



Forest Heath District Council

Cabinet Decisions Notice

(Published: Thursday 19 February 2015)

The following decisions were taken by the Cabinet on **Tuesday 17 February 2015** and, if not called in by Councillors, will come into operation on Thursday 26 February 2015. A decision may be called in, in accordance with the Procedure Rules contained within Part 4D of the Council's Constitution, by five Councillors submitting the required call-in request form to the Chief Executive (e-mail: ian.gallin@westsuffolk.gov.uk) **by 5.00 pm on Wednesday 25 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@forest-heath.gov.uk. Contact may also be made via Democratic Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY.

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. 4a	None	<p><u>West Suffolk Joint Growth Steering Group - 27 October 2014</u></p> <p><u>Review and Update on 'Raising the Bar' - Suffolk County Council</u></p> <p><u>Action 4:</u> RESOLVED: That a specific pilot be undertaken within the horseracing industry, in conjunction with Forest Heath District Council, West Suffolk College, Suffolk County Council and the LEPs, in relation to skills transition within the horseracing industry. (If successful, then there could also be the opportunity for a more 'generalised' transition programme to be developed).</p>	Members referred to the horseracing industry, where careers as jockeys were unable to be fulfilled. Therefore, another skills pathway as needed, either to be able to remain within the horseracing industry or to be re-skilled into another profession.	Options were considered in detail by the West Suffolk Joint Growth Steering Group.	<p><u>Portfolio Holder:</u> Cllr David Bowman 07711 593737</p> <p><u>Officer:</u> Andrea Mayley Economic Development and Growth 01284 757343</p>

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Item No. 5 CAB/FH/15/001 and Exempt Appendices	None	<u>West Suffolk Operational Hub</u> RESOLVED: That:- 1. The contents of Report No CAB/FH/15/001 be noted. 2. The next stage of the project be agreed to proceed to seek planning consent for a West Suffolk Operational Hub at Hollow Road Farm, Bury St Edmunds.	The Cabinet considered 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 Services for West Suffolk, it was appropriate to approve proceeding to the next planning phase of the project, noting that this will also be contingent on approval by Suffolk County Council Cabinet on 24 February 2015. (St Edmundsbury Borough Council Cabinet had approved this report at their meeting on 10 February 2015).	Four options had been considered and compared against the status quo, as outlined in Section 1.3.8 of Report No CAB/FH/15/001. Option 2 was preferred and reasons for rejecting the other options, at this stage, are outlined in Section 1.3.9.	<u>Portfolio Holder:</u> Cllr James Waters 07771 621038 <u>Officer:</u> Mark Walsh Head of Operations 01284 757300
Item No. 6 CAB/FH/15/002	None	<u>Anglia Community Leisure - Changes to Governance</u> RECOMMENDED TO COUNCIL: That:- 1. The existing management and funding agreements between Forest Heath District Council and Anglia Community Leisure be novated on 1 April 2015 to Abbeycroft Leisure, to allow the formation of a single merged trust. 2. Forest Heath District Council agree to act as guarantor for the pension scheme applicable only to its own former employees who transferred	The Cabinet was being asked to recommend approval of the current legal agreements between the Council and Anglian Community Leisure (ACL), to reflect changes it had agreed to make to its own governance and also to clarify the position regarding the pensions of staff of the Trust, who transferred from Forest Heath District Council, when ACL was established.	The merger of the Trusts was not a Council decision, as they were autonomous independent organisations, though they would not be able to realistically pursue it with the Council agreeing to the recommendations in this paper. Therefore, there was the choice for the	<u>Portfolio Holder:</u> Cllr Warwick Hirst 01638 664252 <u>Officer:</u> Alex Wilson Director 01284 757695

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		to Anglia Community Leisure.		<p>Council to refuse to switch the current agreements. However, this would mean foregoing the benefits of the merger and may also have created a need to review the current provision of the services.</p> <p>The Council could also choose not to underwrite the pensions of its former staff, but this would likely to lead to a large reduction in any potential future savings by the Trust, as they would need to secure and fund a bond.</p>	
Item No. 7 CAB/FH/15/003 and Exempt Appendices	None	<u>Revenues Collection Performance and Write-Offs</u> RESOLVED: That the write-off of the amounts detailed in the exempt appendices to Report No CAB/FH/15/003, be approved as follows: 1. Exempt Appendix 1 – Council Tax totalling £10,049.96 2. Exempt Appendix 2 – Business Rates totalling £3,953.90	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 had online tracing facilities. It was not considered appropriate to pass the debt onto another agency. In the event that a written-off debt	<u>Portfolio Holder:</u> Cllr Stephen Edwards 01638 660518 <u>Officer:</u> Rachael Mann Head of Resources and Performance 01638 719245

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				becomes recoverable, the amount was written back on and enforcement procedures were re-established.	
Item No. 8 CAB/FH/15/004	None	<u>Mid Year Treasury Management Monitoring Report 2014/2015</u> RECOMMENDED TO COUNCIL: That:- 1. The Mid Year Treasury Management Monitoring Report 2014/2015 be noted. 2. The Mid Year Treasury Management Monitoring Report 2014/2015 be referred to Council for consideration.	To provide Members with a review of the Treasury Management activities for the period April to September 2014.	Not applicable.	<u>Portfolio Holder:</u> Cllr Stephen Edwards 01638 660518 <u>Officer:</u> Rachael Mann Head of Resources and Performance 01638 719245
Item No. 9 CAB/FH/15/005	None	<u>Annual Treasury Management and Investment Strategy Statements 2015/2016 and Treasury Management Code of Practice</u> RECOMMENDED TO COUNCIL: That:- 1. The Annual Treasury Management and Investment Strategy Statements 2015/2016 (as set out in Appendix 1 and 2 of Report No CAB/FH/15/005) be approved. 2. The Treasury Management Code of Practice (as attached in Appendix 3 and 4 of Report No CAB/FH/15/005) be approved.	The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management required that, prior to the start of the financial year, that Council formally approved 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 considered that an additional recommendation was acceptable as the Council needed to consider implications regarding changes to credit ratings following the implied removal of sovereign	Options for the management of Council investments were formally considered within the Annual Treasury Management and Investment Strategy.	<u>Portfolio Holder:</u> Cllr Stephen Edwards 01638 660518 <u>Officer:</u> Rachael Mann Head of Resources and Performance 01638 719245

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		<p>3. The Head of Resources and Performance, in consultation with the Portfolio Holder for Resources, Governance and Performance, be given delegated authority to make amendments to the Treasury Management Investment Strategy 2015/2016, 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>	support to banks.		
<p>Item No. 10 CAB/FH/15/006</p>	None	<p><u>Budget and Council Tax Setting: 2015/2016 and Medium Term Financial Strategy</u></p> <p>RECOMMENDED TO COUNCIL: That:-</p> <ol style="list-style-type: none"> 1. The revenue and capital budget for 2015/2016 attached at Attachment A to Report No CAB/FH/15/006 and as detailed in Attachment D, Appendix 1-5 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 	The Cabinet was 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 had recommended a 0% percent increase in Council Tax.	Other options had been considered and rejected to ensure the Council met its statutory requirements of setting a balanced budget for 2015/2016.	<p><u>Portfolio Holder:</u> Cllr Stephen Edwards 01638 660518</p> <p><u>Lead Officer:</u> Rachael Mann Head of Resources and Performance 01638 719245</p>

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		<p>in Council Tax for 2015/2016.</p> <p>3. The Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance, be authorised to transfer any surplus from the 2014/2015 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.8.5, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year.</p> <p>4. 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, as set out in paragraphs 1.4.3 to 1.4.7 of Report No CAB/FH/15/006.</p>			
<p>Item No. 11 CAB/FH/15/007</p>	<p>None</p>	<p><u>Pension Discretions Policy</u></p> <p>RECOMMENDED TO COUNCIL: That the Pension Discretions Policy, as contained in Appendix A to Report No CAB/FH/15/007, be approved.</p>	<p>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.</p>	<p>A written policy was a statutory requirement, but there are alternative options in relation to each discretion, which were</p>	<p><u>Portfolio Holder:</u> Cllr Stephen Edwards 01638 660518</p>

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			The Cabinet had 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.	considered and rejected, as summarised in Appendix B to Report No CAB/FH/15/007.	<u>Lead Officer:</u> Karen Points Head of HR, Legal and Democratic Services 01284 757015
Item No. 12 CAB/FH/15/008	None	<u>West Suffolk Homelessness Strategy 2015 - 2018</u> RECOMMENDED TO COUNCIL: That the West Suffolk Homelessness Strategy 2015-2018, as contained in Appendix A to Report No CAB/FH/15/008, be adopted.	The Cabinet supported approval of this Strategy which set out how the West Suffolk councils, along with their partners, would address and prevent homelessness over the next three years, ensuring that there was sufficient suitable temporary accommodation and support for those who were homeless or threatened with homelessness.	The Homelessness Act 2002 required all councils to produce a Homelessness Strategy at least every five years, so if a Strategy was not produced, the Council would be in breach of its statutory requirements.	<u>Portfolio Holder:</u> Cllr Rona Burt 01638 712309 <u>Lead Officer:</u> Simon Phelan Head of Housing 01638 719440
Item No. 13 CAB/FH/15/009	None	<u>West Suffolk Shop Front and Advertisement Design Guide: Consultation Responses and Adoption</u> RECOMMENDED TO COUNCIL: That:- 1. The content of the report be noted. 2. The West Suffolk Shop Front and Advertisement Design Guide with suggested amendments, as contained in Appendix A to Report No CAB/FH/15/009, 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'	Once adopted, the West Suffolk Shop Front and Advertisement Design Guide would be a Supplementary Planning Document (SPD) and would provide detailed guidance on the design of new and replacement shop fronts throughout West Suffolk. The guidance covered 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 had been subject to public consultation and was recommended to Council for approval.	The Cabinet could have decided not to recommend adoption of the West Suffolk Shop Front and Advertisement Design Guide, however, it was best practice to have an adopted up-to-date SPD in place, to assist the consideration of future applications of this nature.	<u>Portfolio Holder:</u> Cllr Rona Burt 01638 712309 <u>Lead Officer:</u> Boyd Nicholas Principal Planner 01638 719248

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		<p>be deleted and 'the areas' inserted therefore.</p> <p>3. The Head of Planning and Growth be given delegated authority to edit/insert appropriate images as part of the final document publishing process.</p>			
<p>Item No. 14</p> <p>CAB/FH/15 /010</p>	<p>None</p>	<p><u>Queensbury Lodge, Cottage and Stables, Newmarket</u></p> <p>RECOMMENDED TO COUNCIL: That:-</p> <ol style="list-style-type: none"> 1. The content of this report be noted. 2. The Head of Planning and Growth, subject to approval of costs and regular reports, be given delegated authority to: <ol style="list-style-type: none"> a) Continue to negotiate with the owners with the aim of securing the preservation of the buildings and an acceptable end use for the site. b) Commence action under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990, if necessary, to secure the preservation of the buildings. c) Take action under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990, if necessary, 	<p>Queensbury Lodge, together with Queensbury Cottage and Stables, were each individually Listed Buildings (Grade II) and were situated on a prominent site at the entrance to Newmarket's town centre. The buildings were all listed in the Suffolk Historic Buildings at Risk Register, due to neglect or prolonged lack of maintenance. They were on one of the main approaches to the town centre within the Newmarket Conservation Area and created a poor impression of the town and its attitude towards its horseracing heritage. The yard was considered to be the second oldest racehorse-training establishment in the town after Palace House Stables.</p> <p>The Council's approach to the site has had two primary aims; to protect the Listed Building and its setting and to keep the use of the site as a racehorse training establishment in line with its established horseracing policies or a use ancillary to the horseracing industry.</p>	<p>No action would result in further deterioration of the listed building.</p> <p>To-date, no proposal had been submitted that met the Council's planning objectives.</p>	<p><u>Portfolio Holder:</u> Cllr Rona Burt 01638 712309</p> <p><u>Lead Officer:</u> Boyd Nicholas Principal Planner 01638 719248</p>

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		<p>to secure the preservation of the buildings.</p> <p>d) Appoint consultants to undertake a feasibility study and development brief for the site (after a tender process) in order to establish a viable use which meets the Council's objectives.</p> <p>e) Begin compulsory purchase proceedings, if necessary, to secure the preservation of the buildings.</p> <p>f) Serve a Notice to require tidying of the site under Section 215 of the Town and Country Planning Act 1990.</p>			
<p>Item No. 15</p> <p>CAB/FH/15/011</p>	<p>None</p>	<p><u>Newmarket Market Licence Regulations - Post Consultation</u></p> <p>RECOMMENDED TO COUNCIL: That:-</p> <ol style="list-style-type: none"> 1. The Draft Market Licence Regulations (attached as Appendix A to Report No CAB/FH/15/011), for implementation from 1 March 2015 on Newmarket Market. 2. The proposed approach to improve Newmarket Market be agreed. 	<p>The Cabinet considered new Draft Market Licence Regulations for Newmarket Market, for consultation with stall holders and agreed proposals to improve the Market in Newmarket, including plans for a re-launch.</p>	<p>To retain the existing Licence Regulations.</p>	<p><u>Portfolio Holder:</u> Cllr David Bowman 07711 593737</p> <p><u>Lead Officer:</u> Liz Watts Director 01284 757252</p>
<p>Item No. 16</p> <p>CAB/FH/15/012</p>	<p>None</p>	<p><u>Revised Local Development Scheme Programme Chart - January 2015</u></p> <p>RESOLVED: That the updated West Suffolk Local Development Scheme programme chart (attached as Working Paper 1 to Report</p>	<p>The Local Development Scheme (LDS) explained how and when the Council would prepare, consult, adopt and review its Local Development Plan documents, which will together comprise of the Local Plan for Forest Heath District</p>	<p>There were two options open to the Council for progressing the Core Strategy Single Issue Review and Site Specific</p>	<p><u>Portfolio Holder:</u> Cllr Rona Burt 01638 712309</p> <p><u>Lead Officer:</u> Marie Smith Strategic</p>

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		No CAB/FH/15/012), be agreed for publication.	Council and/or St Edmundsbury Borough Council.	Allocation Local Plans. Following Cabinet (9 December 2014), Members resolved to prepare the Local Plans in tandem, therefore, the Local Development Scheme had been revised and updated accordingly.	Planning Manager 01638 719260
Item No. 17 CAB/FH/15/013	None	<u>West Suffolk Equality Scheme</u> RESOLVED: That the West Suffolk Equality Scheme 2015-2020, attached at Appendix 1 to Report No CAB/FH/15/013 and the Equality Guidance and Forms at Appendix 2, be approved.	Both St Edmundsbury Borough and Forest Heath District Council's Equality Schemes were now due to be updated and the opportunity had been taken to develop one single scheme for West Suffolk. This scheme had been developed having regard to up-to-date legislation and guidance.	Not to revise the existing Equality Scheme, however, it was best practice to have an updates Scheme in accordance with legislation and guidance.	<u>Portfolio Holder:</u> Cllr Robin Millar 07939 100937 <u>Lead Officer:</u> Davina Howes Head of Families and Communities 01284 757070
Item No. 18 CAB/FH/15/014	None	<u>Review of the Decisions Plan</u> RESOLVED: That the Decisions Plan for the period February to May 2015, attached as an Appendix to Report No CAB/FH/15/014, be noted.	Under Article 7 of the Council's Constitution, the Cabinet had a requirement to review its Decision Plan at each of its public meeting.	Not applicable.	<u>Portfolio Holder:</u> Cllr James Waters 07771 621038 <u>Lead Officer:</u> Ian Gallin Chief Executive 01284 757009
Item No. 19 Narrative	None	<u>Exemption to Contract Procedure Rules - Rooftop Solar Voltaic Installation</u> RESOLVED: That this exemption to the Contract	This exemption was exercised on 23 December 2014 for a contract to Kingspan Energy Ltd valued at £83,305.97, for the supply of specialised photovoltaic roofing	Not applicable.	<u>Portfolio Holder:</u> Stephen Edwards 01638 660518

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		Procedure Rules be noted.	panels to industrial units in Putney Close, Brandon (as part of their refurbishment and re-roofing). The proposal had been accepted as a good financial investment and Kingspan Energy were the sole installer of PV panels that allowed the Council to retain the 25 year warranty of the roof covering below.		<u>Lead Officer:</u> Mark Walsh Head of Operations 01284 757300

Joy Bowes
Acting Solicitor to the Councils
19 February 2015