

Council 30 September 2013

Schedule of Referrals from Cabinet, West Suffolk Joint Standards Committee and Development Control Committee

(A) Referrals from Cabinet: 9 July 2013

**1. Level of Council Tax Support Grant to Town/Parish Councils, and
SEBC Revenue Grant Scheme for Parish Councils for 2014/2015
onwards**

Decisions Plan Reference: Jul13/06
Cabinet Member: Cllr David Ray

Report E52

RECOMMENDED: That

- (1) the Council Tax Support Grant for Parish/Town Councils be phased out over a four year period at a 25% reduction each year starting in 2014/2015 (year one being 2013/2014);**
- (2) the basis for the parish revenue support grant calculation for 2014/2015 onwards be calculated on the previous year's precept level, rather than the forthcoming year's estimated precepts, as outlined in Section 4.24 of Report E52;**
- (3) the Parish Revenue Grant Scheme be phased out over a four year period with a 25% reduction in the funding 'pot' each year starting in 2014/2015 (year one being 2013/2014);**
- (4) the first two years' reduction amounts arising from the Parish Revenue Grant Scheme, as outlined in (3) above, be retained and for Cabinet to determine its use within the rural areas, possibly through a further amount for the established Rural Initiatives Grant Scheme; and**
- (5) delegated authority be given to the Head of Resources and Performance in consultation with the Portfolio Holder for Resources and Performance to finalise the designs for both the Council Tax Support**

Grant Scheme and the Parish Revenue Grant Scheme following the Parish Conference in Autumn 2013, subject to there being no detrimental impact on the Council's Medium Term Financial Strategy beyond that allowed for in recommendations (1) and (3) above.

Approval is sought for establishing the level of Council Tax Support Grant to Town/Parish Councils and St Edmundsbury Borough Council's (SEBC) grant scheme for parish councils (Parish Revenue Grant Scheme) for 2014/2015 onwards.

Report E52 was presented to Cabinet which took into account the significant financial challenges faced by the Borough Council, like most others, over its current Medium Term Financial Strategy. For SEBC alone, the annual savings target for 2015/2016 is expected to be in the region of £1.7 million, that is over and above the savings to be achieved through sharing services with Forest Heath District Council (FHDC). Shared services alone may not address the saving requirements for next year's budget and therefore local savings are also expected to be developed in order to achieve a balanced budget for 2014/2015.

Recognising these financial challenges, the Cabinet has acknowledged that neither the Council Tax Support Grant, nor the parish revenue support grant are financially sustainable schemes going forward. The Council Tax Support Grant Scheme will be subject to annual reductions through the scaling back of Council funding by Central Government. The parish revenue support grant, like all revenue expenditure items is subject to review as a result of the overall financial pressures on the Council. It is therefore considered that the Council Tax Support Grant for Parish/Town Councils should be phased out over a four year period at a 25% reduction each year starting in 2014/2015, with year one being 2013/2014. The separate Parish Revenue Grant Scheme, which out of all the Suffolk local authorities, SEBC is the only Council to operate such a grant scheme, will also be phased out over a four year period with a 25% reduction in the funding pot each year starting in 2014/2015, with year one being 2013/2014. The Cabinet has also agreed to the principle of retaining the first two years' reduction amounts arising from the Parish Revenue Grant Scheme and the monies being allocated to the established Rural Initiatives Grant Scheme.

In response to a question at the Cabinet meeting, Members were informed that a Private Members' Bill which aimed to cap parish and town preceptors by imposing referendums on precept increases of 2% or more had failed; however, legislation is already in place to make parish and town precept increases subject to a referendum of local people, following the introduction of provisions for Council Tax referendums in the Localism Act 2011. At present, the Secretary of State has not enacted these powers however, should parish and town councils be concerned about the possibility of the referendum cap coming in for 2014/2015, the planned phasing will enable parish and

town councils to make provision for such local referendums to be held and ensure funds are earmarked appropriately.

2. Joint Affordable Housing Supplementary Planning Document

Decisions Plan Reference: Jul13/04
Cabinet Members: Cllrs Terry Clements;
and Anne Gower

**Report E56
(Sustainable
Development
Working Party
Report E46)**

RECOMMENDED:

That the Joint Affordable Housing Supplementary Planning Document, as contained in Appendix B to Report E46, as amended to include the list of minor amendments tabled at the meeting of the Sustainable Development Working Party on 27 June 2013, be adopted.

The Working Party has previously considered a draft Joint Affordable Housing Supplementary Planning Document (SPD) and recommended to Cabinet approval for consultation (Paper D98 – 31 July 2012 refers).

Public consultation took place between 2 November and 14 December 2012 and, in the light of comments received (as shown in Appendix A to Report E46), officers made consequential changes to the draft SPD in order that it may be adopted.

(B) Referrals from Cabinet: 10 September 2013

1. Annual Treasury Management Report 2012/2013

Decisions Plan Reference: Sep13/11
Cabinet Member: Cllr David Ray

**Report E101
(Treasury
Management
Sub-Committee
Report E61)**

RECOMMENDED:

That the Annual Treasury Management Report 2012/2013, attached as Appendix 1 to Report E61, be approved

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%.

2. Policy for Granting Loans to External Organisations

Decisions Plan Reference: Sep13/09
Cabinet Member: Cllr David Ray

Report E102

RECOMMENDED:

That the Policy for Granting Loans to External Organisations, as set out in Appendix 1 to Report E102, be adopted, subject to the following addition as Item (f) to Section 3.1 of the Policy:

'Provision for recovery of any fees incurred for items including, but not limited to, validation of financials, legal advice on loan security arrangements etc.'

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 were available for Cabinet to consider at Appendix 2. Also included in Appendix 2 were six recommendations all of which are incorporated into the proposed Policy for Granting Loans to External Organisations, attached at Appendix 1.

The Cabinet had broadly supported the Policy but wished to include an appropriate addition to enable the Council to recoup any costs associated with the setting up on any proposed loan.

3. Amendment to the Grants Policy

Decisions Plan Reference: Sep13/06
Cabinet Member: Cllr Robert Everitt

**Agenda Item 8:
Narrative Item**

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.

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.

4. West Suffolk Empty Homes Strategy 2013/2015

Decisions Plan Reference: Sep13/01
Cabinet Member: Cllr Anne Gower

Report E104

RECOMMENDED:

That 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.

The West Suffolk Empty Homes Strategy sets out how the Council will continue 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.

5. West Suffolk Contaminated Land Strategy

Decisions Plan Reference: Sep13/03
Cabinet Member: Cllr Peter Stevens

**Report E109
(AMENDED)
(Sustainable
Development
Working Party
Report E91)**

RECOMMENDED:

That 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.

Report E91 advises that to achieve a shared approach to policy and service delivery for the people of West Suffolk and meet statutory obligations under Part 2A of the Environmental Protection Act 1990, Forest Heath District and St Edmundsbury Borough Councils have developed and consulted upon a draft West Suffolk Contaminated Land Strategy (considered by the Sustainable Development Working Party on 12 March 2013, Report D323 refers).

Once adopted, this will replace the Councils' current strategies. Appendix A to Report E91 sets out proposed amendments to the draft Strategy which reflects comments made during the stakeholder consultation. Appendix B lists the consultees whose views on the draft Strategy were sought. The draft Strategy was attached as Appendix C.

(C) Referrals from Special Cabinet: 24 September 2013

(This referral has been compiled before the special meeting of Cabinet on 24 September 2013 and is based on the recommendation contained within the report. Any amendments made by Cabinet to the recommendations will be notified prior to the meeting of Council.)

1. Bury St Edmunds Vision 2031, Haverhill Vision 2031 and Rural Vision 2031: Submission

Decisions Plan Reference: Sep13/15
Cabinet Member: Cllr Terry Clements

**Report E118
(Sustainable
Development
Working Party
Report E113,
including the
amended
recommendation)**

RECOMMENDED:

That, the submission versions of the Bury St Edmunds Vision 2031, Haverhill Vision 2031 and Rural Vision 2031 documents and supporting documentation as contained in Reports D370, D368 and D367 respectively, as amended as minuted in Minute 15 (B) (3) and Appendix A of the minutes of full Council on 16 May 2013, and as consulted upon between 18 June and 9 August 2013, be approved for submission to the Secretary of State and subsequent examination by the Planning Inspectorate.

Report E113 updates and reports on the latest stage of the three Vision 2031 documents, following the most recent 'submission version' consultation which took place between June and August 2013. This consultation sought comment on matters of 'soundness' and 'legal compliance'.

The next stage in preparing the Vision 2031 documents is to consider submitting them to the Secretary of State. Should the Council agree to this, it is anticipated that the documents will formally be submitted to the Secretary of State by the end of November 2013. Following this an Examination in Public will be held by a Planning Inspector, at a date to be determined, but currently anticipated to be early spring 2014, with adoption to follow the Inspector's report.

A table setting out the total number of respondents and the number of representations received to each document is set out below.

	NUMBER OF RESPONDENTS	TOTAL RESPONSES RECEIVED	OBJECT	SUPPORT
Rural Vision 2031		236	155	81
Rural supporting documents		9	6	3
TOTAL	128	245	161	84
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Haverhill Vision 2031		172	128	44
Haverhill supporting documents		5	2	3
TOTAL	45	177	130	47
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Bury St Edmunds vision 2031		388	305	83
Bury supporting documents		7	6	1
TOTAL	150	395	311	84

Attached as Appendices 1,2 and 3 to Report E113 were summaries of key objections raised in consultation responses during June to August

2013 on the Bury St Edmunds Vision 2031 Submission, Haverhill Vision 2031 Submission and Rural Vision 2031 Submission documents.

Section 4.5 of Report E113 contained the responses of the statutory consultees in relation to all three Vision 2031 documents.

An amended recommendation was circulated to the Sustainable Development Working Party (Report E113 AMENDED RECOMMENDATION refers), which sets out what the Council is being asked to approve more clearly.

The Cabinet considered the recommendation of the Sustainable Development Working Party, as contained in Report E118, and this was accepted and recommended to Council for final approval.

**(C) Referrals from West Suffolk Joint Standards Committee:
17 June 2013**

Chairman of the Joint Committee: *Cllr D Redhead* **Report**
JST13/002

1. The New Standards Regime – Update and the Appointment of Independent Persons

RECOMMENDED: That

- (1) the position with regard to the implementation of the new Ethics regime be noted;**
- (2) the need to align the arrangements for the appointment of Independent Persons at both authorities for the efficient working of the Joint Committee be acknowledged;**
- (3) the extension of the appointment of the Independent Persons at Forest Heath District Council (FHDC) for a further year at most, pending the completion of any recruitment process be agreed; and**
- (4) the appointment process for Independent Persons going forward be approved and agreed following a further report to the Joint Committee at its next meeting on 16 December 2013.**

Both St Edmundsbury Borough Council (SEBC) and Forest Heath District Council (FHDC) have implemented the new Standards and Ethics regime which was instituted from 1 July 2012. The new Suffolk Code of Conduct was introduced and adopted by Town and Parish Councils across the area as well as by the two principal authorities. Training has been provided on the new system. Parish, Town and District and Borough Members have completed the required Register of

Interests and these have been made available on the Councils' web sites as required.

A necessary part of the new system is the requirement to appoint one or more Independent Persons (IPs). The role of the IPs is to be consulted on new complaints when reaching the decision to investigate, and to assist at other stages of the process, including reviewing the result of an investigation. Eight IPs have been recruited across Suffolk through a joint exercise undertaken by all principal authorities. This provides resilience and flexibility by allowing sufficient resource to fulfil the multiple roles of the IPs. It also permits a saving in the costs of recruitment and the cost of using the IPs for cases. All of the current IPs have received training arranged by Suffolk Monitoring Officers last year. At SEBC, the IPs were appointed for up to two years. FHDC appointed them for a term of 12 months, and had expressed the hope that a recruitment process for replacement IPs would result in a more representative and diverse group being appointed.

A further process for selection has not yet been undertaken. The Joint Committee was asked to consider the way in which it wished to proceed with this and the appropriate timescale. The options were to remain in the Suffolk Pool or take steps to appoint its own IPs.

Staying in the joint Suffolk arrangement will result in reduced costs, as outlined above. It would inevitably mean that there will be less independence of decision as the appointments would have to be agreed by all parties. The alternative would involve sharing between the two authorities the cost of advertising the roles, a statutory requirement, and the process of appointment. To give some resilience and permit the cover needed for the various roles it would be necessary to appoint more than one IP. In the interim it will be practical for the appointment of the existing panel to continue. This will mean extending the one year appointment at FHDC to two years to align with the position at SEBC.

**(D) Referrals from Development Control Committee:
5 September 2013**

Chairman of the Committee: Cllr J Thorndyke

Report E97

1. Framework for a Shared Planning Service

RECOMMENDED:

That the changes to the Constitution as contained in the following appendices to Report E97, be approved:

- (1) *Appendix 5 – Part 2: Articles of the Constitution;
Article 8: Regulatory and Other Committees and
Part 3: Responsibility for Functions: Development
Control Committee:***

to allow for the creation of a Delegation Panel, subject to the following amendments:

- (i) Paragraph 6.3(b) the addition at the end of 'or adjacent Ward Member with the approval of the Ward Member(s)'; and**
 - (ii) Paragraph 6.3(e) redrafted as follows 'The formal decision will be made by the Head of Planning and Regulatory Services, in consultation with the Chairman and/or Vice-Chairmen and any interested local Ward Members. In the absence of a consensus between the Members the application will be reported to the Development Control Committee.'**
- (2) Appendix 6 – Combined Scheme of Delegation, Head of Planning and Regulatory Services, subject to the following amendment: Paragraph 11: the addition at the end of the words in parenthesis 'and Ward Member(s)'; and**
- (3) Appendix 8 – Decision Making Protocol.**

Report E97 was considered by the Development Control Committee, which sought approval to changes in the way it discharged its functions in future on the basis of a Shared Planning Service. An essential part of the business case for the Shared Planning Service is to ensure that there is a single and consistent way of operating across the two planning authorities in St Edmundsbury and Forest Heath. In this respect, a series of shared Members' workshops had been held to look at:

- (i) Committee Procedures;
- (ii) Scheme of Delegation;
- (iii) Enforcement; and
- (iv) Pre-application engagement with Developers/Agents.

The outcome from the Members' workshops formed the basis on which the Shared Planning Service would operate. Report E97 provided the detailed changes required to put these single operating procedures in place and included proposals to amend the Constitution to incorporate these changes. Following full deliberation by the Committee, a number of amendments were made to the proposals, as contained in the minutes of the meeting.

The proposed changes to the Constitution require approval by full Council hence the inclusion of the above recommendations of the Committee in this report.

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