

Enquiries regarding this Agenda:
Claire Skoyles (01284) 757176

Cabinet

**Tuesday 10 September 2013 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
Alaric Pugh
David Ray
Sarah Stamp
Peter Stevens

Portfolios:

- Planning and Regulation
- Communities
- Housing
- Leader
- Deputy Leader
- Economic Growth
- Resources and Performance
- Heritage, Arts and Culture
- Waste and Property

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 meeting held on 9 July 2013 (copy attached).

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)

Corporate Priority: Working together for an efficient Council

4. **Report of the Overview and Scrutiny Committee: 17 July 2013**

Chairman – Ian Houlder;

Contact Officer – Christine Brain

Telephone: 01638-719729

e-mail: christine.brain@westsuffolk.gov.uk

Report **E99** attached.

Summary and reasons for recommendation:

On 17 July 2013 the Overview and Scrutiny Committee considered the following items:

- (1) Quarter 1 Directed Surveillance Authorised Applications;
- (2) Decisions Plan: July 2013 to May 2014; and
- (3) Work Programme Update and Proposals for Scrutiny.

Recommendation:

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

5. **Report of the Performance and Audit Scrutiny Committee: 31 July 2013**

Vice-Chairman – Christopher Spicer;

Contact Officer – Christine Brain

Telephone: 01638-719729

e-mail: christine.brain@westsuffolk.gov.uk

Report **E100** attached.

Summary and reasons for recommendation:

On 31 July 2013 the Performance and Audit Scrutiny Committee considered the following items:

- (1) Presentation by Councillor Ray, Portfolio Holder for Resources and Performance;

- (2) Key Performance Indicators and Quarter 1 Performance Report 2013-2014;
- (3) Budget Outturn and Financial Highlights Report: 2012/2013;
- (4) Budget Monitoring Report: 1 April to 30 June 2013;
- (5) Corporate Risk Register Quarterly Monitoring Report: June 2013;
- (6) Annual Treasury Management Report: 2012/2013 and Investment Activity 1 April to 30 June 2013 and Review of the Council's Treasury Management Strategy; and
- (7) Work Programme Update.

Recommendation:

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

A separate report is included on this Cabinet agenda for Item (6) above.

6. Report of the Performance and Audit Scrutiny Committee: Annual Treasury Management Report 2012/2013 and Investment Activity 1 April to 30 June 2013; and Review of the Council's Treasury Management Strategy (Sep13/11)

Cabinet Member – David Ray;

Contact Officer – Rachael Mann

Telephone: 01638-719245

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

Report **E101** attached.

Summary and reasons for recommendation:

The Annual Treasury Management Report, summarises the investment activities for the year 2012/2013, and also provides a summary of investment activity for the first three months of the 2013/2014 financial year.

The report showed the total amount invested at 1 April 2012 as £32 million, and at 31 March 2013 £32.9 million. The increase in investment balances over this period is due primarily to the net effect of the Council's capital expenditure and asset disposals programmes. Budgeted income from investments in 2012/2013 was £569,000, and as at 31 March 2013 interest earned amounted to £661,000, an over achievement of £92,000 against the budget. The average rate of interest achieved for the year was 1.65% against the target rate of 1.50%.

The 2013/2014 Annual Treasury Management and Investment Strategy (Report D252 refers) set out the Council's projections for the current financial year. It showed the budget for investment income in 2013/2014 as £619,000, based on a continuation of the previous year's 1.5% target rate of return on investments.

Recommendation:

The Annual Treasury Management Report 2012/2013, attached as Appendix 1 to Report E61, be approved through Cabinet and full Council.

7. Policy for Granting Loans to External Organisations (Sep13/09)

Cabinet Member – David Ray;

Contact Officer – Rachael Mann

Telephone: 01638-719245

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

Report **E102** attached.

Summary and reasons for recommendations:

On 24 April 2013, the Overview and Scrutiny Committee considered a report (Report D340 refers) which was the final report on the work undertaken by the Task and Finish Group set up by the Committee, to formulate a policy to be used for assessing future loan requests from external organisations.

The Overview and Scrutiny Committee resolved at that meeting that the draft Policy for Granting Loans to External Organisations, as set out in Appendix 1 to Report D340, should be subject to external validation, following which it would be amended if necessary and presented to Cabinet and Council for adoption.

An external review of the draft Policy has now been undertaken and observations and suggested amendments are available for Cabinet to consider at Appendix 2. Also included in Appendix 2 are six recommendations all of which are incorporated into the proposed Policy for Granting Loans to External Organisations, attached at Appendix 1.

Recommendations:

- (1) Cabinet considers the results of the external review at Appendix 2 to Report E102; and
- (2) subject to the approval of full Council, the Policy for Granting Loans to External Organisations, as set out in Appendix 1 to Report E102, be adopted.

8. Amendment to the Grants Policy (Sep13/06)

Cabinet Member – Robert Everitt;

Contact Officer – Cathy Manning

Telephone: 01284-757002

e-mail: cath.manning@westsuffolk.gov.uk

Summary and reasons for recommendation:

On 27 March 2013 the Cabinet accepted the recommendation of the Grant Working Party that all applications for Rural Initiatives Grants be

considered via the e-mail system already in use for applications up to £5,000 (Minute 122 refers). The change was recommended as a result of a request from the Cabinet that the Working Party considers how the decision making for rural grants could be streamlined. The change both improves the speed of decision-making for applicants and results in efficiencies for the Council. There is one further grant, the Substance Mis-use Project fund of £2,500 annually, which is currently subject to consideration at a meeting of the Grant Working Party. With the agreement of the Chairman and Vice-Chairman of the Grant Working Party it is proposed to standardise the treatment of all project funding by extending the use of the e-mail system to the Substance Mis-use Project fund.

Recommendation:

Subject to the approval of full Council, it is **RECOMMENDED** that the St Edmundsbury Grants Policy be amended to extend the use of the e-mail system for determining all Rural Initiatives Grants is used for all project funding applications.

9. Representation on Outside Bodies: Suffolk Local Access Forum (Sep13/14)

Cabinet Member – John Griffiths;

Contact Officer – Ian Gallin

Telephone: 01284-757009

e-mail:ian.gallin@westsuffolk.gov.uk

Summary and reasons for recommendation:

On 19 May 2011, full Council resolved that:

'Where the Council may make a nomination but the nominee is not automatically appointed by the organisation, the nomination be made by the Cabinet'.

The Suffolk Local Access Forum (SLAF) is an independent advisory body established under section 94 of the Countryside and Rights of Way Act 2000. It advises Suffolk County Council on matters relating to countryside access and public rights of way. The forum addresses ways to improve public access and open-air recreation for the benefit of all.

The SLAF wishes to have one representative from a Suffolk district/borough council and following receipt of nominations the Suffolk Public Sector Leaders' Group will be asked to appoint an appropriate representative which will largely be based upon examining the submitted reason for the nomination including any relevant skills, interests, experience etc. the nominee may have.

Recommendation:

It is **RECOMMENDED** that in accordance with the selection process outlined in Agenda Item 9 above, a Member be nominated by the Cabinet to be put forward for appointment as the district/borough council representative on the Suffolk Local Access Forum.

**Corporate Priority: Working together for strong,
healthy and diverse communities**

10. West Suffolk Housing Strategy: Scoping Report (Sep13/08)

Cabinet Member – Anne Gower;

Contact Officer – Simon Phelan

Telephone: 01638-719440

e-mail: simon.phelan@westsuffolk.gov.uk

Report **E103** attached.

Summary and reasons for recommendation:

This report outlines the scope of the new single West Suffolk Housing Strategy, and also explains the approach to drafting the document and how it will be delivered by both St Edmundsbury Borough and Forest Heath District Councils.

Recommendation:

The scope for the new West Suffolk Housing Strategy, as outlined in Section 4.4 of Report E103, and the governance for the Housing Strategy Members' Group outlined in Section 4.3 of Report E103, be approved.

11. West Suffolk Empty Homes Strategy 2013/2015 (Sep13/01)

Cabinet Member – Anne Gower;

Contact Officer – Simon Phelan

Telephone: 01638-719440

e-mail: simon.phelan@westsuffolk.gov.uk

Report **E104** attached.

Summary and reasons for recommendation:

This report seeks to ensure the Council continues to proactively target empty homes by using a range of informal and formal measures which encourage property owners to bring properties back into use.

The refreshed joint Strategy capitalises on the successes to date and repositions the empty homes procedures in West Suffolk to bring them in line with current Government Policy.

Recommendation:

Subject to the approval of full Council, the West Suffolk Empty Homes Strategy 2013/2015, as contained in Appendix A to Report E104, be adopted to ensure that the Council has a robust and transparent strategy for bringing empty properties back into use.

12. Designated Persons (Sep13/02)

Cabinet Member – Anne Gower;

Contact Officer – Simon Phelan

Telephone: 01638-719440

e-mail:simon.phelan@westsuffolk.gov.uk

Report **E105** attached.

Summary and reasons for recommendations:

This report provides information on the new arrangements which came into effect on 1 April 2013, whereby all tenant complaints made against their Registered Providers will need be considered by a Designated Person, once the Registered Providers own internal complaints procedure have been exhausted, before consideration by the Housing Ombudsman.

A 'designated person' can be any Member of Parliament (MP), a councillor from the local housing authority or can be a designated tenant panel.

Although a complainant will be able to ask any councillor to act as a designated person to help them resolve their complaint, it may be helpful for the Council to establish a more structured approach whereby a number of Councillors with a broad knowledge of housing issues are identified as being willing to act as designated persons.

Recommendations:

- (1) The Cabinet notes the implications of Report E105 and the additional responsibility placed upon local councillors with regard to the role of Designated Persons; and
- (2) the Cabinet considers whether it wishes to nominate the Cabinet Member for Housing and identify up to three further Members to act as Designated Persons on behalf of the Council, in progressing housing complaints to the Housing Ombudsman Service.

Corporate Priority: Working together for prosperous and environmentally-responsible communities

13. Recommendation of the informal Gypsy and Traveller Working Party: Unauthorised Gypsy and Traveller Encampments (Sep13/13)

Cabinet Member – Anne Gower;

Contact Officer – Liz Watts

Telephone: 001284-757252

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

Report **E106** attached.

Summary and reasons for recommendation:

In order to provide an appropriate response to unauthorised Gypsy and Traveller encampments, particularly on sensitive sites and on repeat occasions, the Gypsy and Traveller Working Party has considered proposals to put in place pre-emptive injunctions. The injunctions will mean that an order is in place to prevent occupation of the land *before* there is an encampment and will assist in suitable cases in striking the balance between the different communities in the Borough.

The Suffolk Protocol for dealing with unauthorised encampments *after* they are in place remains applicable and there is no need to amend this. For this reason Cabinet is asked to confirm that the Protocol will continue to be observed.

Recommendation:

While the Council will continue to observe the Suffolk Protocol in relation to removing unauthorised Gypsy and Traveller encampments, a more proactive approach to protecting vulnerable sites be adopted through the selective use of pre-emptive injunctions, on the basis set out in Section 4 of Report E106.

14. Suffolk Growth Strategy Delivery Plan (Sep13/05)

*Cabinet Member – Alaric Pugh; Contact Officer – Andrea Mayley
Telephone: 01284-757343
e-mail: andrea.mayley@westsuffolk.gov.uk*

Report **E107** attached.

Summary and reasons for recommendations:

The Suffolk Growth Strategy (SGS) articulates the ambitions for economic growth held by the constituent local authorities in Suffolk. This Delivery Plan will feed directly into the growth plans that each of the two Local Enterprise Partnerships (LEPs) are preparing and will enable future funding opportunities to be co-ordinated and supported.

A report on the SGS was taken to St Edmundsbury Borough Council's Cabinet on 13 February 2013 (Report D286 refers) with the final SGS document being launched at The Apex in Bury St Edmunds on 26 February 2013. Following the launch of the SGS, work has been undertaken to produce the draft SGS Delivery Plan. This plan, attached as Appendix A to Report E107, evidences how the authorities will bring the aspirations for growth outlined in the Strategy into reality.

Recommendations:

- (1) The content of the draft Suffolk Growth Strategy Delivery Plan, as contained in Appendix A to Report E107, be approved; and

- (2) the Head of Economic Development and Growth, in consultation with the Portfolio Holder for Economic Growth, be given delegated authority to approve the final version of the Delivery Plan.

15. Growth Plans for the New Anglia Local Enterprise Partnership and Greater Cambridge Greater Peterborough Local Enterprise Partnership (Sep13/04)

*Cabinet Member – Alaric Pugh; Contact Officer – Andrea Mayley
Telephone: 01284-757343
e-mail: andrea.mayley@westsuffolk.gov.uk*

Report **E108** attached.

Summary and reasons for recommendations:

Local Enterprise Partnerships (LEPs) have been asked by the Government to develop growth plans for their areas. These plans will help coordinate economic development in local areas and prioritise investment by Central Government and local partners. As part of these plans, the Government has invited LEPs to develop a Structural and Investment Fund Strategy (SIFS) for use of the European Structural and Investment Funds for the period 2014-2020 in their local areas.

Since West Suffolk is part of both the New Anglia Local Enterprise Partnership (NALEP) and the Greater Cambridge Greater Peterborough Local Enterprise Partnership (GCGP), it is essential that we contribute to both growth plans.

The two LEPs are at differing stages of development in terms of producing their plans. The GCGP is currently in the process of establishing a sub-group to draft the plan, whilst NALEP has already produced a draft growth plan, '*Towards a Growth Plan*', which was recently out to consultation, forms Appendix A to Report E108.

Recommendations:

- (1) The content of the New Anglia Local Enterprise Partnership's '*Towards a Growth Plan*', as contained in Appendix A to Report E108, be noted;
- (2) comments on the New Anglia Local Enterprise Partnership's '*Towards a Growth Plan*', as contained in Appendix A, be submitted to the Head of Economic Development and Growth, to enable a West Suffolk response to the consultation to be prepared;
- (3) the Head of Economic Development and Growth, in consultation with the Portfolio Holder for Economic Growth, be given delegated authority to approve the final version of the New Anglia Local Enterprise Partnership's '*Towards a Growth Plan*'; and

- (4) the Head of Economic Development and Growth, in consultation with the Portfolio Holder for Economic Growth, be given delegated authority to seek comments via email on the draft version, and subsequently approve the final version, of Greater Cambridge Greater Peterborough Local Enterprise Partnership's Growth Plan.

16. Recommendations from the Sustainable Development Working Party: 3 September 2013 (Sep13/03), (Sep13/10) and (Sep13/12)

*Cabinet Members – Terry Clements;
and Peter Stevens*

*Contact Officer – Nicola Baker
Telephone: 01284 757306*

e-mail: nicola.baker@westsuffolk.gov.uk

(Report E109 has been compiled before the meeting of the Sustainable Development Working Party on 3 September 2013 and is based on the recommendations contained within the reports. Any amendments made by the Working Party to the recommendations will be notified prior to the meeting of Cabinet.)

Report **E109** attached.

Summary and reasons for recommendations:

On 3 September 2013 the Sustainable Development Working Party considered the following items:

- (1) Draft Joint Statement of Community Involvement;
- (2) Masterplan and Development Brief Protocol Update;
- (3) South Cambridgeshire Local Plan - Consultation;
- (4) 9th Annual Corporate Environmental Performance Report 2012/2013; and
- (5) Developing a West Suffolk Contaminated Land Strategy.

Recommendations:

(a) Draft Joint Statement of Community Involvement

The revised Draft Joint Statement of Community Involvement, attached as Appendix A of Report E87, be approved for consultation.

(b) Masterplan and Development Brief Protocol Update

The revised protocol for the preparation of Masterplans and Development Briefs, as set out in Appendices A and B of Paper E88, be approved.

(c) South Cambridgeshire Local Plan - Consultation

South Cambridgeshire District Council be thanked for consulting the Borough Council on the Local Plan document and the content of paragraphs 4.1 – 4.8 of Report E89 form the basis of the Borough Council's response to the consultation.

(d) 9th Annual Corporate Environmental Performance Report 2012/2013

Continued support be given to improve the Council's Environmental Performance in order to achieve the Corporate Environmental Targets set out in the Environmental Statement 2012 attached as Appendix A to Report E90.

(e) Developing a West Suffolk Contaminated Land Strategy

Subject to the approval of full Council, the proposed West Suffolk Contaminated Land Strategy, as amended by the wording contained in Appendix A and as set out in Appendix C to Report E91, be formally adopted.

**17. Recommendation from the Haverhill Area Working Party:
29 August 2013: Cancellation of Article 4 Direction in Haverhill
(Sep13/07)**

*Cabinet Members – Terry Clements;
and Anne Gower*

*Contact Officer – Nicola Baker
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e-mail: nicola.baker@westsuffolk.gov.uk*

Report **E110** attached.

Summary and reasons for recommendation:

On 29 August 2013 the Haverhill Area Working Party considered the following items:

- (1) Haverhill Article 4 Directions: Response to Consultation;
- (2) Public Art in the Town Centre of Haverhill (PATCH): Update;
- (3) Haverhill Masterplan.

Recommendation:

(a) Haverhill Article 4 Directions: Response to Consultation

Following due consideration of the reasons for its removal and taking the results of the public consultation into account, as outlined in Sections 4 and 7 of Report E82, the Article 4 Direction in the two Haverhill Conservation Areas not be cancelled.

Part 2 – Private

NONE