757141*

*e-mail: joy.bowes@westsuffolk.gov.uk*

Summary and reasons for recommendation:

In accordance with paragraph 2.2 (ii) of the Contract Procedure Rules contained under Part 4 , Rules of Procedure, of the Council's Constitution, the Head of Waste Management and Property Services has authorised the purchase of six second-hand light commercial vehicles.

The vehicles were required as part of the ongoing replacement programme. Using the government procurement service to buy new vehicles would have resulted in an unacceptable lead time of 19-23 weeks. The second-hand vehicles were available immediately, were under a year old and their condition and specification met the Council's needs. In addition, they were cheaper than new by £2,000 per vehicle. The purchase was therefore authorised so as to secure the vehicles without delay.

Recommendation:

The Cabinet is requested **NOTE** this exemption to the Contract Procedure Rules.

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

### **11. The Guildhall Project, Bury St Edmunds (Mar13/05)**

*Cabinet Members – John Griffiths  
and Sara Mildmay-White; Contact Officer – Alex Wilson  
Telephone: 01284-757695  
e-mail: alex.wilson@westsuffolk.gov.uk*

Report **D333** attached.

#### Summary and reasons for recommendations:

The Guildhall Project is a joint venture between the Bury St Edmunds Heritage Trust Limited and the Guildhall Feoffment Trust. The Project is also fully supported by a number of local societies and organisations including The Bury Society. The long term aim of the Project is to make the Guildhall fully sustainable and financially independent. Report D333 seeks the Cabinet's endorsement of a funding bid by the Project and a new approach for the future asset management of the Guildhall and 79 Whiting Street.

#### Recommendations:

- (1) The Council agrees to be a co-signatory to the Guildhall Project's forthcoming funding application to the Heritage Lottery Fund on the basis set out in paragraphs 4.5 to 4.7 of Report D333;
- (2) the Council also supports the long-term objective of surrendering its role as Managing Trustee to achieve a sustainable community asset transfer of the Guildhall and 79 Whiting Street, Bury St Edmunds to a Guildhall Management Company (or equivalent), on the basis set out in paragraphs 4.8 to 4.10 of Report D333; and
- (3) in respect of the above, the Director, in consultation with the Portfolio Holders with responsibility for property services and heritage, be authorised to negotiate and sign a Licence and/or Memorandum of Understanding with the Guildhall Project in respect of the proposed joint venture, provided that it is consistent with the Council's agreed budgets and policy framework and that the Council's Monitoring Officer and Chief Financial Officer are satisfied that any agreements provide sufficient safeguards to the local taxpayer.

### **12. Recommendations from the Sustainable Development Working Party: 12 March 2013 (Mar13/08)**

*Cabinet Members – Terry Clements  
and Peter Stevens; Contact Officer – Nicola Baker  
Telephone: 01284-757306  
e-mail: nicola.baker@westsuffolk.gov.uk*

Report **D334** attached.

Summary and reasons for recommendations:

On 12 March 2013 the Sustainable Development Working Party considered the following items:

- (1) Draft East Cambridgeshire Local Plan: Consultation; and
- (2) Developing a West Suffolk Contaminated Land Strategy.

Recommendations:

**(a) Draft East Cambridgeshire Local Plan: Consultation**

East Cambridgeshire District Council be thanked for consulting the Borough Council on the draft Local Plan, and that the content of paragraphs 4.1 to 4.9 of Report D322 form the basis of the Council's response to the consultation.

**(b) Developing a West Suffolk Contaminated Land Strategy**

The proposed West Suffolk Contaminated Land Strategy presented at Appendix 1 to Report D323, be approved for stakeholder consultation.

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

**13. Revenues Collection Performance and Write Offs (Mar13/03)**

*Cabinet Member – David Ray;*

*Contact Officer – Rachael Mann*

*Telephone: 01638-719245*

*e-mail: rachael.mann@westsuffolk.gov.uk*

Report **D335** attached.

Summary and reasons for recommendation:

As at 28 February 2013 the total National Non Domestic Rates (NNDR) billed by Anglia Revenues Partnership on behalf of St Edmundsbury Borough Council (as the billing Authority) is nearly £44.5 million per annum and the collection rate is 97.65%. The end of year target for collection is 98.50%.

As at 28 February 2013 the total Council Tax billed by Anglia Revenues Partnership on behalf of St Edmundsbury Borough Council (includes the County, Police and Parish precept elements) is just under £51.75 million per annum and the collection rate is 97.87%. The end of year target for collection is 98.50%.

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 Head of Resources and



Performance (for debts up to £1,499.99) or by Cabinet (for debts over £1,500).

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

The Collection Data in respect of Council Tax and National Non Domestic Rates is shown in Section 8 of the report.

Recommendation:

The write off of the amounts detailed in the exempt appendices to Report D335, be approved as follows:

Exempt Appendix 1: 3 accounts for Council Tax totalling £9,911.85;

Exempt Appendix 2: 27 accounts for Business Rates totalling £208,098.68; and

Exempt Appendix 3: 4 Housing Benefit overpayment totalling £15,288.64.

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**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 15 February 2013, 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

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## Part 2 – Private

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

#### Exempt Papers relating to previous item

**14. Exempt Appendices: Revenues Collection Performance and Write Offs (Mar13/03)**

*Cabinet Member – David Ray;*

*Contact Officer – Rachael Mann*

*Telephone: 01638-719245*

*e-mail: rachael.mann@westsuffolk.gov.uk*

Exempt Appendices 1, 2 and 3 to Report **D335** attached.

*(These exempt appendices are to be considered in private under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972, as they contain information relating to an individual and information which is likely to reveal the identity of an individual.)*