



St Edmundsbury Borough Council

Cabinet Decisions Notice

(Published: Thursday 12 February 2015)

The following decisions were taken by the Cabinet on **Tuesday 10 February 2015** and, if not called in by Councillors, will come into operation on Friday dd mmm yyyy. A decision may be called in, in accordance with the Procedure Rules contained within Part 4 of the Council's Constitution, by five Councillors submitting the required call-in request form to the Head of Legal and Democratic Services (e-mail: democratic.services@westsuffolk.gov.uk) **by 5.00 pm on Thursday 19 February 2015**.

Should you have a query regarding any of the decisions taken, contact should be made with the named officer in the first instance, either on the telephone number listed against their name, or via email using the format firstname.surname@westsuffolk.gov.uk. Alternatively, you may also contact the relevant Portfolio Holder on the telephone number listed against their name, or via email using the format firstname.surname@stedsbc.gov.uk. Contact may also be made via Democratic Services, West Suffolk House, Western Way, Bury St Edmunds, Suffolk IP33 3YU

Agenda Item and Report No.	Declarations of Interest/Dispensations Granted	Decision(s) (including recommendations to Council)	Reason(s) for Decision(s)	Other Options Considered and Reasons for Rejection	Contacts
Item No. 4 CAB/SE/15/002 AMENDED	None	<p><u>Report of the Performance and Audit Scrutiny Committee: 29 January 2015 (amended to consider additional recommendations of officers arising from discussions held by the Overview and Scrutiny Committee)</u></p> <p>RESOLVED: That the car park tariffs for 2015/2016, as set out in Paragraph 1.3.2 of Report No: PAS/SE/15/005 and the amendments outlined to the Borough of St Edmundsbury (Off Street Parking Places) Order 2010, as set out in Paragraph 1.9 of Report No: OAS/SE/14/001, be approved as part of the budget setting process for 2015/2016, subject to the exclusion of the proposal outlined in Paragraph 1.9.4</p>	The Cabinet agrees the majority of the changes to the car parking tariffs and Traffic Regulation Order (TRO) across the Borough for 2015/2016 are acceptable; however, it is considered the proposal to introduce a low emission car park and vehicle tariff on the Old Sale Yard (Rose and Crown) car park in Haverhill, as detailed in Paragraph 1.9.4 of Report No: OAS/SE/14/001, requires further review and investigation. The remaining amendments to the TRO are also subject to a 28 day statutory consultation period, which needed to be made clear in the decision.	Options were considered in detail by the Overview and Scrutiny Committee and the Performance and Audit Scrutiny Committee.	<p><u>Portfolio Holder:</u> Cllr Alaric Pugh 07930 460899</p> <p><u>Officer:</u> Darren Dixon Car Parking Manager 01284 757413</p>

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		of Report No: OAS/SE/14/001 and the satisfactory outcome of consultation with local residents on the remaining amendments to the Order.			
Item No. 5 CAB/SE/15/003	None	<p><u>Recommendation of the Performance and Audit Scrutiny Committee: 29 January 2015: Annual Treasury Management and Investment Strategy Statements 2015/2016</u></p> <p>RECOMMENDED TO COUNCIL: That: (1)the Annual Treasury Management and Investment Strategy Statements 2015/2016, as contained in Appendix 1 to Report TMS/SE/15/002, be adopted; and (2)the Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance and the Chairman of Treasury Management Sub-Committee, be given delegated authority to make amendments to the Treasury Management Investment Strategy, taking into account advice of the Council's Treasury Management Advisors in response to changes to credit ratings resulting from the implied removal of sovereign support in the Bank of England's 'bail-in' regulations.</p>	The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management requires that, prior to the start of the financial year that Council formally approves an Annual Treasury Management and Investment Strategy, setting out the Council's treasury management policy and strategy statements for the forthcoming year. The Cabinet also considers the additional recommendation is acceptable as the Council needs to consider implications regarding changes to credit ratings following the implied removal of sovereign support to banks.	Options for the management of Council investments are formally considered within the Annual Treasury Management and Investment Strategy.	<p><u>Portfolio Holder:</u> Cllr David Ray 01359 250912</p> <p><u>Officer:</u> Rachael Mann Head of Resources and Performance 01638 719245</p>
Item No. 6 CAB/SE/15/004	None	<p><u>Recommendations of the Performance and Audit Scrutiny Committee: 29 January 2015 - Update on Procurement Exercise for External Fund Manager to Support Treasury Management Activities</u></p>	Of two potential options on the timing for undertaking a procurement exercise for appointment and use of an external fund manager, the Cabinet	Reasons why Option A should not be supported, as agreed by the Treasury Management Sub-	<p><u>Portfolio Holder:</u> Cllr David Ray 01359 250912</p> <p><u>Officer:</u></p>

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		<p>RESOLVED: That Option B, as detailed in paragraph 1.2.1 of Report TMS/SE/15/003, be approved.</p>	<p>considers that Option B is the most appropriate. This means the exercise will commence during the summer of 2015, thus allowing for further opportunity to consider the business cases for some potentially significant investment opportunities within the Borough and the Council's overall spending plans.</p>	<p>Committee, Performance and Audit Scrutiny Committee and Cabinet are provided in Report No: TMS/SE/15/003.</p>	<p>Rachael Mann Head of Resources and Performance 01638 719245</p>
<p>Item No. 7 CAB/SE/15/005</p>	<p>None</p>	<p><u>Budget and Council Tax Setting: 2015/2016 and Medium Term Financial Strategy</u></p> <p>RECOMMENDED TO COUNCIL: That: (1) the revenue and capital budget for 2015/2016 attached at Attachment A to Report No: CAB/SE/15/005, and as detailed in Attachment D, Appendix 1-5 and Attachment E be approved; (2) having taken into account the conclusions of the Head of Resources and Performance's report on the adequacy of reserves and the robustness of budget estimates (Attachment C) and the Medium Term Financial Strategy (MTFS) (Attachment D), particularly the Scenario Planning and Sensitivity Analysis (Attachment D and Appendix 5) and all other information contained in this report, Cabinet recommends a 0% increase in council tax for 2015/2016; (3) the Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and</p>	<p>Cabinet is required to recommend to full Council the budget for the authority and the level of Council Tax required to fund the budget. In 2015/2016, the Cabinet has recommended a zero percent increase in Council Tax.</p>	<p>Other options have been considered and rejected to ensure the Council meets its statutory requirements of setting a balanced budget for 2015/2016.</p>	<p><u>Portfolio Holder:</u> Cllr David Ray 01359 250912</p> <p><u>Officer:</u> Rachael Mann Head of Resources and Performance 01638 719245</p>

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		<p>Performance, be authorised to transfer any surplus from the 2014/2015 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.8.4, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year; and (4) that the use of the Council's discretionary power (S47 Local Government Finance Act) to provide the transitional relief be approved and delegated authority be given to the Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance, to determine the final guidelines for the operation of the transitional relief for 2015/2016 and 2016/2017 following the current scheme and guidance issued by Government (Attachment F), as set out in paragraphs 1.4.3 to 1.4.7 of Report No: CAB/SE/15/005.</p>			
<p>Item No. 8 CAB/SE/15/006</p>	<p>None</p>	<p><u>Suffolk Business Park Land Assembly</u></p> <p>RESOLVED: That: (1) the principle of using the Council's compulsory purchase powers (CPO) under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) to acquire such estates and interest in the land as may be necessary to facilitate the development of the Eastern Relief Road and Suffolk Business Park in accordance with the local development plan, as detailed in Section</p>	<p>The land in the control of Churchmanor is now the only parcel of land needed to complete the Eastern Relief Road and extension to Suffolk Business Park; however negotiations with Churchmanor and the Council have currently stalled. The Cabinet supports the principle that unless the Council considers the use of its powers and subsequently approves the making of a Compulsory Purchase Order, the current impasse may continue indefinitely further delaying this</p>	<p>Not to consider using compulsory purchase powers would result in the Eastern Relief Road not progressing and funding falling away. Suffolk Business Park cannot be delivered without the Eastern Relief Road.</p>	<p><u>Portfolio Holder:</u> Cllr John Griffiths 07958 700434</p> <p><u>Officer:</u> Steven Wood Head of Planning and Growth 01284 757306</p>

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		<p>2 of Report No: CAB/SE/15/006, be approved; and (2) the Head of Planning and Growth be authorised to continue to explore options with the landowners which would resolve the matter without the need for the Council to invoke its compulsory purchase powers. In the event of negotiations proving unsuccessful, a further report will be brought to a future Cabinet meeting to seek a recommendation to Council for use of CPO powers in accordance with recommendation 1 above.</p>	<p>important scheme and thereby failing to provide much needed housing, education, community and employment land.</p>		
<p>Item No. 9 CAB/SE/15/007</p>	<p>None</p>	<p><u>Grant Funding 2015/2016: Arts and Sports Revenue Support Grants</u></p> <p>RESOLVED: That the following levels of funding be approved and included in the budget for 2015/2016, as detailed in Report No: CAB/SE/15/007: (1) Theatre Royal, Bury St Edmunds: £66,250 (a reduction of £5,000); (2) Smith's Row Art Gallery, Bury St Edmunds: £25,000 (a reduction of £9,485); and (3) Victory Ground Sports Ground, Bury St Edmunds: £45,250 (a reduction of £2,500).</p>	<p>The Cabinet considers the levels of grant funding for the three arts and sports organisations outlined in the decision for 2015/2016 are appropriate.</p>	<p>Grant funding could be more or less than that set out in the decisions.</p>	<p><u>Portfolio Holder:</u> Cllr Sarah Stamp 01284 769360</p> <p><u>Officer:</u> Liz Watts Director 01284 757252</p>
<p>Item No. 10 CAB/SE/15/008</p>	<p>None</p>	<p><u>West Suffolk Homelessness Strategy 2015-2018</u></p> <p>RECOMMENDED TO COUNCIL: That the West Suffolk Homelessness</p>	<p>The Cabinet supports approval of this Strategy which sets out how the West Suffolk councils, along with their partners, will address and prevent homelessness over the</p>	<p>The Homelessness Act 2002 requires all councils to produce a Homelessness Strategy at least</p>	<p><u>Portfolio Holder:</u> Cllr Anne Gower 01440 706402</p> <p><u>Officer:</u></p>

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		Strategy 2015-2018, as contained in Appendix A to Report No: CAB/SE/15/008, be adopted.	next three years, ensuring that there is sufficient suitable temporary accommodation and support for those who are homeless or threatened with homelessness.	every five years so if a strategy was not produced the Council would be in breach of its statutory requirements.	Simon Phelan Head of Housing 01638 719440
Item No. 11 CAB/SE/15/009	None	<u>West Suffolk Equality Scheme 2015-2020</u> RESOLVED: That the West Suffolk Equality Scheme 2015-2020 at Appendix 1 to Report No: CAB/SE/15/009 and the Equality Guidance and Forms at Appendix 2, be approved.	Both St Edmundsbury Borough and Forest Heath District Council's Equality Schemes are now due to be updated and the opportunity has been taken to develop one single scheme for West Suffolk. This scheme has been developed having regard to up to date legislation and guidance.	Not to revise the existing Equality Scheme; however, it is best practice to have an updated Scheme in accordance with legislation and guidance.	<u>Portfolio Holder:</u> Cllr Sara Mildmay-White 01359 270580 <u>Officer:</u> Davina Howes Head of Families and Communities 01284 757070
Item No. 12 CAB/SE/15/010	None	<u>West Suffolk Pension Discretions Policy</u> RECOMMENDED TO COUNCIL That the Pension Discretions Policy, as contained in Appendix A to Report No: CAB/SE/15/010, be approved.	The Local Government Pension Scheme (LGPS) changed to a career average ('CARE' – career average revalued earnings) scheme in April 2014. The new pension regulations gave employers a number of discretionary options. The Cabinet has recommended that full Council approves and publishes its decisions in relation to these discretions in a written Statement of Policy, as required by the Regulations.	A written policy is a statutory requirement but there are alternative options in relation to each discretion, which are considered and rejected, as summarised in Appendix B to Report No: CAB/SE/15/010.	<u>Portfolio Holder:</u> Cllr David Ray 01359 250912 <u>Officer:</u> Karen Points Head of HR, Legal and Democratic Services 01284 757015
Item No. 14 CAB/SE/15/012	None	<u>Recommendations from the Rural Area Working Party: 26 January 2015</u>		Options were considered in detail by the Rural Area	<u>Portfolio Holder:</u> Cllr Peter Stevens

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		<p>(a) <u>St Edmundsbury's Rural Youth Work Project 2015</u></p> <p>RESOLVED That:</p> <p>(1) the Council's existing funding of £10,600 for rural youth programmes, as outlined in paragraph 1.1.3 of Report No: RUR/SE/15/001, continue to be ring-fenced for that purpose within any new wider approach to grants and commissioning, and underspends in that budget in any year be rolled forward as appropriate;</p> <p>(2) a review of the delivery and funding of the rural youth programme be carried out for implementation in 2016, with a view to enabling rural communities to provide sustainable and locally-led youth initiatives in their villages;</p> <p>(3) for 2015, the officers negotiate with the Suffolk YMCA to provide a transitional programme using the On the Spot Vehicle, taking into account the steer of the Rural Area Working Party at its meeting on 26 January 2015, and with the final detail to be approved in consultation with the relevant Portfolio Holder.</p> <p>(b) <u>Funding of Rural Local Authorities</u></p> <p>RESOLVED:</p>	<p>The Cabinet endorses the recommendations of the Rural Area Working Party (RAWP), which considered that a review of the rural youth work programme is required for implementation in 2016/17 so that it complements the Families and Communities Strategy and the work of locality officers. In relation to the use of the On the Spot vehicle in 2015, it is considered further negotiation is required with the YMCA regarding the possible introduction of a transitional programme, as suggested by RAWP.</p> <p>The Cabinet supports RAWP's proposal to carry out further lobbying and awareness raising with Members of Parliament in</p>	<p>Working Party.</p>	<p>01787 280284</p> <p><u>Officer:</u> Alex Wilson Director 01284 757695</p>

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		That, supporting the work of the Rural Services Network and SPARSE, the Council raises its concerns regarding the relative under-funding of rural local authorities with its Members of Parliament.	respect of the relative under-funding for rural local authorities.		
Item No. 15 CAB/SE/15/013	None	<p><u>Recommendations from the Sustainable Development Working Party: 28 January 2015</u></p> <p>(a) <u>Erskine Lodge, Gt Whelnetham Development Brief</u></p> <p>RESOLVED: That the Development Brief for Erskine Lodge, Great Whelnetham in its current form, as contained in Appendix A to Report SDW/SE/15/002, be <u>NOT</u> adopted; and</p> <p>(b) <u>West Suffolk Shop Front and Advertisement Design Guide</u></p> <p>RECOMMENDED TO COUNCIL: That: (1) the West Suffolk Shop Front and Advertisement Design Guide with suggested amendments, as contained in Appendix A to Report SDW/SE/15/003 be adopted as a Supplementary Planning Document subject to it being noted in the Glossary on page 28 in respect of the second item 'Building of Local Interest', reference to 'Birmingham' be deleted and 'the areas' inserted therefor; and</p>	<p>The Sustainable Development Working Party (SDWP) expressed concerns regarding the draft Erskine Lodge Development Brief, as outlined in Report No: CAB/SE/15/013, which were duly considered by the Cabinet. This resulted in the recommendation of NOT to adopt the Development Brief being approved.</p> <p>Once adopted, the West Suffolk Shop Front and Advertisement Design Guide will be a Supplementary Planning Document (SPD) and will provide detailed guidance on the design of new and replacement shop fronts throughout West Suffolk. The guidance covers matters such as general design principles; materials and colour; signage and lighting; blinds and canopies; and security measures for retail and other commercial properties. The Document has been subject to public consultation and is recommended to Council for</p>	<p>The Cabinet could have decided to recommend adoption of the Erskine Lodge Development Brief; however, Members considered it did not meet satisfactory requirements at the current time.</p> <p>The Cabinet could have decided not to recommend adoption of the West Suffolk Shop Front and Advertisement Design Guide; however, it is best practice to have an adopted up to date SPD in place to assist the consideration of future applications of this nature.</p>	<p><u>Portfolio Holder:</u> Cllr Terry Clements 01284 827161</p> <p><u>Officer:</u> Steven Wood Head of Planning and Growth 01284 757306</p>

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		(2) the Head of Planning and Growth be given delegated authority to edit/insert appropriate images as part of the final document publishing process.	approval.		
<p>Items No. 17 and 21</p> <p>CAB/SE/15/014 and Exempt Appendices</p>	None	<p><u>Revenues Collection Performance and Write-Offs</u></p> <p>RESOLVED: That the write-off of the amounts detailed in the exempt appendices to Report No: CAB/SE/15/014, be approved, as follows: Exempt Appendix 1: Council Tax totalling £5,363.83 Exempt Appendix 2: Business Rates totalling £4,727.56 Exempt Appendix 3: Housing Benefit Overpayments £6,991.65</p>	The total amounts detailed in the decision have been written off. Detailed reasons for the decisions were included in Exempt Appendices 1, 2 and 3 attached to the Report.	The Council has appointed a firm of bailiffs to assist in the collection of Business Rates and Council Tax and also has online tracing facilities. It is not considered appropriate to pass the debt on to another agency. In the event that a written off debt becomes recoverable, the amount is written back on and enforcement procedures are re-established.	<p><u>Portfolio Holder:</u> Cllr David Ray 01359 250912</p> <p><u>Officer:</u> Rachael Mann Head of Resources and Performance 01638 719245</p>
<p>Items No. 18 and 20</p> <p>CAB/SE/15/015 and Exempt Appendices</p>	None	<p><u>West Suffolk Operational Hub</u></p> <p>RESOLVED: That: (1) the contents of Report No: CAB/SE/15/015 be noted; and (2) the next stage of the project be agreed to proceed which will be to seek planning consent for a West Suffolk</p>	The Cabinet considers that in order to progress the joint West Suffolk and Suffolk County Council project for reviewing the feasibility and deliverability of a West Suffolk Operational Hub at Hollow Road Farm in Bury St Edmunds to deliver a combined depot, waste transfer and Household Waste Recycling	Four options have been considered and compared against the status quo, as outlined in Section 1.3.8 of Report No: CAB/SE/15/015. Option 2 is preferred, and	<p><u>Portfolio Holder:</u> Cllr John Griffiths 07958 700434</p> <p><u>Officer:</u> Mark Walsh Head of Operations 01284 757300</p>

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		Operational Hub at Hollow Road Farm, Bury St Edmunds.	Services for West Suffolk, it is appropriate to approve proceeding to the next planning phase of the project noting that this will also be contingent on approval by FHDC and SCC Cabinet.	reasons for rejecting the other options at this stage are outlined in Section 1.3.9.	

Joy Bowes
Acting Solicitor to the Councils
12 February 2015