



Council 30 June 2014

Schedule of Referrals from Cabinet and West Suffolk Joint Standards Committee

(A) Referrals from Cabinet: 25 March and 20 May 2014

There are no recommendations emanating from these meetings of the Cabinet that require a decision by Council.

(B) Referrals from Cabinet: 3 June 2014 (Extraordinary meeting)

1. West Suffolk Joint Pay Policy Statement 2014/2015

Decisions Plan Reference: Feb14/24

Report F22

Cabinet Member: Cllr David Ray

RECOMMENDED:

That the West Suffolk Joint Pay Policy Statement for 2014/2015 contained in Appendix 1 to Report F22, be adopted.

Section 38/11 of the Localism Act 2011 requires local authorities to produce a Pay Policy Statement annually. A joint Pay Policy Statement for 2014/2015, attached as Appendix 1 to Report F22, has been produced for St Edmundsbury Borough and Forest Heath District Councils, which reflects the shared workforce, and the single Pay and Reward Strategy now in place for the two West Suffolk councils. The Statement also incorporates the outcomes of the 2013 collective agreement which established a modern reward framework for the integrated workforce.

(C) Referrals from Cabinet: 24 June 2014

(These referrals have been compiled before the meeting of Cabinet on 24 June 2014 and are based on the recommendations contained within the relevant reports. Any amendments made by Cabinet to the recommendations will be notified prior to the meeting of Council.)

1. West Suffolk Joint Anti-Fraud and Anti-Corruption Policy

Decisions Plan Reference: Jun14/04
Cabinet Member: David Ray

**Report F39
(Performance
and Audit
Scrutiny
Committee
Report F14)**

RECOMMENDED:

That the West Suffolk Anti-Fraud and Anti-Corruption Policy, as contained in Appendix A to Report F14, be adopted.

The Council's current Strategy (to be re-named Policy) was last revised in 2011. It is good practice to review arrangements from time to time and as such a review of the Strategy has been undertaken to ensure it continues to reflect best practice, legislation and shared services arrangements.

The main change to the document has been to include a section on Social Housing Fraud, including reference to the Prevention of Social Housing Fraud Act 2013.

Those who commit social housing fraud are depriving people who are genuinely in need from accessing social housing. It also undermines confidence in the Council's housing allocation system, while preventing and detecting fraud stops public money being wasted.

Minor adjustments have also been made to the document to reflect it is now a joint West Suffolk Policy between St Edmundsbury Borough Council and Forest Heath District Council.

2. Adoption of Contract Procedure Rules and Financial Procedure Rules

Decisions Plan References:
Jun14/08 and Jun14/07
Cabinet Member: David Ray

Report F41

RECOMMENDED:

That the Contract Procedure Rules and Financial Procedure Rules, as set out in Appendices A and B respectively to Report F41, be adopted.

Following the adoption of the West Suffolk Medium Term Financial Strategy (MTFS) in February 2014 and the emerging West Suffolk Procurement Strategy (recommended for Cabinet approval by the Performance and Audit Scrutiny Committee); there is a need to review both St Edmundsbury Borough (SEBC) and Forest Heath District (FHDC)

Councils' Contract Procedure Rules (CPR) and Financial Procedure Rules (FPR), both of which form part of the Councils' Constitution.

The CPR provide a corporate framework for the procurement of all goods, services and works for the Council. They are designed to ensure that all procurement activity is conducted with openness, probity and accountability. Above all, these rules are designed to ensure that the Council obtains value for money and the required level of quality and performance in all contracts that are entered into. The FPR provide a framework of control, responsibility and accountability for the administration of the Councils' financial affairs

Although both FHDC and SEBC each have their own CPR and FPR, it is considered desirable that they should mirror each other to assist Officers, working across both Authorities, to comply.

**3. Recommendations of the Licensing and Regulatory Committee:
10 June 2014 - Review of Cumulative Impact Policy**

***Decisions Plan Reference: Jun14/01
Cabinet Member: Terry Clements***

***Report F46
(Licensing and
Regulatory
Committee
Report F31)***

RECOMMENDED: That

- (1) the policy wording on cumulative impact and the proposed reinstatement of the Cumulative Impact Area within the Abbeygate Ward, as identified in Appendix A to Report F31, be adopted and included as a revision to the current Statement of Licensing Policy; and***
- (2) the proposed designation of a Cumulative Impact Area within the Risbygate Ward, as delineated in Appendix A of Report F31, be not proceeded with.***

On 10 June 2014, the Licensing and Regulatory Committee considered Report F31 which contained the results of the consultation on, and evidence to support, the reinstating the Abbeygate cumulative impact area in Bury St Edmunds and proposing a new area surrounding Station Hill within the Risbygate Ward of Bury St Edmunds (the precise areas are identified in Appendix A of Report F31).

The responses to the consultation are contained within Appendices B1, B2 and B3 to Report F31 with Crime and Order statistics provided at Appendices C1 and C2. Both sets of Appendices indicate strong support for the reinstatement of the Cumulative Impact Policy and the proposed creation of a new area within Risbygate Ward covering Station Hill, Out Northgate and part of Tayfen Road.

At the Licensing and Regulatory Committee, a copy of an email from Councillor Nettleton, one of the Members for Risbygate Ward, had been previously circulated was considered. This put forward his case for not supporting the designation of a new area to be formed on Station Hill, Out Northgate and part of Tayfen Road to which the Cumulative Impact Policy would be applied. The basis of his objections to the proposal was that reported incidents of crime in this area were diminishing, one of the nightclubs in the area had closed and another was opening only intermittently, there were no apparent complaints from local residents of the area, opportunities for converting existing properties in the area to licensed premises appeared to be non-existent and that there had been redevelopment of the area by the provision of residential flats. In the latter-mentioned regard he referred to further proposals for redevelopment. An email from Councillor Ms Wakelam, the other Ward Member, was also reported at the meeting which similarly did not support the proposal.

In relation to the proposed reinstatement of the Cumulative Impact Policy Area in the Abbeygate Ward, an extract of the current Home Office guidance on the use of a Cumulative Impact Policy was tabled at the Committee meeting. This stressed that the application of the policy should not be absolute and that applications which were unlikely to add to the cumulative impact should be granted:

*'The licensing authority must consider whether it would be justified in departing from the policy in the light of the circumstances of the case. The impact could be expected to be different for premises with different styles and characteristics. **For example, while a large nightclub or high capacity public house might add to problems of cumulative impact, a small restaurant or a theatre may not need to show that the grant of the application would undermine the promotion of one of the licensing objectives.***

Councillor Farmer in supporting the case for reinstating the policy area suggested that this guidance outweighed claims that the Cumulative Impact Policy would stifle the night time economy.

4. Bury St Edmunds North East Strategic Development Site - Masterplan

Decisions Plan Reference: Feb14/17
Cabinet Member: Terry Clements

**Report F47
(Sustainable
Development
Working Party
Report F37)**

RECOMMENDED:

That the Masterplan for development of the Strategic Development site at Bury St Edmunds North East, as contained in Appendix A of Report F37, be adopted as non-statutory planning guidance.

Land at Bury St Edmunds North East is allocated in Policy CS11 of the adopted St Edmundsbury Core Strategy to accommodate long term strategic growth for Bury St Edmunds which would deliver around 1,250 homes as part of a mixed use development. Additionally the Policy CS11 requires, amongst other things, that the identity and segregation of Great Barton is maintained and that a new high quality entrance to Bury St Edmunds is created, the provision of an A143 Great Barton Bypass is facilitated; and improved public transport, footway and cycle links to the town centre and south towards the A14 and strategic employment sites are provided. The allocation is developed further by Policy BV6 of the Bury St Edmunds Vision 2031 submission draft document.

Policy BV6 states that the location of uses, access arrangements, design and landscaping will be informed by a Masterplan for the site. A Concept Statement adopted by the Council in May 2013, which provides the parameters and framework for the development of the site, is included as Appendix 9 to the Vision document.

The site is located to the north of the Ipswich to Cambridge/Peterborough Railway Line and south of the A143. Great Barton village is located to the North East of the site and is separated by undeveloped agricultural land. The settlement of Cattishall is located to the east of the site.

The draft Masterplan has been prepared by Berkeley Strategic and is a comprehensive document. Consultation by the developers has been undertaken in accordance with the Council's Statement of Community Involvement and the adopted Protocol for the Preparation of Masterplans.

The Working Party and Cabinet had noted that at the time of preparing the Core Strategy a transport assessment had been commissioned by Suffolk County Council, as highways authority, to identify the potential impact of the growth of Bury St Edmunds on the strategic road network. In 2013 the County Council's consultants were asked to undertake junction assessments to identify possible solutions to increase the capacity of key junctions in the town to accommodate the planned growth. The results demonstrated that there were potential deliverable schemes to accommodate future traffic growth, including potential additional lanes on slip roads at the A14 junctions. Officers had also stressed that each development would be assessed at the time of the development to individually to assess traffic impact and that developers would be asked to make contributions, through s106 agreements, to mitigate the impact of their development on the network.

**(D) Referral from West Suffolk Joint Standards Committee:
16 June 2014**

1. Appointment of Independent Persons

***Chairman of the Joint Committee: Cllr Redhead Report
JST14/006***

RECOMMENDATION:

That Ms Joy Inameti and Mr Arnold Barrow be appointed this Council's Independent Persons in accordance with s28(7) of the Localism Act 2011 for a term of two years and one year respectively commencing 1 July 2014.

It is a requirement of the Localism Act that every council appoint at least one Independent Person whose role is to advise the council with regard to complaints that councillors have breached the Code of Conduct. In 2012 a Suffolk-wide process resulted in the recruitment of eight IPs but some disappointment was expressed that none was from West Suffolk and that they were not representative of the diversity of the area. Consequently, when as the terms of office of the IPs was to terminate on 1 July this year, the opportunity was taken to carry out a West Suffolk recruitment process. Interviews took place and the Joint Standards Committee selected two candidates, but sadly one passed away shortly afterwards. However, one of the existing IPs, Mr Barrow had also applied for the post and as he has proven ability and experience it is proposed to reappoint him but for a period of only one year as he has already served for two. Ms Inameti and Mr Barrow are to be appointed as IPs for both councils, to provide resilience, but each council will pay the allowance of one only.

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(C) Referrals from Cabinet: 24 June 2014

The following additional information shown in **bold and highlighted** is provided to clarify the wording contained in Policy CS11 in respect of the provision of an A143 Great Barton Bypass and how this relates to the reference in the Masterplan.

4. Bury St Edmunds North East Strategic Development Site - Masterplan

Decisions Plan Reference: Feb14/17
Cabinet Member: Terry Clements

**Report F47
(Sustainable
Development
Working Party
Report F37)**

RECOMMENDED:

That the Masterplan for development of the Strategic Development site at Bury St Edmunds North East, as contained in Appendix A of Report F37, be adopted as non-statutory planning guidance.

Land at Bury St Edmunds North East is allocated in Policy CS11 of the adopted St Edmundsbury Core Strategy to accommodate long term strategic growth for Bury St Edmunds which would deliver around 1,250 homes as part of a mixed use development. Additionally the Policy CS11 requires, amongst other things, that the identity and segregation of Great Barton is maintained and that a new high quality entrance to Bury St Edmunds is created, the provision of an A143 Great Barton Bypass is facilitated; and improved public transport, footway and cycle links to the town centre and south towards the A14 and strategic employment sites are provided. The allocation is developed further by Policy BV6 of the Bury St Edmunds Vision 2031 submission draft document.

Policy BV6 states that the location of uses, access arrangements, design and landscaping will be informed by a Masterplan for the site. A Concept Statement adopted by the Council in May 2013, which provides the

parameters and framework for the development of the site, is included as Appendix 9 to the Vision document.

The site is located to the north of the Ipswich to Cambridge/Peterborough Railway Line and south of the A143. Great Barton village is located to the North East of the site and is separated by undeveloped agricultural land. The settlement of Cattishall is located to the east of the site.

The draft Masterplan has been prepared by Berkeley Strategic and is a comprehensive document. Consultation by the developers has been undertaken in accordance with the Council's Statement of Community Involvement and the adopted Protocol for the Preparation of Masterplans.

In respect of facilitating 'the provision of an A143 Great Barton Bypass', the Masterplan would not prevent a bypass coming forward should it become deliverable in the future. Although the Suffolk Local Transport Plan identifies a bypass for Great Barton as "a long-term aspiration", it is not in the County Council's programme or identified as a deliverable project before 2031.

The Working Party and Cabinet had noted that at the time of preparing the Core Strategy a transport assessment had been commissioned by Suffolk County Council, as highways authority, to identify the potential impact of the growth of Bury St Edmunds on the strategic road network. In 2013 the County Council's consultants were asked to undertake junction assessments to identify possible solutions to increase the capacity of key junctions in the town to accommodate the planned growth. The results demonstrated that there were potential deliverable schemes to accommodate future traffic growth, including potential additional lanes on slip roads at the A14 junctions. Officers had also stressed that each development would be assessed at the time of the development to individually to assess traffic impact and that developers would be asked to make contributions, through s106 agreements, to mitigate the impact of their development on the network.