



## St Edmundsbury Borough Council

### Cabinet Decisions Notice

(Published: Thursday 26 March 2015)

The following decisions were taken by the Cabinet on **Tuesday 24 March 2015** and, if not called in by Councillors, will come into operation on Tuesday 7 April 2015. 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 HR, Legal and Democratic Services (e-mail: [democratic.services@westsuffolk.gov.uk](mailto:democratic.services@westsuffolk.gov.uk)) **by 5.00 pm on Thursday 2 April 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](mailto: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@stedsb.gov.uk](mailto:firstname.surname@stedsb.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/15/021	None	<u>Eastern Relief Road, Bury St Edmunds: Update</u>  RECOMMENDED TO COUNCIL That:  (1) the Section 151 Officer allocates £4,528,871 within the Council's capital programme, initially financed from capital receipts, with a view to the project being funded by a combination of £1.4m from Taylor Wimpey, a £1.4m loan from New Anglia Local Enterprise Partnership (NALEP), and a loan from Suffolk County Council. Following the conclusion of the negotiations with these parties and the outcome of the NALEP	Due to timing issues and in order that electricity is available in time for the first occupiers of the new school, homes and commercial land at Suffolk Business Park, the Cabinet has agreed to recommend to full Council the recommendations provided in the opposite Decision column.	Not to commission the electricity works would result in a delay to the programme such that electricity may not be available in time for the first occupiers of the school, homes or commercial land.	<u>Portfolio Holder:</u> Cllr John Griffiths 07958 700434  <u>Officer:</u> Steven Wood Head of Planning and Growth 01284 757306

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
		<p>application, if there is any shortfall, this will be funded by the Council and recovered through the loan repayments by Taylor Wimpey, as set out in 2.9 and 2.10 of Report No: CAB/SE/15/021;</p> <p>(2) all of the above be subject to the satisfaction of the Section 151 and Monitoring Officers, in consultation with the Leader of the Council; and</p> <p>(3) subject to Recommendations (1) and (2) above, delegated authority be granted to the Head of Planning and Growth, in consultation with the Leader of the Council, to enter into a loan agreement with Taylor Wimpey to commission the electricity infrastructure works.</p>			
Item No. 5 CAB/SE/15/022	Local Non-Pecuniary:  Cllrs Clements and Mrs Stamp as Members of Suffolk County Council	<p><u>Transfer of Land to Suffolk County Council for New High School at Moreton Hall, Bury St Edmunds</u></p> <p>RECOMMENDED TO COUNCIL: That:</p> <p>(1) 11.38 acres of land be transferred to Suffolk County Council for the construction of a new upper school at Moreton Hall, Bury St Edmunds, as detailed in Section 1 of Report No: CAB/SE/15/022, for the sum</p>	Whilst protecting the interests of the Council, the Cabinet has agreed to recommend approval of the recommendations detailed in the opposite Decision column to enable the new school and associated community sports facility projects to progress to an optimum and future-proofed design.	To deliver the school within a constrained site further north, the terms for which could not originally be agreed with developers; or risk not delivering the new school in time for September 2016 and instead rely upon renovating an existing school site in the town centre.	<p><u>Portfolio Holder:</u> Cllr Peter Stevens 01787 280284</p> <p>Cllr Sarah Stamp 01284 769360</p> <p><u>Officer:</u> Richard Combes Valuation and Estates Manager 01284 757361</p>

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
		<p>of £193,460 subject to a 125 year lease back of the land forming part of the shared community sports provision and an accompanying dual use agreement, whilst ensuring the commercial advantage of the Council's ransom strip is maintained;</p> <p>(2) a capital contribution of £1,366,460 be made to Suffolk County Council towards a shared community sports provision within the site made up of the balance of:</p> <p>(a) £813,000 capital allocation for Bury Town FC relocation;</p> <p>(b) £360,000 anticipated future s106 contributions for sporting facilities at Moreton Hall;</p> <p>(b) the capital receipt of £193,460 detailed in (1) above; and</p> <p>(3) delegated authority be given to the Head of Operations, in consultation with the Portfolio Holders for Waste and Property, and Leisure, Culture and Heritage, Chief Executive, s151 Officer and Monitoring Officer, to</p>			

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
		agree the terms of all legal agreements necessary to give effect to the above.			
Item No. 6 CAB/SE/15/023	None	<u>Public Service Village Phase II: Update and Next Phase</u>  RESOLVED: That:  (1) the progress of the Public Service Village Phase II (PSVII) Bury St Edmunds project, be noted;  (2) the Head of Planning and Growth, in consultation with the Leader of the Council, be given delegated authority to negotiate Heads of Terms for a joint venture with the owners of the NHS distribution unit, and partnership agreements with potential occupiers of PSVII, as detailed in Section 1.1.7 of Report No: CAB/SE/15/023, so that these can be presented to a future meeting of Council; and  (3) the exemption to the Contract Procedure Rules, as detailed in Sections 1.2.3 to 1.2.5 of Report No: CAB/SE/15/023, be noted.	As it will not jeopardise progression of the Public Service Village Phase II project and it is acknowledged that the additional £200,000 is not required to be committed at this stage, the Cabinet requested that Recommendation (2) contained in the report be deferred to enable officers to come back with further information on specific issues raised by the Cabinet.	The Masterplan process in June 2006 will have sequentially looked at a variety of uses and alternative sites but found this site as the best place for the development of the Public Service Village.  To recommend approval of Recommendation (2) contained in the report, however, it is not considered appropriate to do so at this stage as further information is required.	<u>Portfolio Holder:</u> Cllr John Griffiths 07958 700434  <u>Officer:</u> Steven Wood Head of Planning and Growth 01284 757306
Item No. 7 CAB/SE/15/024	None	<u>Leisure Development Proposals for West Stow Country Park: Update</u>	The Cabinet supported the proposed 'lots' to enable the 'Application to Bid' process to commence for further leisure	The process has looked at a range of options for future development. The	<u>Portfolio Holder:</u> Cllr Sarah Stamp 01284 769360

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
		<p>RESOLVED: That, the proposed lots, as set out in Section 2.2 of Report No: CAB/SE/15/024, be approved with the outcome of the 'Application to Bid' process being reported back to Cabinet and full Council in June-July 2015.</p>	<p>development of West Stow Country Park.</p>	<p>alternative to these is that the Council continues with the existing business arrangements at West Stow at an annual cost to the Council of approximately £130,000.</p>	<p><u>Officer:</u> Richard Hartley Commercial Manager 01284 757055</p>
<p>Item No. 8 CAB/SE/15/025</p>	<p>None</p>	<p><u>Sponsorship and Advertising Policy for West Suffolk</u></p> <p>RESOLVED: That the Sponsorship and Advertising Policy for West Suffolk, as contained in Appendix 1 to Report No: CAB/SE/15/025, be approved.</p>	<p>The Sponsorship and Advertising Policy lays out the definitions, general principles and procedures for entering into agreements for sponsorship and advertising, so as to maintain propriety and transparency within St Edmundsbury Borough and Forest Heath District Councils. The Cabinet agreed that a new policy is needed because of moving forward with the shared services agenda and also because the councils trying to behave more commercially in maximising the use of their assets.</p>	<p><b>Do Nothing</b> – This was not approved as there would not be a policy covering all of West Suffolk. <b>Open approach</b> – A more open approach without safeguards was not approved as this would risk non-compliance with the codes of conduct and advertising codes.</p>	<p><u>Portfolio Holder:</u> Cllr David Ray 01359 250912</p> <p><u>Officer:</u> Richard Hartley Commercial Manager 01284 757055</p>
<p>Item No. 9 CAB/SE/15/024</p>	<p>None</p>	<p><u>West Suffolk Safeguarding Policy</u></p> <p>RECOMMENDED TO COUNCIL: That, the revised Safeguarding Policy and Guidelines for working with Children, Young People and Vulnerable Adults, as set out in Appendix A to Report No: CAB/SE/15/026, be adopted.</p>	<p>The Cabinet agreed that an updated and revised Safeguarding Policy and Guidelines for working with children, young people and vulnerable adults should be recommended to Council for approval, to ensure compliance with the new duties placed upon the Council by the Care Act 2014.</p>	<p>No other options have been considered as failure to update and revise the existing policy would result in the Council being none compliant with the changes in legislation.</p>	<p><u>Portfolio Holder:</u> Cllr Sara Mildmay-White 01359 270580</p> <p><u>Officer:</u> Simon Phelan Head of Housing 01638 719440</p>

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. 10 CAB/SE/15/027	None	<p><u>Recommendations from the Bury St Edmunds Area Working Party: 10 March 2015</u></p> <p><b>(a) Amendments to the Article 4 Directions in the Bury St Edmunds Town Centre and Victoria Street Conservation Areas</b></p> <p>RESOLVED: That consultation be carried out on:</p> <p>(1) the proposed new Article 4 Directions for the Bury St Edmunds Town Centre and Victoria Street Conservation Areas, as set out in BAW/SE/15/001; and</p> <p>(2) the removal of Permitted Development Rights in respect of micro-generation equipment within both these areas in accordance with the amended timetable set out in paragraph 1.1.5 of Report No: CAB/SE/15/027 .</p>	The Cabinet agreed that consultation should be carried out on proposed amendments to the Article 4 Directions covering the two Conservation Areas in Bury St Edmunds.	Not to carry out consultation on the proposed amendments to the Article 4 Directions; however, following a review undertaken by the Overview and Scrutiny Committee, where it had previously been approved that amendments to the Article 4 Directions would be proposed.	<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>
Item No. 11 CAB/SE/15/028	None	<p><u>Recommendations from the Grant Working Party: 13 March 2015</u></p> <p><b>(a) New approach to grant funding arrangements and review of Locality Budget Scheme</b></p>	The Cabinet supported the recommendations of the Grant Working Party regarding proposed changes for streamlining the grant funding arrangements for 2015/2016 onwards, including the establishment of a Community Chest fund, and the revisions to the Members' Locality Budget Scheme	The council could retain its existing approach to grants which allocates funding accordingly to specific criteria. However, it does not meet with the requirements of the	<p><u>Portfolio Holder:</u> Cllr Sara Mildmay-White 01359 270580</p> <p><u>Officer:</u> Davina Howes Head of Families and</p>

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
		<p>RESOLVED: That:</p> <p>(1) the revised approach to grant funding from 2015/2016 including the establishment of a Community Chest, as set out in Section 1.3 of Report No: GWP/SE/15/002, be approved;</p> <p>(2) (a) the Head of Families and Communities, in consultation with the Portfolio Holder with the responsibility for Grants, be given delegated powers to make awards from the Community Chest funding to the value of £10,000, as set out in paragraph 1.4.4 of Report No: GWP/SE/15/002;</p> <p>(b) subject to (2)(a) above, the Grant Working Party firstly be consulted by email on grants proposed to be awarded under this delegation using a similar procedure to that applied under the existing Rural Initiatives Grant Scheme;</p> <p>(3) the existing St Edmundsbury Grant Policy be revoked and from April 2015 be replaced with the new criteria, as outlined in</p>	<p>following a review of the scheme piloted in 2014/2015.</p>	<p>council's Families and Communities Strategy and does not provide flexibility nor enable a responsive approach to community need.</p> <p>The council could choose not to provide any grant or locality funding, however it is recognised that some support to the Voluntary, Community and Social Enterprise Sector is required. The Community Chest also enables the council to commission services to support the delivery of its priorities.</p>	<p>Communities 01284 757070</p>

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
		<p>Appendix A to Report No: GWP/SE/15/002;</p> <p>(4) the success of the Locality Budget Scheme to date be noted and subject to the amendment below, revisions to the scheme to be implemented for 2015/2016, be approved:</p> <p>the sentence, '<i>For the purposes of this scheme, a rural parish council is considered to be a parish with a population of 1,000 or fewer according to the latest mid year estimate figures</i>', be deleted from paragraph 1.7 of Appendix B to Report No: GWP/SE/15/002; and</p> <p>(5) any Locality Budget underspend for 2014/2015 with the exception of the £500 per Councillor carry-forward, be approved and retained within the Locality Budget fund for allocation in future years, as outlined in Section 3.2 of Report No: GWP/SE/15/002.</p>			
Item No. 12 CAB/SE/15/029	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/15/029 be approved, as follows:</p>	The total amounts detailed in the decision have been written off. Detailed reasons for the decisions were included in Exempt Appendices 1 and 2 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	<p><u>Portfolio Holder:</u> Cllr David Ray 01359 250912</p> <p><u>Officer:</u> Rachael Mann Head of Resources and</p>



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
		Exempt Appendix 1: Council Tax totalling £12,526.75 Exempt Appendix 2: Business Rates totalling £5,190.50		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.	Performance 01638 719245

Joy Bowes  
 Service Manager (Legal)  
 26 March 2015