


Council



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda
Date:	Tuesday 22 September 2015
Time:	7.00 pm
Venue:	Conference Chamber West Suffolk House Western Way Bury St Edmunds
Membership:	<p>All Councillors</p> <p>You are hereby summoned to attend a meeting of the Council to transact the business on the agenda set out below.</p>  <p>Ian Gallin Chief Executive 14 September 2015</p>
<p>The Meeting will be opened with Prayers by the Mayor's Chaplain, Reverend Canon Matthew Vernon, Sub-Dean of St Edmundsbury Cathedral. (<i>Note: Those Members not wishing to be present for prayers should remain in the Members' Breakout Area and will be summoned at the conclusion of prayers.</i>)</p>	
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Committee administrator:	<p>Fiona Osman Service Manager (Democratic Services and Elections) Tel: 01284 757105 Email: fiona.osman@westsuffolk.gov.uk</p>

Public Information



St Edmundsbury
BOROUGH COUNCIL

Venue:	West Suffolk House Western Way Bury St Edmunds Suffolk IP33 3YU	Tel: 01284 757105 Email: democratic.services@westsuffolk.gov.uk Web: www.stedmundsbury.gov.uk
Access to agenda and reports before the meeting:	Copies of the agenda and reports are open for public inspection at the above address at least five clear days before the meeting. They are also available to view on our website.	
Attendance at meetings:	The Borough Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
Public questions:	Members of the public may ask questions of Members of the Cabinet or any Committee Chairman at ordinary meetings of the Council. 30 minutes will be set aside for persons in the public gallery who live or work in the Borough to ask questions about the work of the Council. 30 minutes will also be set aside for questions at special or extraordinary meetings of the Council, but must be limited to the business to be transacted at that meeting.	
Disabled access:	West Suffolk House has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However in the event of an emergency use of the lift is restricted for health and safety reasons. Visitor parking is at the car park at the front of the building and there are a number of accessible spaces.	
Induction loop:	An Induction loop is available for meetings held in the Conference Chamber.	
Recording of meetings:	The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded). Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.	

Agenda

Procedural Matters

Part 1 - Public

Page No

1. Minutes

1 - 12

To confirm the minutes of the meeting held on 7 July 2015 (copy attached).

2. Mayor's announcements

3. Apologies for Absence

To receive announcements (if any) from the officer advising the Mayor (including apologies for absence)

4. Declarations of Interests

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

5. Leader's Statement

13 - 14

Paper No: **COU/SE/15/027**

(Council Procedure Rules 8.1 – 8.3) Members may ask the Leader questions on the content of both his introductory remarks and the written statement itself.

A total of 30 minutes will be allowed for questions and responses. There will be a limit of five minutes for each question to be asked and answered. A supplementary question arising from the reply may be asked so long as the five minute limit is not exceeded.

6. Public Participation

(Council Procedure Rules Section 6) Members of the public who live or work in the Borough are invited to put one question or statement of not more than five minutes duration.

(Note: The maximum time to be set aside for this item is 30 minutes, but if all questions are dealt with sooner, or if there are no questions, the Council will proceed to the next business.

*Each person may ask **one** question only. A total of **five minutes will be allowed for the question to be put and answered.** One further question will be allowed arising directly from the reply, **provided that the original time limit of five minutes***

is not exceeded.

Written questions may be submitted by members of the public to the Service Manager (Democratic Services and Elections) **no later than 10.00 am on Monday 21 September 2015**. The written notification should **detail the full question** to be asked at the meeting of the Council.)

7. Service by Former Members of the Council

(a) Long Service Awards

On 16 July 1991 (Council Minute 28 refers) (*and in addition to the statutory provision for the creation of Honorary Freemen and Honorary Aldermen*) the Council created a third award option, namely formal acknowledgement of 12 years or more cumulative service by former Members of the Council. Accordingly, the following motions in respect of those who are eligible for the award will be moved individually by Councillor Griffiths, and upon the individual approval of each resolution by the Council, the Mayor will present a framed copy of such resolution to the former Member concerned:

"That, in recognition of twelve years of dedicated public service by

PAUL STEPHEN FARMER MBE

as an elected Member of the Council for Abbeygate Ward, Bury St Edmunds and in acknowledgement of his contribution to the work of the Borough Council, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of twelve years of dedicated cumulative public service by

PHILLIP MORTON FRENCH

as an elected Member of the Council for the Cangle, Haverhill North and Haverhill South Wards, and in acknowledgement of his contribution to the work of the Borough Council, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of twelve years of dedicated public service by

CHRISTOPHER JAMES EVAN SPICER

as an elected Member of the Council for the Pakenham Ward, and in acknowledgement of his contribution to the work of the Borough Council, including his term of office as Mayor for 2011/2012, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of twelve years of dedicated public service by

ADAM WHITTAKER

as an elected Member of the Council for Haverhill West Ward, and in acknowledgement of his contribution to the work of the Borough Council, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of thirteen years of dedicated public service by

STEFAN ROBERT MORGAN OLIVER

as an elected Member of the Council for the Westgate Ward, Bury St Edmunds and in acknowledgement of his contribution to the work of the Borough Council, including his term of office as Mayor for 2005/2006, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of sixteen years of dedicated public service by

HELEN MARY LEVACK

as an elected Member of the Council for the Risby Ward, and in acknowledgement of her contribution to the work of the Borough Council, and her service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of twenty years of dedicated public service by

TREVOR BECKWITH

as an elected Member of the Council for the Eastgate and Moreton Hall, Bury St Edmunds Wards, and in acknowledgement of his contribution to the work of the Borough Council, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of twenty years of dedicated public service by

DEREK REDHEAD

as an elected Member of the Council for Wickhambrook Ward, and in acknowledgement of his contribution to the work of the Borough Council, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

"That, in recognition of twenty-six years of dedicated public service by

ROBERT LAWRENCE CLIFTON-BROWN

as an elected Member of the Council for Withersfield Ward, and in acknowledgement of his contribution to the work of the Borough Council, including his term of office as Mayor for 2002/2003, and his service to the community and fulfilment of the duties and responsibilities of a Councillor, the Council hereby record its thanks and deep appreciation."

(b) Vote of Thanks to other Immediate Past Members

Councillor Griffiths will move the following motion:

"That the Council records a vote of thanks in respect of the former Councillors who had not been re-elected or had not stood for re-election, namely, former Councillors Maureen Byrne, Anne Gower, the late Paul McManus, David Ray, Marion Rushbrook, Paul Simner and Dorothy Whittaker."

(c) Recognition of former Cabinet Members

It is proposed by the Cabinet that former Cabinet Members that are not eligible for Long Service Awards should also receive separate formal acknowledgement by the Council for their

contribution to the work of the Borough Council's executive through their roles as Portfolio Holders. In relation to such councillors not re-elected in May 2015, the Cabinet will pass such a resolution of thanks at its own meeting, but Council is asked to consider whether, in future, it would be appropriate for it to make such an acknowledgement directly alongside other votes of thanks.

Councillor Griffiths will move the following motion:

"That, in future, the Council in acknowledgement of their contributions to the work of the Borough Council through their roles as Portfolio Holders, and for their service to the community and fulfilment of the duties and responsibilities of a Councillor, shall record its thanks and deep appreciation to former Cabinet Members not eligible for Long Service Awards."

8. Referrals report of recommendations from Cabinet

15 - 24

Report No: **COU/SE/15/028**

(A) Referrals from Cabinet: 1 September 2015

1. West Suffolk Strategic Plan and Medium Term Financial Strategy 2016-2020

Cabinet Members:

Cllrs John Griffiths and Ian Houlder

2. West Suffolk Investment Framework

Cabinet Member: Cllr Ian Houlder

(B) Referrals from Cabinet: 8 September 2015

1. West Suffolk Operational Hub

Cabinet Member: Cllr Peter Stevens

2. The Future of the Organic Waste Service in West Suffolk

Cabinet Member: Cllr Peter Stevens

3. Annual Treasury Management Report 2014/2015

Cabinet Member: Cllr Ian Houlder

4. Haverhill Town Centre: Masterplan

Cabinet Member: Cllr Alaric Pugh

5. North East Haverhill: Masterplan

Cabinet Member: Cllr Alaric Pugh

6. South East Bury St Edmunds Strategic Development Site: Masterplan

Cabinet Member: Cllr Alaric Pugh

9. Devolution in Suffolk 25 - 44

Report No: **COU/SE/15/029**

10. Right to Challenge Parking Policies 45 - 68

Report No: **COU/SE/15/030**

11. Questions to Committee Chairmen

Members are invited to ask questions of committee Chairmen on business transacted by their committees since the last ordinary meeting of Council on 7 July 2015.

Committee	Chairman	Dates of meetings
Overview and Scrutiny Committee	Cllr Diane Hind	22 July 2015
Performance and Audit Scrutiny Committee	Cllr Sarah Broughton	30 July 2015
Development Control Committee	Cllr Jim Thorndyke	6 August 2015 3 September 2015
West Suffolk Joint Standards Committee	Cllr Jim Thorndyke	19 August 2015

12. Urgent Questions on Notice

The Council will consider any urgent questions on notice that were notified to the Service Manager (Democratic Services and Elections) by 11am on the day of the meeting.

13. Report on Special Urgency

Part 4, Access to Information Procedural Rules, of the Constitution (paragraph 18.3) requires the Leader of the Council to submit quarterly reports to the Council on the Executive decisions taken (if any) in the circumstances set out in Rule 17, Special urgency in the preceding three months.

Accordingly, the Leader of the Council reports that no executive decisions have been taken under the Special Urgency provisions of the constitution.

14. Exclusion of Press and Public

To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Part 2 - Exempt

15. Exempt Minutes: 7 July 2015

69 - 72

To confirm the exempt minutes of the meeting held on 7 July 2015 (copy attached.)

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Council



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Council** held on
Tuesday 7 July 2015 at **7.00 pm** at the **Conference Chamber, West**
Suffolk House, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Mayor Patrick Chung
Deputy Mayor Julia Wakelam

Sarah Broughton	Wayne Hailstone	Karen Richardson
Tony Brown	Diane Hind	David Roach
Terry Buckle	Beccy Hopfensperger	Barry Robbins
Carol Bull	Paul Hopfensperger	Richard Rout
John Burns	Ian Houlder	Andrew Speed
Terry Clements	Margaret Marks	Clive Springett
Bob Cockle	Tim Marks	Sarah Stamp
Jason Crooks	Jane Midwood	Peter Stevens
Robert Everitt	Sara Mildmay-White	Peter Thompson
Jeremy Farthing	David Nettleton	Jim Thorndyke
Paula Fox	Clive Pollington	Paula Wade
Susan Glossop	Alaric Pugh	Frank Warby
John Griffiths	Joanna Rayner	Patricia Warby

By Invitation:

64. **Minutes**

Dorothy Whittaker had been incorrectly spelt in minute number 45 of the minutes of 25 March 2015. Subject to this amendment, the minutes of the following meetings of Council were confirmed as a correct record and signed by the Mayor:

- (a) Council on 24 February 2015
- (b) Special Council on 25 March 2015
- (c) Annual Council on 19 May 2015

65. **Mayor's announcements**

The Mayor reported on the civic engagements and charity activities which he, the Mayoress, Deputy Mayor and Consort had attended since 19 May 2015.

66. **Apologies for Absence**

Apologies for absence were received from Councillors Simon Brown, Betty McLatchy, Ivor McLatchy and Angela Rushen.

67. **Declarations of interests**

Members' declarations of interest are recorded under the item to which the declaration relates.

68. **Leader's Statement**

(Councillor Wade arrived during the consideration of this item.)

Councillor Griffiths, Leader of the Council, introduced his statement. He had recently attended the Local Government Association (LGA) conference in Harrogate where the main topic of discussion had been devolution. The government had given the opportunity for suggestions to be made by September.

He also referred in his statement to: the Eastern Relief Road and Suffolk Business Park projects; the Haverhill Town Centre Masterplan; Suffolk County Council's (SCC) proposals regarding waste infrastructure; housing delivery; and strategic plans for transport and infrastructure.

In response to a question, Councillor Griffiths confirmed that St Edmundsbury Borough Council did not charge for brown bin collections at present and careful consideration would be given to the proposals from SCC before deciding what action to take.

69. **Public Participation**

There were questions from four members of the public.

In response to a question from **Simon Harding** of Bury St Edmunds, the Portfolio Holder for Operations, Councillor Stevens indicated that the Cabinet had agreed to publish and consult on the site selection criteria and the relative merits or otherwise of the options it had considered for the proposed operational hub, including Rougham Hill.

In response to a question from **Phillip Reeve**, on behalf of Fornham St Martin and Great Barton parish councils, Councillor Stevens explained the approach that had been and was to be followed in respect of pre-application consultation on and scrutiny of the proposed operational hub.

In response to a question from **Sarah Bartram** of Fornham St Martin Councillor Stevens explained the rationale behind the proposal for a combined operational hub, which included the need to make efficiencies on behalf of taxpayers. He also explained that indicative plans showed a distinct separation between the household waste site and the waste transfer station.

In response to a question from **Colin Hilder** from Fornham Ward asked whether the Development Control Committee would be reviewing the Portfolio Holder for Planning and Growth, Councillor Pugh explained plans to improve performance on planning enforcement including the quarterly monitoring which had been introduced.

70. **Referrals report of recommendations from Cabinet, Anglia Revenues and Benefits Partnership Joint Committee and Democratic Renewal Working Party**

The Council considered the Referrals report of Recommendations contained within Report No: COU/SE/15/021 (previously circulated)

(A) Referrals from Cabinet: 24 March 2015

1. West Suffolk Safeguarding Policy - Guidelines for Working with Children, Young People and Vulnerable Adults

Councillor Mildmay-White, Portfolio Holder for Housing introduced this report which was about updating and aligning policies across West Suffolk.

On the motion of Councillor Mildmay-White, seconded by Councillor Everitt and duly carried, it was

RESOLVED:

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.

(B) Referrals from Cabinet: 28 May 2015

1. West Suffolk Joint Pay Policy Statement 2015/2016

Councillor Houlder, Portfolio Holder for Resources and Performance explained that the Council were required to report on salary structures annually in order to comply with the Localism Act 2011. The median salary ratio for West Suffolk was 4.8:1 which was within the guidelines of 8:1. At the lowest levels, the Council paid the living wage (rather than the minimum wage) after probation.

A written answer would be provided to Councillor Cockle who wanted to know if any officer had needed to have a pay cut in order to be equal to their counterpart in the other authority.

On the motion of Councillor Houlder, seconded by Councillor Springett and duly carried it was

RESOLVED:

That the West Suffolk Joint Pay Policy Statement for 2015/2016 contained in Appendix 1 to Report No. CAB/SE/15/033 be approved.

(C) Referrals from Cabinet: 23 June 2015

1. West Suffolk Operational Hub

Councillor Stevens, Portfolio Holder for Operations introduced this report which sought funding of £82,000 in order for the project to progress. He explained the background to the proposal, and rationale for the project and indicated that elements of the feasibility work were transferable to other sites should they be found to be more advantageous. He further referred members to the second resolution made by Cabinet on page 25 of Report No. COU/SE/14/024 which was that 'further pre-application consultation should include the site selection'.

Members debated this item at length and raised the following issues:

- level of debate by all councillors;
- fit with planning policy;
- traffic implications; and
- consideration of other sites.

Councillor Stevens proposed the motion which was seconded by Councillor Pugh. Councillor Nettleton requested that the vote be recorded and this was supported by seven members. The votes recorded were 14 votes for the motion, 17 against and 10 abstentions.

The names of those Members voting for, against and abstaining being recorded as follows:-

For the motion:

Councillors Chung, Everitt, Griffiths, Houlder, Mildmay-White, Pugh, Rayner, Richardson, Rout, Speed, Springett, Stamp, Stevens and Thompson

Against the motion:

Councillors Broughton, Tony Brown, Burns, Cockle, Crooks, Fox, Hind, Beccy Hopfensperger, Tim Marks, Midwood, Nettleton, Pollington, Robbins, Wade, Wakelam, Frank Warby and Patsy Warby

Abstentions:

Councillors Buckle, Bull, Clements, Farthing, Glossop, Hailstone, Paul Hopfensperger, Margaret Marks, Roach and Thorndyke.

Therefore the motion was defeated.

2. Culford Park Management Plan

On the motion of Councillor Pugh, seconded by Councillor Burns and duly carried, it was

RESOLVED:

That the Culford Park Management Plan, as contained in Appendices 1 and 2 to Report No. SDW/SE/15/004, be adopted as a Supplementary Planning Document.

3. Station Hill Development Area, Bury St Edmunds: Masterplan

Councillor Pugh, Portfolio Holder for Planning and Growth introduced this item which was the result of two years' work and had been considered in depth by the Sustainable Development Working Party (SDWP) and by Cabinet. It was an essential document to enable the council to consider future planning applications.

Councillor Pugh proposed the motion which was seconded by Councillor Frank Warby.

Concerns were raised by members regarding the viability of developing the whole site and the provision of affordable housing. Councillor Nettleton proposed an amendment to the original motion to delete the first part of the recommendation which was to adopt the Masterplan but instead to make the changes as detailed at (i), (ii) and (iii) of the recommendation. This was seconded by Councillor Cockle and the amendment was debated.

Following a vote, four members were in favour of the amended motion, and the majority were against therefore the amendment was defeated.

Members were then given the opportunity to speak on the substantive motion or to propose another amendment. Councillor Clements moved that the question be put which was seconded by Councillor Springett.

The Mayor considered that as the item had been sufficiently discussed the closure motion would be put to the vote. With the majority in favour and four against, the closure motion was carried.

As proposer of the original motion, Councillor Pugh had nothing further to say and a vote was taken. With the majority in favour and four against, it was

RESOLVED:

That the Masterplan for the Station Hill Development Area, Bury St Edmunds land allocation, as contained in Appendix A to Report No. SDW/SE/15/005, be adopted as non-statutory planning guidance, subject to amendments being made to the document to:

- (i) provide greater clarity about the intended illustrative nature of the plans contained therein;
- (ii) include relevant references to the Joint Development Management Policies document adopted in February 2015; and
- (iii) delegated authority be given to the Head of Planning and Growth, in consultation with the Chairman of the Sustainable Development Working Party and the Ward Members for the Station Hill Development Area, to satisfactorily resolve the issues raised by Pigeon Investment

Management Ltd in their letter of objection received immediately prior to the meeting of the Working Party held on 18 June 2015.

(Councillor Cockle left the meeting at the end of the consideration of this item.)

5. West Suffolk Hospital, Bury St Edmunds: Masterplan

Councillor Pugh, Portfolio Holder for Planning and Growth introduced this report seeking to adopt the Masterplan for the West Suffolk Hospital as non-statutory planning guidance.

Members debated the recommendation with a particular focus on parking issues.

On the motion of Councillor Pugh, seconded by Councillor Farthing and duly carried, it was

RESOLVED:

That the Masterplan for the West Suffolk Hospital, as contained in Appendix A to Report No: SDW/SE/15/006, be adopted as non-statutory planning guidance.

6. West Suffolk Facilities Management

Councillor Stevens, Portfolio Holder for Operations introduced this report seeking to establish a Joint Venture Company for the delivery of Facilities Management Services at Forest Heath District Council and St Edmundsbury Borough Council.

In response to a question, Councillor Stevens noted concerns from some members that all staff of the new Joint Venture (JV) Company should receive the living wage. He confirmed that any existing staff who transferred over to the JV would be covered by TUPE provisions.

On the motion of Councillor Stevens, seconded by Councillor Buckle, and duly carried, it was

RESOLVED:

- (1) the contents of Report No: CAB/SE/15/029 be noted;
- (2) approval is given to establish a Joint Venture Company with Eastern Facilities Management Services (EFMS) Ltd for the delivery of Facilities Management services at Forest Heath District Council and St Edmundsbury Borough Council; and
- (3) delegated authority be given to the Head of Operations, in consultation with the Head of Resources and Performance, the Service Manager (Legal) and respective Portfolio Holders for Operations to finalise and confirm the outstanding legal and governance matters outlined herein at 3.11 to 3.15 and

3.21 of Report No: CAB/SE/15/029, before signing contracts to establish the new Joint Venture company with EFMS.

7. Provision of Temporary Accommodation in Bury St Edmunds

Under Council Procedure Rule 2.3 (a), the Mayor changed the order of the agenda and informed the Council that as this item was exempt, it would be deferred until the end of the agenda when the public would be excluded.

(D) Referral from Anglia Revenues and Benefits Partnership (ARP) Joint Committee: 10 June 2015

1. ARP Trading Company Restructure

Councillor Houlder, Portfolio Holder for Resources and Performance introduced this report and, in response to a question, confirmed that a representative from each council would ensure proper scrutiny and would report back to their relevant council.

On the motion of Councillor Houlder, seconded by Councillor Everitt and duly carried, it was

RESOLVED:

- (1) St Edmundsbury Borough Council buys shares valued at £1 each in the new ARP Trading Company Limited in accordance with Section 1.5 of the report on the ARP Trading Company Restructure submitted to the Anglia Revenues and Benefits Partnership Joint Committee on 10 June 2015, alongside an identical purchase by Waveney DC, Suffolk Coastal DC, and Fenland DC;
- (2) Should East Cambs DC wish to buy shares in the new ARP Trading Company Limited, and should it inform the JC partner councils prior to the next JC meeting (in September), this request is approved;
- (3) The number of shares each authority holds in the reconstituted ARP to be confirmed once East Cambs DC position is known, but to add up to a total number of shares of 1,750.
- (4) A loan of £10,000 from St Edmundsbury and each of the other partner authorities involved with establishing the trading company be approved, to cover initial working capital requirements (with approval to amend the Council's Treasury Management policies if required); this loan to be funded from underspend in ARP's 14/15 budget;
- (5) agreement of the revised company constitution and shareholder agreement be delegated to the Operational Improvement Board to complete; and
- (6) a person or persons be nominated from each of the six partner authorities involved to represent the respective authority's interests at shareholder meetings.

(E) Referrals from Democratic Renewal Working Party: 17 June 2015

1. Community Governance Review – Terms of Reference

Councillor Patsy Warby, Chairman of the Democratic Renewal Working Party introduced this report which included a revised list at Appendix B to Report No. COU/SE/15/021 of the areas under review and the matters on which the Community Governance Review would focus.

Councillor Hind asked if Northgate Ward could be regarded as being directly affected by Issue 1 in the draft Terms of Reference even though the Vision 2031 growth site was not directly adjacent to its current boundary. It was explained that, as clarified in Issue 27, since Borough and Town Council wards in Bury St Edmunds may need to be re-examined as part of the review, Councillor Hind would be consulted on Issue 1 and any other potential consequential impacts of changes to the external boundary of Bury St Edmunds.

On the motion of Councillor Patsy Warby, seconded by Councillor Nettleton and duly carried, it was

RESOLVED:

That in accordance with the process agreed by full Council in December 2014, the terms of reference for the Community Governance Review as set out in Appendix B to Report No. COU/SE/15/021 be approved and published.

2. Review of Members' Allowance Scheme and Appointment of Independent Remuneration Panel

Councillor Patsy Warby, Chairman of the Democratic Renewal Working Party introduced this report and noted a members request that the advertisement for the appointment of Panel members be included in Haverhill News.

On the motion of Councillor Patsy Warby, seconded by Councillor Nettleton and duly carried, it was

RESOLVED:

That

- (1) the Council undertake a recruitment process as outlined in Section 2 of Report DEM/SE/15/002
- (2) the Council appoint a Selection Panel of three Members, plus a substitute Member, to advise the Service Manager (Legal Services) on the appointment of Members of the Independent Remuneration Panel (IRP) and the terms and conditions of appointment.

- (3) the Service Manager (Legal Services) be authorised to seek candidates for an Independent Remuneration Panel to determine its terms and conditions.

(N.B. In reaching this decision, Members noted that if Forest Heath District Council, at their meeting on 15 July 2015, agreed to end their Members' Allowance Scheme on 30 November 2015, the Selection Panel in Recommendation (2) and the Independent Remuneration Panel in Recommendation (3) would both be joint and the number of members to be appointed to the Selection Panel would be two members plus a substitute member.)

71. Annual Scrutiny Report: 2014/2015

The Council received and noted the Annual Report of the Overview and Scrutiny Committee, and the Performance and Audit Scrutiny Committees, previously circulated as Report No. COU/SE/15/022.

Article 7 of the Council's Constitution required that *'the Overview and Scrutiny Committee and Performance and Audit Scrutiny Committee must report annually to the full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.'*

Councillor Houlder, outgoing Chairman of the Overview and Scrutiny Committee, introduced this report. Councillor Griffiths, Leader of the Council, expressed his thanks to the chairmen and members of both scrutiny committees for their work over the past year.

An amendment was noted to the report on page 11 (page 53 of the Council agenda) that Councillor Nettleton was now a full committee member and Councillor Cockle a substitute member. Subject to this amendment, the report was noted.

72. Representation on Suffolk Health Overview and Scrutiny Committee

The Council considered a narrative item which sought a Borough Council representative and, if required, a substitute Member to serve on Suffolk County Council's Health Overview and Scrutiny Committee.

On the motion of Councillor Hind, seconded by Councillor Frank Warby, and duly carried it was

RESOLVED:

That Councillor Tim Marks be appointed as the Borough Council's nominated representative on the Suffolk Health and Overview Scrutiny Committee for 2015/2016.

73. Revised constitutions update

Councillor Houlder, Portfolio Holder for Resources and Performance introduced this report which sought to reappoint members to the Joint Constitution

Review Group in order that the work of reviewing the constitutions for both authorities could be completed.

Members were asked to note the late paper (circulated at the meeting) which detailed a change to the Contract Procedure Rules for exemptions.

On the motion of Councillor Houlder, seconded by Councillor Griffiths, and duly carried, it was

RESOLVED: That

- (1) the current position with regard to the review of the constitutions be noted;
- (2) a Constitution Joint Review Group comprising four members each of Forest Heath and St Edmundsbury councils, as nominated to the Monitoring Officer, be set up for the purposes in section 1.2.4 below;
- (3) the proposed format for Part 3 of the constitution as set out in section 1.2.1 below be approved; and

the changes to the Contract Procedure Rules set out in Appendix 1 be approved.

74. Changes to the constitution - appointment and dismissal of statutory officers

Councillor Houlder, Portfolio Holder for Resources and Performance introduced this report and informed members that they were required to amend the Officer Employment Procedure Rules no later than the first meeting following its Annual Meeting.

On the motion of Councillor Houlder, seconded by Councillor Farthing, and duly carried, it was

RESOLVED: That

- (1) members note the contents of this report; and
- (2) approve the changes to the Employment Procedure Rules set out in Appendix 1.

75. Appointment of Independent Person

The Chairman of the Overview and Scrutiny Committee and the Mayor had both agreed for this item to be considered as a matter of urgency, in accordance with S100B(4) of the Local Government Act 1972, in order that this matter can be resolved within the necessary timescale.

Councillor Houlder, Portfolio Holder for Resources and Performance informed members that it was necessary to reappoint Mr Barrow as an Independent Person as his initial appointment had been only for one year.

On the motion of Councillor Houlder, seconded by Councillor Farthing and duly carried, it was

RESOLVED:

That with immediate effect, Arnold Barrow be reappointed as an Independent Person under the provisions of s28(7) Localism Act 2011 for a period of one year expiring on 30 June 2016, as detailed in Section 1 of Report No: COU/SE/15 /026.

76. Questions to Chairmen

There were no questions to Chairmen.

77. Question on Notice

Councillor Nettleton had given notice under paragraph 8.4 of the Council Procedure Rules of the following question:

'There were no printing services at Mildenhall covering SEBC and FHDC from Tuesday 30 June to Friday 3 July. Why?'

In response, Councillor Griffiths explained that this related to a routine internal staff announcement, that there were procedures in place to deal with any emergency printing and that there had been no operational impact.

78. Report on Special Urgency

The Council received and noted a narrative item, as required by the Council's Constitution, in which the Leader of the Council reported that at the time the Council agenda was published, no executive decisions had been taken under the special urgency provisions of the Constitution.

79. Exclusion of Press and Public

It was proposed, seconded and

RESOLVED

That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

80. Property in Jubilee Walk, Haverhill

The Council considered Exempt Report No. COU/SE/15/025 (previously circulated) in connection with a property in Jubilee Walk, Haverhill.

RESOLVED:

As set out in Exempt Report No. COU/SE/15/046

81. **Provision of Temporary Accommodation in Bury St Edmunds**

The Council considered Exempt Report No. COU/SE/15/021 (previously circulated) in connection with the provision of temporary accommodation in Bury St Edmunds.

RESOLVED:

As set out in Exempt Report No. COU/SE/15/021.

The Meeting concluded at 10.31 pm

Signed by:

Mayor

Council



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Leader's Statement	
Report No:	COU/SE/15/027	
Report to and date:	Council	22 September 2015
Documents attached:	None	

1. It is a fascinating time to be in local government – hugely challenging - but the opportunities for fundamentally changing the way we work with communities (and other public, private and voluntary sector organisations) throughout West Suffolk are also huge.
2. As I write this, Suffolk's councils are getting to grips with the devolution agenda. What powers do we want the Government to give us so we can help families to thrive and improve the lives of those who live and work in the county? What would we need to offer the Government in return for a greater ability to make decisions locally? How do we make sure that the special nature of West Suffolk, with its strong links to the Cambridge economic powerhouse, doesn't get lost in this countywide debate?
3. By the time we come together for the council meeting, the parameters of the devolution debate will have moved on, such has been its pace, but we cannot afford to let that discussion – important though it is – to distract us from the realities we face immediately and which are reflected in this council agenda. Work never stops on budget issues. Even before we approved this year's budget we were working on what we need to do to balance the books in the next financial year. The 'Delivering a sustainable budget' report to our Performance and Audit Scrutiny Committee clearly sets out the scale of our financial challenge – we have a budget gap which we are addressing of £1.9 million.
4. I think it is safe to say that St Edmundsbury Borough Council, in partnership with Forest Heath District Council, has done exceptionally well over the past few years to continue delivering excellent services in extremely, and increasingly, tough economic times. We can, however, never stand still, never rest on our laurels – the decisions we took and changes we made to deliver £4 million in savings between the two councils through sharing staff and services may seem simple compared to some of the decisions we will be asked to take in the coming months. That said, we are in a better position financially because of the often

difficult decisions we have already made. But, and now we've "done" shared services, we have to move on to maintain that financial balance while providing the best possible and most cost effective services.

5. Nobody should, therefore, be surprised, looking at the agenda, to see that some of our decisions (whatever they are!) will be unpopular with some, perhaps even many, of our residents. We are, however, elected to serve people both in our individual wards and throughout St Edmundsbury and to take the often difficult financial decisions needed to maintain our services and to deliver on our priorities – the right kind of jobs and homes, even better quality of life and the future prosperity of our families and communities. If we choose not to take a tough decision to make a saving (and improve things in the long term) in one place then we will have to make possibly even tougher savings elsewhere.
6. Also on the agenda is the investment strategy. I do not believe we can continue simply to reduce our budgets - we have already "been there and done that". An alternative is to raise more income through investing in projects which will bring in the revenue needed to provide excellent services while delivering against our agreed priorities. Acting more commercially in this way should, I believe, be a more common feature of our future decision-making so we will be seeing more proposals about funding feasibility studies. In the same way that people pay for survey and legal services before they buy a house, we must make sure we have the very best advice before investing taxpayers' money in projects.
7. I continue to work with, and for, the New Anglia Local Enterprise Partnership (NALEP) to support economic growth. I serve on the board of NALEP (representing West Suffolk and the other rural Suffolk districts and boroughs) and am keen to continue to explore opportunities for local investment – building on the success we have already had, for example in securing funding for the Eastern Relief Road. A further possible example of this is the Enterprise Zones work. The Government has announced another round of bidding for LEPs to apply for Enterprise Zones in their localities. There will be more detail about this process and what it could mean for West Suffolk in the coming months; however, if we were able to establish an Enterprise Zone in our area, businesses would be able to benefit from things like a discount on their business rates, superfast broadband and simplified planning regulation.
8. Finally, may I end with a thank you to the more than 1,000 people who engaged in the recent Haverhill town centre masterplan consultation. That is an excellent reflection on the hard work put in by the ONE Haverhill Partnership and our own staff to encourage people to become involved. And I am especially pleased that the council has successfully negotiated with the Co-op to end the lease which has seen the shop empty for far too long. By bringing the lease back into our control we have now secured the ability to help deliver in that part of Haverhill town centre an iconic development at some point in the future, and as part of the masterplan.

Councillor John Griffiths
Leader of the Council

Council



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Referral of Recommendations from Cabinet	
Report No:	COU/SE/15/028	
Report to and date:	Council	22 September 2015
Documents attached:	None	

(A) Referrals from Cabinet: 1 September 2015

1. West Suffolk Strategic Plan and Medium Term Financial Strategy 2016-2020

Cabinet Members:

Cllrs John Griffiths and Ian Houlder

Report No:

[CAB/SE/15/048](#)

RECOMMENDED:

That subject to updates and amendments by the Leaders, as detailed in paragraphs 13 and 14 of Report No: CAB/SE/15/048, the:

- (1) West Suffolk Strategic Plan 2016-2020; and**
- (2) West Suffolk Medium Term Financial Strategy 2016-2020, be adopted.**

When developing the draft West Suffolk Strategic Plan 2016-2020 and the draft Medium Term Financial Strategy (MTFS) 2016-2020, it was considered that there had not been significant changes in the local economic or social context that would warrant a fundamental revisiting of the priorities and themes set out in the two documents. Therefore, the draft West Suffolk Strategic Plan 2016-2020 still centred on the following three priorities:

- Priority 1: Increased opportunities for economic growth
- Priority 2: Resilient families and communities that are healthy and active
- Priority 3: Homes for our communities

The draft West Suffolk Medium Term Financial Strategy 2016-2020 remains based around the following six themes:

1. Aligning resources to both councils' new strategic plan and essential services;
2. Continuation of the shared service agenda and transformation of service delivery;
3. Behaving more commercially;
4. Considering new funding models (e.g. acting as an investor);
5. Encouraging the use of digital forms for customer access; and
6. Taking advantage of new forms of local government finance (e.g. business rate retention).

These drafts have been developed and updated through a "light touch" review focusing on updating the projects and actions within the existing frameworks and making minor changes to reflect developments in legislation or local government financing arrangements. Councillor engagement on the draft documents was undertaken with Councillors at the Member Finance Briefings in July 2015.

The current 2016/17 budget process will inform the financial summary section within the MTFS and will focus on the numbers and overall budget assumptions, for presentation to both Councils' Cabinets and then full Councils in February 2016.

The draft of the West Suffolk Strategic Plan 2016-2020 ([Appendix A to Report No CAB/SE/15/048](#)) and the West Suffolk Medium Term Financial Strategy 2016-2020 ([Appendix B to Report No CAB/SE/15/048](#)) have a number of areas which need to be updated or included in order to ensure that it is as up-to-date as possible when it comes into effect from 1 April 2016. Both Councils' Cabinets have recommended that the Leaders be given delegated authority to update these sections of the documents and any significant changes would be brought back to Councillors for approval, as appropriate.

2. West Suffolk Investment Framework

Cabinet Member: Cllr Ian Houlder

Report No:
[CAB/SE/15/049](#)

RECOMMENDED:

That the West Suffolk Investment Framework attached at Attachment A to Report No: CAB/SE/15/049, be approved.

The West Suffolk Medium Term Financial Strategy (MTFS) sets out West Suffolk's response to the financial challenges and opportunities both councils have in common across six key themes; including 'behaving more commercially', 'being an investing authority' and 'taking advantage of new forms of local government finance'. The inclusion of these themes within the MTFS, along with key investment projects within the West Suffolk Strategic Plan demonstrates both councils' commitment to continue with our long tradition of investing in our communities. This

commitment to investment supports the delivery of our shared strategic priorities, in particular to aid economic growth across West Suffolk.

With the emphasis on 'investing' in key strategic projects to support the delivery of the shared priorities, it is important that both Councils set out their approach to considering each project on its own merits alongside a set of desired collective 'investing' programme outcomes. This is particularly important when set against the backdrop of continued financial challenges for local government associated with medium to long term funding uncertainties.

These desired collective 'investing' programme outcomes will act as an 'Investment Framework' (as detailed in [Attachment A to Report No CAB/SE/15/049](#)), to support staff and Members throughout the initial development stages to the decision making stages of our key strategic projects, particularly those that require the Councils to invest. The proposed Investment Framework would also support the Councils' compliance with 'The Prudential Code for Capital Finance in Local Authorities (the Code)'.

A number of West Suffolk's key strategic projects have the potential to commit significant capital sums, as well as officer and Member resources. Many of these projects will be the subject of individual business cases over the coming months. It is important therefore that feasibility funding is made available at the early stages of these business case developments, so as to unlock these projects and their investment potential and to enable the necessary progress to a full business case and the identification of a preferred way forward for Member scrutiny and approval.

The feasibility funding schedule at [Attachment B to Report No: CAB/SE/15/049](#), which was formally noted by both Cabinets, provides a summary of the feasibility funding approved to date across West Suffolk. More importantly, over time the expected capital budget and return columns of Attachment B will detail the likely financial implications and returns for West Suffolk (these are in addition to the non-financial returns). The expected returns from these strategic projects are key to delivering a sustainable medium term financial position for the Councils.

(B) Referrals from Cabinet: 8 September 2015

1. West Suffolk Operational Hub

Cabinet Member: Cllr Peter Stevens

Report No:
[CAB/SE/15/050](#)

RECOMMENDED:

That funding of £220,000 (£112,000 FHDC and £108,000 SEBC), as detailed in Section 3 of Report No: CAB/SE/15/050, be approved, and for this to be allocated from the respective Council's Strategic Priorities and Medium Term Financial Strategy reserve to enable the project to progress.

In addition to the recommendation above, the Cabinet also resolved on 8 September 2015 that:

- (1) *the contents of Report No: CAB/SE/15/050, be noted;*
- (2) *approval is given for a further six-week period of public pre-application consultation that will give an opportunity for suggestions for alternative sites and provide information for public scrutiny including the:*
 - (i) *case for a shared waste hub;*
 - (ii) *site selection criteria;*
 - (iii) *process of site selection; and*
 - (iv) *sustainability appraisal.*

While Cabinet has approved (2) above as an executive matter, this can only proceed with the approval of funding, as detailed in the recommendation to Council above.

To date, all costs during the feasibility and deliverability phases of the West Suffolk Operational Hub project have been shared equally with Suffolk County Council and St Edmundsbury Borough Council. St Edmundsbury provided initial funding of £100,000 (Report F51 dated 30 June 2014). A further £20,000 of funding has been made available through the Cabinet Office under the One Public Estate Programme (OPEP) which aims to support projects to co-locate public sector assets.

In order for the project to progress, funding, in line with other equivalent projects, will be required to finalise a business case in the autumn 2015. Estimated elements of further cost required are:

Project Management / Concertus	£40,000
Planning advice	£35,000
BREEAM advisors	£4,000
Images and visual impact studies	£6,000
Planning application and land option	£52,000
Legal advice	£13,000
Direct costs	£30,000
Communications	£30,000
Consulting engineers (surveys / design)	£180,000
Other / contingency	£50,000
Total	£440,000

The share of these costs for West Suffolk is anticipated to be £220,000. Appropriate arrangements need to be made to share these costs between Forest Heath District Council and St Edmundsbury Borough Council. An accurate basis on which to share these costs between the West Suffolk councils will be made for the business case. Until then it is recommended that they be shared on the standard 35:65 ratio and reconciled at a later date.

In order to reflect a 35:65 cost share between the West Suffolk authorities on both the current and future expenditure for this project, Forest Heath DC will be requested to make budget provision for £112,000 (35% of West Suffolk's £320,000 share – net of £20,000 OPEP funding) and St Edmundsbury will be requested to make a further budget provision of £108,000 (65% of West Suffolk's £320,000 share – net of £20,000 OPEP funding, minus the £100,000 already approved report F51). Both amounts to be funded from each authority's Strategic Priorities and Medium Term Financial Strategy reserve.

For further information on the West Suffolk Operational Hub project, see [Cabinet Report No: CAB/SE/15/050](#) and the background papers listed within that report.

2. The Future of the Organic Waste Service in West Suffolk

Cabinet Member: Cllr Peter Stevens

Report No:
[CAB/SE/15/051](#)

RECOMMENDED: That

- (1) the exclusion of food/kitchen waste from the brown bin scheme - to commence following procurement of the new treatment contract, be agreed;**
- (2) a subscription charge of between £35 and £50 per year for the brown bin service, as detailed in Section 1.4.3 to 1.4.8 of Report No: CAB/SE/15/051, be introduced; and**
- (3) a future report be received outlining the results of the procurement exercise and the Suffolk Waste Partnership's agreed actions to deliver recommendations 1 and 2 above.**

The future of the brown bin scheme in West Suffolk has been assessed following the recent Suffolk Waste Partnership review of organic waste management.

The brown bin service was introduced in response to a number of local and national initiatives to stimulate recycling and waste diversion from landfill. This included statutory recycling targets, government funding incentives and the availability of local waste treatment, for which we have continued to receive an ongoing subsidised gate fee due to government financial investment.

Support for the scheme has progressed and 19,000 tonnes of non-meat kitchen waste and garden waste are collected annually at a net cost of £584,000 (£30 per tonne). This scheme has been effectively subsidised by £1,070,000 per annum through the RPP (Recycling Performance Payments) payments from Suffolk County Council of £54.76 per tonne (£349,000 FHDC and £721,000 SEBC).

Financial pressures and a changing perspective have led to a rethink on the management of organics. Waste reduction has a progressively more prominent focus than recycling, diversion from landfill is no longer a key priority since the introduction of Energy from Waste and direct council recycling targets have been withdrawn. This combined with increasing budget pressures has focused the review of Suffolk's annual £6.6 million budget for the management of organics.

Waste services across Suffolk (collection and disposal) are integrated and are managed and coordinated through the Suffolk Waste Partnership (SWP). The options available are limited as the disposal options need to be agreed and operate at this countywide level. However, the implications for West Suffolk as a waste collection authority are significant. Following a review of Recycling Performance Payments received from Suffolk County Council (SCC) and an expected increase in organic waste treatment costs associated with the new contract, there will be an additional cost to West Suffolk of up to £500,000 per year to maintain a brown bin scheme, albeit collecting garden waste only.

There is an increasing national focus on subscription based charging, which supports customer choice and will generate income to offset a greater proportion of service cost than currently. As part of this option, SCC has committed to maintain the current level of RPP if there is SWP agreement to share cost savings equally with SCC moving forward.

For further detailed information on the background to this issue, and the justification for the preferred option, see [Cabinet Report No: CAB/SE/15/051](#).

3. Annual Treasury Management Report 2014/2015

Cabinet Member: Cllr Ian Houlder

Report No:
[CAB/SE/15/056](#)
**(Treasury
Management Sub-
Committee Report No:**
[TMS/SE/15/004](#))

RECOMMENDED:

That the Annual Treasury Management Report for 2014-2015, attached as Appendix 1 to Report No: TMS/SE/15/004, be approved.

The Council's Annual Treasury Management Report for 2014-2015 was attached at Appendix 1 to Report No: TMS/SE/15/004. The report included tables which summarised the interest earned during 2014-2015 on the various treasury investments held by the Council; investment activity during the year and the investments held as at 31 March 2015.

The budget income from investments in 2014-2015 was £572,000 (average rate of return 1.5%). Interest actually earned during the year totalled £326,628.53 (average rate of return 0.75%); an underachievement of £245,371.47. This was mainly due to the

continuing low base rate of 0.5%, which affected the rates achieved when re-investing maturing investments.

To help alleviate the impact, the Council in February 2005 established the Interest Equalisation Earmarked Reserves to help smooth out fluctuations in returns. As at 31 March 2015 the remaining balance of the reserve was £187,265.88.

4. Haverhill Town Centre: Masterplan

Cabinet Member: Cllr Alaric Pugh

Report No:

[CAB/SE/15/057](#)

(Sustainable

Development Working

Party Report No:

[SDW/SE/15/007](#)

RECOMMENDED:

That the Masterplan for Haverhill Town Centre, as contained in Appendix A to Report SDW/SE/15/007, be adopted as a Supplementary Planning Document.

Policy HV19 of the Haverhill Vision 2031 Development Plan Document identifies a requirement for the development of a town centre masterplan to set the context for the regeneration of the central area and provide the framework for individual development proposals to come forward.

One Haverhill was asked by St Edmundsbury Borough Council to lead on the development of a town centre masterplan for Haverhill, and subsequently One Haverhill appointed David Lock Associates (DLA), specialists in town planning and urban design, to develop the Haverhill Town Centre Masterplan.

DLA prepared a Haverhill Town Centre Masterplan Issues and Options Report to provide baseline data for the preparation of the masterplan document. This was subject to extensive consultation and the information received was used to inform the preparation of the draft Haverhill Town Centre Masterplan.

The draft Haverhill Town Centre Masterplan document, as attached as [Appendix A to Report No: SDW/SE/15/007](#), was prepared by DLA and approved for consultation by Cabinet on 28 May 2015. The document identifies an overall strategy based upon four interlinked character areas or quarters. Although each has a different focus based on a mix of uses, the boundaries between them are indicative allowing for flexibility. It also considers development opportunities, including those sites identified by Policy HV7 (Mixed Use Development of Brownfield Sites) of the Haverhill Vision 2031 document, but also other potential opportunities. It provides positive guidance rather than being prescriptive, which should assist in bringing forward sites for development in a positive manner. The guidance is aimed both at private landowners/development interests and public realm opportunities and concludes with a delivery strategy.

The formal consultation process on the draft Masterplan commenced on 8 June 2015 and ran to 17 July 2015 and included a range of community engagement events which involved in excess of 1,000 people. A total of 142 responses were received and these are contained in [Appendix B to Report No; SDW/SE/15/007](#). The responses indicate overwhelming support for the document and its key aims.

5. North East Haverhill: Masterplan

Cabinet Member: Cllr Alaric Pugh

Report No:
[CAB/SE/15/057](#)
**(Sustainable
Development Working
Party Report No:**
[SDW/SE/15/008](#))

RECOMMENDED:

That the Masterplan for North East Haverhill, as contained in Appendix A to Report SDW/SE/15/008, be adopted as non-statutory planning guidance.

Land at North East Haverhill between Haverhill Road (A143) and Coupals Road B1061, is allocated in Policy CS12 of the adopted St Edmundsbury Core Strategy to accommodate long term strategic growth for Haverhill which would deliver around 2,500 homes, education, community, employment and leisure facilities together with strategic public open space. The allocation is developed further by Policy HV4 of the Haverhill Vision 2031 Development Plan Document.

Policy HV4 states that applications for planning permission will only be determined once a masterplan has been adopted by the local planning authority. A Concept Statement adopted by the Council, which provides the parameters and framework for the development of the site is included as Appendix 6 to the Vision Document.

A draft masterplan has been prepared by consultants acting on behalf of the landowner. Public consultation was carried out in May and June 2015. Following consultation, the masterplan was amended in light of some of the comments received. The draft masterplan is attached at [Appendix A to Report SDW/SE/15/008](#).

The resulting masterplan is one which has been formulated taking account of a range of opportunities and constraints, as detailed in the report to the Sustainable Development Working Party. The report also provides an annotated post consultation text only version of the draft masterplan, the Statement of Community Involvement, and addresses concerns of a group of residents from Kedington that had been raised during the course of the consultation.

Concern had also been expressed at the meeting of the Sustainable Development Working Party that the town's current infrastructure would be unable to cope with the proposed development, Officers referred to the adopted infrastructure Delivery Plan which had the intention of

ensuring that infrastructure would be provided progressively as development took place. The provision of North-West Relief Road had been guaranteed through a Section 106 Agreement and Bond.

6. South East Bury St Edmunds Strategic Development Site: Masterplan

Cabinet Member: Cllr Alaric Pugh

Report No:
[CAB/SE/15/057](#)
**(Sustainable
Development Working
Party Report No:
[SDW/SE/15/009](#))**

RECOMMENDED:

That the Masterplan for the South East strategic land allocation, as contained in Appendix A to Report SDW/SE/15/009, be adopted as non-statutory planning guidance, subject to the reinstatement of the site of the proposed Gypsy and Traveller accommodation as originally proposed in the earlier draft Masterplan.

Land at South-East, Bury St Edmunds between Rougham Hill and Sicklesmere Road is allocated in Policy BV7 of the Vision 2031 Development Plan Document for the town for a residential development site (with ancillary uses including a primary school and community hub/s). The land allocation responds to the more strategic policy CS11 of the Core Strategy.

Policy BV7 states that applications for planning permission will only be determined once the masterplan for the whole site has been adopted by the local planning authority. The masterplan should be prepared in accordance with the content of the adopted Concept Statement unless a material change in circumstances indicates otherwise.

A draft masterplan has been prepared by consultants acting on behalf of the site landowners. Public consultation was carried out in May/June 2015 and the masterplan has been amended in light of some of the comments received.

The document is attached as [Appendix A to Report SDW/SE/15/009](#) and incorporates post-public consultation amendments. The document is comprised of the draft document, [illustrative Masterplan](#), [junction improvements Masterplan](#) (illustrative to inform (but not commit) improvements to the local highway network) and a [Sustainability Appraisal](#). Report SDW/SE/15/009 also contains reference to the Statement of Community Involvement.

At the meeting of the Sustainable Development Working Party, officers reported receipt of a letter from the developers which sought changes to Section 9 (Implementation) of the Masterplan. The Working Party agreed that the Words in parenthesis in the reference to Phase 1, i.e. '50 in the northern and southern neighbourhoods', should be deleted. In relation to

the reference to Phase 3, threshold of houses to be provided before completion of the relief road and primary school, the Working Party did not accept the proposed change.

Officers had also reported receipt of letters requesting that the proposed site for Gypsy and Traveller accommodation be reinstated in the Masterplan and this was supported by the Working Party and Cabinet.

Receipt of a draft Transport Plan for Bury St Edmunds produced by Suffolk County Council was also reported. This contained proposed junction improvements which would be required in connection with the NE Bury St Edmunds Strategic Site. These corresponded with the reference to Illustrative Junction Improvements included within the Masterplan.

Council



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Devolution in Suffolk	
Report No:	COU/SE/15/029 [to be completed by Democratic Services]	
Report to and date	Council	22 September 2015
Portfolio holder:	Cllr John Griffiths Leader Tel: 07958700434 Email: john.griffiths@stedsbc.gov.uk	
Lead officer:	Ian Gallin Chief Executive Tel: 01284 757001 Email: ian.gallin@westsuffolk.gov.uk	
Purpose of report:	To seek Council's endorsement of Suffolk's Expression of Interest to Government as the basis for future detailed negotiations with Government; and of the proposed approach to negotiation with Government throughout the autumn, in advance of final sign-off of more detailed proposals by Council.	
Recommendation:	<p>It is <u>RECOMMENDED</u> that Council:</p> <p>(1) endorses Suffolk's ambition for devolution contained in its Expression of Interest to Government as the basis for future detailed negotiation with Government throughout the autumn;</p> <p>(2) endorses the approach to negotiating more detailed proposals with Government; and</p> <p>(3) agrees that following negotiation with the Government, any proposed devolved arrangements will be subject to consideration and agreement by full Council.</p>	

Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>		<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
Consultation:		<ul style="list-style-type: none"> The draft devolution proposal at Appendix A is based on intensive engagement across Suffolk by members of the Devolution Working group and Suffolk Public Sector Leaders. Any actual changes to legal arrangements arising from negotiations with Government would be subject to more formal consultation in due course. 	
Alternative option(s):		<ul style="list-style-type: none"> Full Council could decide not to pursue devolution negotiations with Government. 	
Implications:			
<i>Are there any financial implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Not at this stage. Depending on the outcomes of negotiations with Government, there could be changes to the financial arrangements across the Suffolk public sector in the future. 	
<i>Are there any staffing implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
<i>Are there any ICT implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
<i>Are there any legal and/or policy implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Not at this stage. Depending on the outcomes of negotiations with Government, there could be changes to the powers and duties held by public bodies in Suffolk in the future. 	
<i>Are there any equality implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Risk/opportunity assessment: <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
West Suffolk's interests are not fully represented in the negotiations with Government over devolution in Suffolk	Medium	The Leader and Deputy Leader continue to engage in cross-Suffolk arrangements for shaping Suffolk's devolution proposal, including with the delegated authority to sign the final proposal by the end of September.	Low

Ward(s) affected:	All Ward/s
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	See foot of report.
Documents attached:	Appendix A: Draft Suffolk devolution proposal

1. Key issues and reasons for recommendation(s)

1.1 Brief summary of report

- 1.1.1 This report sets out Suffolk's ambition for and approach to devolution based on the Expression of Interest submitted to Government on 4 September 2015. This was developed by councils across Suffolk and public sector partners in response to the Government's invitation as part of the Spending Review to submit fiscally-neutral proposals for devolved arrangements to the Treasury by 4 September 2015.
- 1.1.2 This invitation builds on Government commitment to enhance local autonomy through devolution, reflected in the *Cities and Local Government Devolution Bill* currently before Parliament. The Bill does not impose devolution but offers the opportunity to put forward locally-developed proposals to the government.
- 1.1.3 From the outset, Suffolk's leaders have been eager to make the most of this opportunity and have worked together to develop a shared ambition for devolution. This has been built on Suffolk's strong track record of collaboration and innovation and will serve as the basis for negotiation with the government for a robust deal that will deliver better outcomes for local people.
- 1.1.4 This report asks full Council to endorse Suffolk's ambition based on its Expression of Interest to Government (Appendix A) and approach to devolution (set out in paragraphs 4.1-4.3). A similar report is being considered by all Councils and governing bodies (for health and policing) across Suffolk during September 2015.
- 1.1.5 Following negotiation with the Government, proposed devolved arrangements will be subject to consideration and agreement by full Council.

1.2 Reason for recommendation

- 1.2.1 Suffolk leaders are keen to explore the opportunities offered by devolution as early as possible in order to proactively influence negotiations with the Government and secure the best possible outcomes for Suffolk residents.

2. Devolution – national context

- 2.1 The Scottish independence referendum in September 2014 and publication of the Smith Commission report in November 2014 on further devolution to Scotland, promoted wide-ranging debate about similar devolutionary measures in England, at both national and sub-national levels. After the General Election in May 2015, the new Government emphasised its commitment to devolution by swiftly introducing Cities and Local Government Devolution Bill to Parliament on 28 May 2015.
- 2.2 Initially, the Government's focus was on continuing the devolution of powers and/or funding to large urban areas, particularly to the five existing combined authorities. This included a devolution deal for the Sheffield City Region and the Greater Manchester Health and Care Deal that sees the authorities take control of £6 billion of health and social care spending overseen by a new statutory body from April 2016.
- 2.3 However, as support for devolution grew, the Government announced that all areas were encouraged to come forward with proposals for a devolution deal. As a result, many areas across England have submitted or intend to submit

such proposals to the Government. An outline deal has already been concluded with Cornwall, and other proposals have come forth for example, Gloucestershire.

- 2.4 The *Cities and Local Government Devolution Bill* when passed will provide the legal framework for devolution. The Bill does not impose devolution but gives the Secretary of State the necessary powers to agree bespoke deals with local areas.
- 2.5 As part of his Summer Budget on 8 July 2015, the Chancellor announced that 'significant' devolution deals would need to be submitted to the Government by 4 September 2015 if they were to inform the Spending Review in November. However, it was explained that the September deadline was not absolute and that the Government would continue to consider proposals submitted after that date.

3. Devolution – local context

- 3.1 Suffolk's public sector partners are working collaboratively on a number of projects. These include strategic approaches, such as the Suffolk Growth Strategy,(including projects such as the Bury St Edmunds Eastern Relief Road, Suffolk Business Park and Haverhill Research Park); Suffolk Business Rates Pool; the Single Public Sector Estate; and local examples of integrated working (for example "hub" projects such as in Mildenhall, Bury St Edmunds, Newmarket, Brandon and Haverhill).
- 3.2 This means that nationally, Suffolk has come to be respected as a place for innovation, collaboration and delivery. This was further recognised in 2014 by the granting of £3.3m from the Government's Transformation Challenge Award for the further development of Suffolk's approach to innovation and shared delivery.
- 3.3 However, Suffolk's public sector leaders agreed that as well as collaborating and working in a more integrated way, there was a need for more radical change in order to meet financial challenges and continue to effectively support communities. This led to consideration of the potential benefits of devolution for Suffolk.

4. Suffolk's approach to negotiating a devolution deal with Government

- 4.1 In order to maximise influence over devolution discussions with Government, leaders from Suffolk councils, Clinical Commissioning Groups, the Constabulary and the Police and Crime Commissioner agreed to submit an Expression of Interest to Government on 4 September 2015.
- 4.2 It was agreed this would emphasise Suffolk's ambition for devolution, along with its credibility for delivery and signal that Suffolk is ready to begin negotiations with Government. The Expression of Interest is attached as Appendix A.
- 4.3 The Expression of Interest will form the basis for negotiation of more detailed proposals with Government throughout the autumn. Once concluded these would be subject to further discussion by Council and the appropriate decision making bodies of Suffolk public sector partners.
- 4.4 Any specific requests to the Government for the devolution of powers, responsibilities or funding from national to local level will be supported by business cases and/or cost benefit analysis to demonstrate the benefits to

Suffolk residents and advantages for central Government.

- 4.5 Such proposals will be subject to considerable further work and negotiation. Changes to powers, responsibilities or funding arrangements would require the approval of all constituent councils and other public bodies as well as engagement with residents.

Sources of Further Information

You should include documents relating to the subject matter of the report which:

- Disclose any facts or matters on which the report, or an important part of the matter is based, and

- Have been relied on to a material extent in preparing the report.

As well as any published works or legislation.

Background papers used in preparing the report must be kept for four years from the date of the meeting.

*If you have nothing to add in this box, please do not delete the box. A suitable **phrase** might be: "No other documents have been relied on to a material extent in preparing this report."*

- a) Cities and Local Government Devolution Bill, 28th May 2015
<http://services.parliament.uk/bills/2015-16/citiesandlocalgovernmentdevolution.html>
- b) The Case for Cornwall, July 2015
<https://www.cornwall.gov.uk/council-and-democracy/council-news-room/case-for-cornwall/>
- c) 'A Country that Lives Within its Means' 21st July 2015
<https://www.gov.uk/government/publications/spending-review-2015-a-country-that-lives-within-its-means>
- d) 'We are Gloucestershire' August 2015
<http://www.gloucestershire.gov.uk/article/119533/We-are-Gloucestershire>
- e) Suffolk County Council Cabinet paper: 'Developing Suffolk's Devolution Proposal' 15th September 2015
- f) Suffolk County Council Cabinet Report 'Developing Suffolk's Devolution Proposal' 19 May 2015
http://committeeminutes.suffolkcc.gov.uk/searchResult.aspx?qry=c_committee~~The%20Cabinet

A Devolved Suffolk

Working for a better future

September 2015

A practical route map to progress

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Leaders Statement

We need a step change. We want to work more effectively together with Government to achieve a radically re-set relationship between central and local public services and local people. One that is enabling and responsible; one that is adaptable and progressive and one that works in driving growth, enabling opportunity and delivering a more efficient public sector that influences better outcomes.

What's Best for Suffolk

We want the best possible outcomes for Suffolk and have already started to transform public services into a **sustainable, relevant, more productive and enabling body** that is better for Suffolk, better for the UK and fit for the future.

We are not looking to recreate Westminster or Whitehall. We are not re-centralising at county or district levels. We are starting from our people, values and assets; from the beauty and resources of our land, the strengths and capabilities of our businesses, residents, families and communities.

Our vision and plans for devolution have been guided by the following principles:

- *What's right for Suffolk – locally appropriate, not a single imposed solution*
- *Integration and whole system thinking across public services, not just local government*
- *Letting go of organisational boundaries while respecting individual identities*
- *Efficient and effective approaches, simpler and joined up working*
- *Subsidiarity – devolution of powers and decisions to the most appropriate level and area*
- *Better accountability and transparency*

Devolution

This is Suffolk. Greater local autonomy and control over resources and decision making is a natural development of this stewardship. As a result, we are confident devolution will deliver the following economic and social dividends – raising revenues and reducing costs:

1. **70,000 homes by 2031**
2. **Improved educational provision and outcomes, for example: at least 65% A*-C GCSE passes by 2017**
3. **Working with districts, boroughs, public, private and voluntary and community partners there will be stronger communities and families, with greater democratic participation**
4. **Improved health, with reduced demand for health, care and safety services – with better supported families and less child poverty**
5. **Significant reduction in the £430 million spent on DWP and work related benefits in Suffolk (2013-14) through better paid jobs**
6. **A more skilled workforce including at least 5,000 new apprenticeships by 2020 and a further 2,500 in Suffolk by 2025**
7. **Greater productivity and growth of over £18 billion total GVA per year by 2025**

We are clear that our devolution proposal is far beyond a simple shopping list of requests from central government. It is the next step in a maturing relationship between different legitimate levels of government with an open door for ongoing negotiations of further freedoms and flexibilities; offering the basis of a template for other two-tier areas.

We commend this proposal to you.



Cllr Jennie Jenkins
Leader
Babergh District Council



Cllr Derrick Haley
Leader
Mid Suffolk District Council



Cllr James Waters
Leader
Forest Heath District Council



Cllr Ray Herring
Leader
Suffolk Coastal District Council



Mark Pendlington
Chairman
New Anglia Local Enterprise Partnership



Cllr Colin Law
Leader
Waveney District Council



Cllr David Ellesmere
Leader
Ipswich Borough Council



Cllr John Griffiths
Leader
St Edmundsbury Borough Council



Cllr Colin Noble
Leader
Suffolk County Council



Cllr Alan Murray
Chairman
Suffolk Health and Wellbeing Board



Tim Passmore
Police & Crime Commissioner



Gareth Williams
Temporary Chief Constable



Deborah Cadman OBE
Chief Executive
Suffolk County Council



Stephen Baker
Chief Executive
Suffolk Coastal and Waveney District Councils



Russell Williams
Chief Executive
Ipswich Borough Council



Ian Gallin
Chief Executive
St Edmundsbury Borough and Forest Heath District Councils



Charlie Adan
Chief Executive
Babergh and Mid Suffolk District Councils



Dr Mark Shenton
Chairman
Ipswich and East and West Suffolk Clinical Commissioning Groups



Julian Herbert
Chief Officer
Ipswich and East and West Suffolk Clinical Commissioning Groups



Dr John Stammers
Chair
Great Yarmouth and Waveney Clinical Commissioning Group



Andy Evans
Chief Executive
Great Yarmouth and Waveney Clinical Commissioning Group

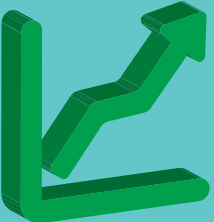


Mark Reeve
Chair of Greater Cambridge and Greater Peterborough Local Enterprise Partnership



Dr Christopher Browning
Chair
West Suffolk Clinical Commissioning Groups

Our Ambition



33%

Increase in total GVA per year by 2025



£43 million

10% reduction of cost of unemployment & low pay



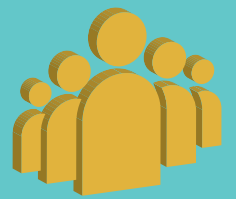
70,000

New homes by 2031



Increase the

45%



young people helped to find work since MyGo opened Dec 14

Over

£18 Billion

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Total GVA per year by 2025



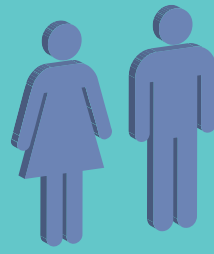
7,500

New apprenticeships by 2025



65%

A*-C at GCSE by 2017



Improved health and care for

31.1%

of people aged 65+ by 2037

Suffolk today

£489.50
average weekly wage – 6%
Lower than national average (£520.8)



£250 million
Received in Business Rates



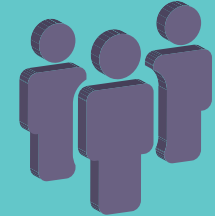
76.3%
Employed



23%
projected increase
of people aged over
85 by 2020

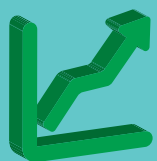


1300
Jobs in Gt Yarmouth &
Waveney Enterprise Zone



447,100
working age population

738,512
Population



£2.7 billion



Total public sector spend

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£18.5 billion
Inward investment in
offshore energy sector



6%
Workforce qualifications
below national average
at Level 4 and above

£430 million
Spent on DWP work
related benefits



6.9%
of adults with a learning
disability paid employment

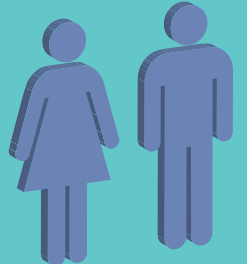


87%
love to live
in Suffolk

£176,235
July house price index



145,039
aged 65 and over
in 2011



A Devolved Suffolk: Working for a better future, a summary

Ambition

- 1 Suffolk is a strong county, with a proud heritage, enviable natural resources and established industries. As a net contributor to the UK economy, a thriving Suffolk is good for the country as well as good for the people of Suffolk.
- 2 Our ambition is that the quality of life for residents will be good and our communities strong. We are working hard to promote their ambitions and help them secure the outcomes they seek for themselves and their families in the decades to come.

The people of Suffolk want to see this beautiful county, its culture and heritage preserved for enjoyment by future generations. They want the best start to life for their children, raised in stronger families, receiving better education in a safe environment. They want the right homes in the right places; to be part of supportive, active communities and working in more rewarding jobs. They want to know that they can live independently, healthily and safely for as long as possible and if needed, that they can quickly access excellent help and support throughout their lives.

- 3 To do this, ***we need to change the role and approach public services take to shaping the future of Suffolk.*** We need decisions that determine our future to be taken in a way that reflects Suffolk’s unique circumstances and priorities, through integration across Suffolk and through devolution of power to the most appropriate level within the Suffolk system – whether county, district, or community. We need these to reflect and respect the strong local identities across the county.

- 4 Our devolution proposals are shaped by four themes: Place, People, Productivity and Progress. Strengthening and investing in the county and its people will raise economic and public sector productivity, yielding growth and reduced public service costs. This golden thread also informs a service focus on economic and social outcomes, not systems, structures and policies that create silos and undermine effectiveness. This summary document gives examples of some of the areas where devolution is proposed.



Place

- 5 Suffolk's strong economy, heritage, values and quality of life not only means that people born here often stay but that many people are drawn to live here. Set to continue, this brings pressure on infrastructure, and the challenge of accommodating large scale new development in our communities.
- 6 Devolving further place-shaping powers and freedoms to Suffolk will mean better planning for and integration of new development. It will bring certainty to rural areas and help Ipswich develop as a regional "city". For example:

👉 ***More autonomy and certainty across local public resources such as New Homes Bonus receipts and retention of capital receipts that enables more rational, medium term planning to drive growth and reduce dependency on central grants;***

👉 ***Devolution of funding and decision making for investment in a modern transport system with a secure future, based on local economic priorities that will develop employment and housing sites across the county;***

👉 ***Further Enterprise Zones focussed on agri-tech, food and drink and ICT and enhancement of the Growth Hub; and***

👉 ***A joined up Suffolk Strategic Plan which aligns and integrates all the different strategies, supported by local delivery plans – so that decision making on developments can be made closer to the communities they are part of***



People

7 Suffolk's communities are built on strong foundations of family and community networks, ties to local places and an entrepreneurial spirit. An approach to working with local people and communities in a joined up way in one of our major towns (known as 'Lowestoft Rising') has reduced costs of high demand services by £400,000 and reduced the number of street drinkers crime and ASB reported incidents. Our Suffolk Family Focus (Troubled Families) Team successfully met its phase 1 targets early, meaning around 1,150 families were turned around by May 2015. The DCLG community budget pilot in Haverhill has released £138,000 savings (through £117,000 short term investment) - largely in reduced Job Seekers Allowance and reduced costs to the criminal justice system along with £440,000 additional productivity for businesses and levers £50,000 volunteer time.

8 However, we recognise that there are still pockets of rural and urban poverty. We want to address the child poverty in particular that is applying a brake on life outcomes, recognising the importance of a good home, an education, a strong family and ensuring a working household, alongside income. We want to ensure people have the opportunity to maximise their potential.

9 Meanwhile, our health, care and safety services are innovating and improving outcomes in the face of ever-increasing demand. Great Yarmouth and Waveney Clinical Commissioning Group is pursuing an integrated care system with the local authorities across its borders. With its joined up out of hospital team has improved patient satisfaction and reduced emergency admissions to hospital by over 10% in its first year bucking the national trend and winning the HSJ 'improved partnerships between health and local government' award last year. In East and West Suffolk the local hospitals have successfully co-ordinated 7 day working in hyper acute stroke services – and now deliver some of the best stroke outcomes in the country.

10 We are proposing that Suffolk takes responsibility for its own future through:

☛ *Devolved multi-year settlements for health, care and safety that will better align planning to need and enable independence;*

☛ *Devolved responsibility for the Apprenticeship Grant and successor schemes; and*

☛ *Designing a new local employment service that helps people to progress into work and reduces dependency on benefits*



A devolved Suffolk: Working for a better future

Productivity

11 Suffolk's strengths in its places and people are the foundations for greater productivity in the local economy, public sector and community.

Economy

12 Suffolk's diverse economy, includes some world-leading sectors (for example, biotechnology, ICT, energy, ports and logistics, food, drink and agriculture and equine industries) and has a proven ability to grow and attract investment, supported by the two Local Economic Partnerships (New Anglia and Greater Cambridge, Greater Peterborough Local Economic Partnerships). For example, since the opening of the Great Yarmouth and Lowestoft Enterprise Zone in 2012, 30 companies with 1,300 jobs are based there, following almost £29m of private sector capital investment (exceeding its target of £20m by May 2015).

13 But Suffolk needs to continue growing, and to raise skills and wages. We have already seen success delivered through the Greater Ipswich City Deal for example, a new approach to employment services which provides a blueprint for future integrated employment support for young people and adults. The MyGo service aims to ensure that all young people can access the support they need to get into work, education or training and progress their careers. Since becoming fully operational in January 2015, over 1,500 young people have registered with MyGo, 750 have received support from a dedicated coach and nearly 45% have secured work. We propose:

☛ The devolution of decision making over European Structural Funds;

☛ Freedom to establish a new local employment service which can deliver Universal Credit; and

☛ 5,000 new apprenticeships by 2020 and a further 2,500 in Suffolk by 2025



Productivity

Public Sector

14 We will build on our history of collaboration and integration to deliver a more productive public sector within Suffolk. For example, our shared services partnerships have already saved £11.4m, and our One Public Sector Estate work with Government and Norfolk, £12m. And through Suffolk and Norfolk Constabularies' extensive collaboration we have achieved the second highest % level of savings for police collaboration for 2014-15 in England and Wales. At the same time Suffolk Constabulary remains an independent proud and efficient force - the third lowest cost per head of the population in the country. Overall, public services in Suffolk have delivered in excess of £150m in savings through their collaboration and innovation.

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15 Services are working towards further integration, organising within localities and orienting around residents. The County Council, police, CCGs, District and Borough locality teams in Suffolk are exploring ways to organise a more joined up local presence, foster and support community led initiatives. We are continuing to drive out inefficiency and to simplify our systems to provide value for money to taxpayers. All this is funded by £3.3m from the Transformation Challenge Award.

16 Devolution is the next step in our journey of public sector reform. We are therefore proposing more powers and freedoms to enable this next generation public sector model, including:

☛ *A radically different approach to local public service finances where greater local autonomy creates an environment that supports investment and is more sustainable and less reliant on central grants; and*

☛ *First rights on government estates in Suffolk enabling local autonomy over all (including NHS) local public sector estates. This will result in more effective and joined up planning so we can use assets to invest in growth and transformation*



A devolved Suffolk: Working for a better future

Progress

17 Allowing Suffolk the powers and freedoms to reform its public services, to shape its place, support residents and strengthen communities, will give greater certainty and control over actions and will create a more prosperous and resilient county, making fewer demands on the public purse at both local and national levels.

Under a devolved model in Suffolk, we will deliver:

- 👉 *70,000 new homes by 2031;*
- 👉 *Increase Suffolk's total annual GVA by a third - over £18 billion total GVA per year by 2025; and*
- 👉 *Invest in infrastructure to stimulate growth such as delivering on our commitment to 100% coverage of superfast broadband by 2020*



Delivery

Governance

- 18 We believe that these proposals will pay dividends at both the local and national levels. Key to its delivery is a new way of working in Suffolk – underpinned by a new, stronger system of governance that is accountable both locally and to Westminster and reflects the diversity of areas within the county and the interests of residents.

Public Sector Board

- 19 This will be characterised by the leaders of the Suffolk system entering into a **new relationship with central Government**. The future of Suffolk will rest with a new Public Sector Board, a simple development and continuance of the current Suffolk Public Sector Leaders Group. This board will work together across the individual sovereign bodies, designing and agreeing solutions that take account of local contexts. This is the foundation from which our future governance will evolve.

Accountability

- 20 We recognise that Government wants an accountable person or body that can exercise devolved powers, speak for and commit to Government to deliver our ‘deal’ and local devolution arrangements. The Suffolk Public Sector Leaders can provide that single accountable body whilst long term sustainable arrangements are developed with Government.

Residents

- 21 For **residents and communities in Suffolk**, who want a better future for themselves and their families the Devolution proposals for Suffolk offers more control and support for the things that will help them and their families thrive. This approach will cost them less and give them more access to the decisions that matter most.



Delivery Continued

Councils and Councillors

- 22 For **elected Members in Suffolk**, who want to serve their communities better, the Suffolk Devolution proposal offers greater control and accountability over the decisions that shape their divisions, wards, communities and the lives of their residents. Unlike two-tier or unitary systems of local government focused on structures, processes and ‘remote’ decision making, the approach will put more resources, control and responsibility into the hands of Members to work with residents.

Public Sector Professionals

- 23 For **public sector professionals** who want to deliver excellent public services the Suffolk Devolution proposal offers more local certainty, better integration and joined up strategy that will promote early, effective, locally sensitive service delivery. Unlike siloed, top-down ways of working the approach has “no boundaries” and understands residents “produce” economic and social goods as well as consume public services.

Beyond Suffolk’s Borders

- 24 Suffolk has a strong history of working beyond its borders, for example with Norfolk, Essex and Cambridgeshire, in particular through the LEPs and Clinical Commissioning Groups (e.g. Great Yarmouth and Waveney). The ability of our Constabulary to ensure our County is a safer place to live, work, travel and invest in has been significantly enhanced through collaborative operational and IT ventures with the five other forces in the Eastern Region and beyond. The proposed governance model respects identities and could therefore be extended within reason, beyond Suffolk allowing for cross-boundary working with Counties or Boroughs and Districts within them. It does not assume consensus on all aspects of a devolution deal, but could focus on particular aspects, such as economic growth and is important in ensuring we maximise the success of transport infrastructure in maximising growth.



Delivery Continued

Local Enterprise Partnerships and Businesses

25 We are building on a sound economic foundation. Our employment figures at 76.3% of 16-64 year olds are among the best in the country; and working closely with the New Anglia and Greater Cambridgeshire and Greater Peterborough LEPs. However, our productivity levels are below the national average. To tackle this problem head on, we will work with local businesses, partners, communities, Government and LEPs to secure long term investment in: infrastructure, skills and knowledge, promoting a dynamic economy and enhancing our inwards investment.



Council



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Right to challenge parking policies	
Report No:	COU/SE/15/030 [to be completed by Democratic Services]	
Report to and dates:	Joint Constitution Review Group	Circulated by email
	Council	22 September 2015
Portfolio holder:	Cllr Peter Stevens Portfolio Holder for Operations Tel: 01787 280284 Email: peter.stevens@stedsbc.gov.uk	
Lead officer:	Mark Walsh Head of Operations Tel: 01284 757300 Email: mark.walsh@westsuffolk.gov.uk	
Purpose of report:	To consider changes to the Petition Scheme to reflect a duty which gives local residents and businesses the right to challenge parking policies set out in Traffic Regulation Orders (TROs).	
Recommendation:	It is <u>RECOMMENDED</u> that the changes to the Petition Scheme for St Edmundsbury Borough Council, as contained in Appendix A to Report No: COU/SE/15/030, be approved.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>	
Consultation:	<ul style="list-style-type: none"> • Not applicable 	
Alternative option(s):	<ul style="list-style-type: none"> • The council is required to have regard to the Government's statutory guidance, so some changes to the current arrangements are required. • The council could have chosen to implement the detailed changes to the petitions scheme in a slightly different way. These options are described below in the key issues section in paragraphs 1.1.1 to 1.1.7. 	

Implications:			
Are there any financial implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
		•	
Are there any staffing implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
		•	
Are there any ICT implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
		•	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
		<ul style="list-style-type: none"> The new statutory guidance is issued by the Secretary of State under Section 18 of the Traffic Management Act 2004 ("the Act"). It applies to local authorities making Traffic Regulation Orders, who must have regard to the guidance when exercising their Network Management Duty under the Act. It is proposed that council policy, in the form of the petitions scheme, is amended to reflect the <i>Right to challenge parking policies</i>. 	
Are there any equality implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
		•	
Risk/opportunity assessment: <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
That a large number of petitions are received that place a disproportionate burden on staff resources.		Limit the circumstances in which petitions will be accepted.	Very low
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Appendix A: Amended petition scheme Appendix B: Statutory guidance on parking petitions (DCLG, 2015)	

1. Key issues and reasons for recommendation

1.1 Right to challenge parking policies

- 1.1.1 The Government issued statutory guidance in March 2015, on the *Right to challenge parking policies*. The aim of the new procedures outlined in the guidance is to make it easier for local residents and businesses to request the review of parking policies set out in Traffic Regulation Orders (TROs).
- 1.1.2 During the consultation on the draft guidance in October 2014, the West Suffolk councils submitted a response opposing its introduction on the basis that the councils already had petitions schemes in place. However, the Government decided to proceed with the introduction of the guidance. Under Section 18 of the Traffic Management Act 2004 we must have regard to this guidance.
- 1.1.3 The new parking petitions duty applies to the making and reviewing of Traffic Regulation Orders (TROs). Most TROs in St Edmundsbury relate to residents parking zones and are dealt with by Suffolk County Council, to whom the petitions duty also applies. The new duty therefore only applies to St Edmundsbury from the point of view of its TRO for its off-street car parks (i.e. the arrangements for boundaries, parking restrictions, charges and length of stays).
- 1.1.4 It is proposed that the petition scheme for St Edmundsbury is amended to reflect this duty which will enable petitions to be raised about the TRO that is in place; for car parks across St Edmundsbury.
- 1.1.5 The amendments to the petition scheme relate specifically to the following areas where the guidance gives local authorities local discretion to set their arrangements, according to local circumstances:
- (a) the information required when a petition relating to a TRO is submitted;
 - (b) the circumstances under which the council can reject a parking petition;
 - (c) the minimum number of signatures required to prompt a review;
 - (d) how a parking petition will be managed by the council; and
 - (e) how a TRO review will be managed by the council.

It is proposed that the following changes are made to the petitions scheme under each of these categories (highlighted in yellow in the amended petition scheme, attached as Appendix A):

- (a) Information required
 - The name of the TRO (e.g. car park or road name) in effect and which aspect the petitioners wish to see reviewed.
- (b) Circumstances under which the council can reject a parking petition. If the petition:
 - Requests a review of many traffic regulations over too wide an area.
 - Is a series of petitions from a small or non-resident group addressing a particular aspect of the parking policies over a number of areas.
 - Relates to a TRO where a review has taken place in the last 12 months and where there has been no significant external change.

- (c) Minimum number of signatures required to prompt a review
 - The council's wider petition scheme will only accept petitions with at least 20 signatures. Taking this into account, and considering the size of the council's car parks, the minimum number of signatures that can prompt the review of a TRO is 20. Any petition received with the number of signatures below that number will be rejected as invalid.
- (d) How a parking petition will be managed by the council
 - When a parking petition is seeking the review of a parking policy, the council will confirm the aspects of parking policy concerned, whether the review is valid and has been accepted and advise the petition organiser of the next steps.
- (e) How a TRO review will be managed by the council
 - TROs are reviewed annually by the St Edmundsbury's Overview and Scrutiny Committee. When a petition contains 20 or more signatures, the review requested will be included as part of the review for consideration.
 - Once the petition has been accepted as valid, the petition organiser will be advised of the following:
 - (a) what the review will involve;
 - (b) whether any public consultation is required;
 - (c) the likely timescale and dates of meetings when the review will be considered;
 - (d) that they will receive regular updates;
 - (e) a copy of the report to be considered by the Overview and Scrutiny Committee will be sent to the petition organiser to consider and respond to before a final decision is made.

1.1.6 It should be noted that while there is currently one TRO covering St Edmundsbury at the moment, the petition scheme allows for a future situation where there is more than one Traffic Regulation Order, and where TROs might cover things other than car parks, so as to avoid the need for future revisions of the petitions scheme.

How the new duty will be put into practice

1.1.7 TROs are reviewed annually by St Edmundsbury's Overview and Scrutiny Committee. Any proposed changes are then subject to a 21 day consultation. Major parking reviews are also carried out every four years by a Car Parking Working Party. Given the council's proactive approach to reviewing the TRO we anticipate that any requests for reviews will already have been addressed by our annual process of TRO reviews. Should the council's approach to reviewing its TROs change in the future, the role of TRO petitions may increase.

The council will periodically review the changes to the petition scheme once they are in force.

2. Additional information

- 2.1 Whilst updating the petition scheme, the opportunity has been taken to update any job titles where they have changed and these are also highlighted.

Attachment at Appendix B for information: Statutory guidance on parking petitions (DCLG, 2015)

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St Edmundsbury Borough Council Petition Scheme

1. Introduction

- 1.1 This Scheme sets out the details of how St Edmundsbury Borough Council will deal with and respond to petitions.

2. Petitions

- 2.1 The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns.

- 2.2 Petitions that meet the requirements about the number of signatories set out below can be presented at a meeting of full Council, Cabinet or a Committee, trigger a Council Debate, prompt the review of a Traffic Regulation Order (TRO) or require specified officers of the Council to give evidence to a meeting of the Overview and Scrutiny Committee. The Overview and Scrutiny Committee is a committee of Councillors who are responsible for scrutinising the work of the Council.

- 2.3 Petitions can be received by the Council in a number of ways:-

- (a) Petitions can be sent in writing to:

Service Manager (Democratic Services and Elections)

St Edmundsbury Borough Council
West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

- (b) Electronic petitions can be created, signed and submitted by using free software that is available online. A number of websites provide this service which can be easily found by using an internet search engine.

- (c) Petitions can also be presented to a meeting of full Council, Cabinet, or an appropriate Committee. Details of the meetings timetable can be found here [\[link\]](#).

- 2.4 If you would like to present your petition at a meeting of the Council, Cabinet or Committee or would like your councillor to present it on your behalf, please contact:-

Service Manager (Democratic Services and Elections)

Telephone: (01284) 757105 or

e mail: democratic.services@stedsbc.gov.uk

at least 7 working days before the meeting and help you to arrange this.

3. What are the guidelines for submitting a petition?

3.1 Petitions submitted to the Council must be about:

- (a) a service that the Council provides and include a clear and concise statement covering the subject of the petition; or
- (b) a TRO within the St Edmundsbury boundary.

3.2 It should state:-

- (a) the contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petitioner will not be placed on the Council's website;
- (b) what action the petitioners wish the Council to take.
- (c) (for petitions relating to TROs), the name of the TRO in effect (e.g. car park or road name) and which aspects the petitioners wish to see reviewed;
- (d) the name and address and signature of any person supporting the petition. The contact details of the petition organiser will not be placed on the website;
- (e) the petition must contain the signatures of people who live, work or study in the Council's area.

3.3 If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser. We will not consider petitions which are considered by the Head of Human Resources, Legal and Democratic Services to be vexatious, abusive or otherwise inappropriate and these will not be accepted. In that case, we will write to you to explain the reasons.

3.4 If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply (unless your petition fails to meet that requirements for those procedures or, is about the failure to deliver service in those areas, rather than a specific case).

3.5 In the period leading up to an election or referendum we may need to deal differently with your petition. If this applies we will explain the way that we will deal with the petition.

3.6 The council can reject a parking petition in the following circumstances. If the petition:

- (a) requests a review of many traffic regulations over too wide an area;
- (b) is a series of petitions from a small or non-resident group addressing a particular aspect of the parking policies over a number of areas;
- (c) relates to a TRO where a review has taken place in the last 12 months and where there has been no significant external change.

3.7 We will inform the petition organiser at the earliest opportunity of the grounds for rejecting a petition and will advise on how the petition could be validly submitted.

4. What will the Council do when it receives my petition?

4.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

4.2 If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. Depending on the number of signatures, whether it can be presented to full Council, Cabinet or an appropriate Committee, then the acknowledgment will confirm this and tell you when and where the next meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

4.3 When a petition is seeking the review of a parking policy, the council will confirm the aspects of parking policy concerned, whether the review is valid and has been accepted and advise the petition organiser of the next steps.

4.5 We will not take action on any petition which the Monitoring Officer considers to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

4.6 To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

5. How will the Council respond to petitions?

5.1 Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:-

- (a) taking the action requested in the petition;
- (b) considering the petition at a council meeting;
- (c) holding an inquiry into the matter;
- (d) undertaking research into the matter;
- (e) holding a public meeting;

- (f) holding a consultation;
- (g) holding a meeting with petitioners;
- (h) referring the petition for consideration by the Council's Overview and Scrutiny Committee;
- (i) calling a referendum; or
- (j) writing to the petition organiser setting out our views about the request in the petition.

5.2 In addition to these steps, the Council will consider all the specific actions it can legally take on the issues highlighted in a petition.

6. Petitions requesting the review of a Traffic Regulation Order

6.1 The council's wider petition scheme will only accept petitions with at least 20 signatures. Taking this into account, and considering the size of the council's car parks, the minimum number of signatures that can prompt the review of a TRO is 20. Any petition received with the number of signatures below that number will be rejected as invalid.

6.2 TROs are reviewed annually by the Overview and Scrutiny Committee. When a petition contains 20 or more signatures, the review requested will be included as part of the review for consideration.

6.3 Once the petition has been accepted as valid, the petition organiser will be advised of the following:

- (a) what the review will involve;
- (b) whether any public consultation is required;
- (c) the likely timescale and dates of meetings when the review will be considered;
- (d) that they will receive regular updates;
- (e) a copy of the report to be considered by the Overview and Scrutiny Committee will be sent to the petition organiser to consider and respond to before a final decision is made.

7. Petition requiring Council debate

7.1 If a petition contains more than 2500 signatures it will be debated by full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

7.2 The issue raised in the petition will be discussed at a Council meeting which all councillors can attend. The petition organiser will be given not more than five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 20 minutes. The Council will decide how to respond to the petition at this meeting, it may decide to:-

- (a) take the action the petition requests;
- (b) not to take the action requested for reasons put forward in the debate; or

- (c) to commission further investigation into the matter, for example by referring it to a relevant committee.

7.3 The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

8. Petition requiring an officer to give evidence

8.1 If it contains at least 1250 signatures your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. A list of the officers that can be called to give evidence is as follows:-

- Chief Executive
- Directors
- Heads of Service

8.2 For example, your petition may ask a senior council officer:-

- to explain progress on an issue; or
- to explain the advice given to elected members to enable them to make a particular decision.

8.3 The evidence will be given at a meeting of the Council's Overview and Scrutiny Committee and you will be given due notice to enable you to attend. These meetings are normally held in public but the Committee has the option to exclude the Press and Public from any part of the meeting that discusses confidential information. You should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition, for instance if the named officer has changed jobs. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the Chairman of the Committee by contacting the **Service Manager (Democratic Services and Elections)** on (01284) 757105 or e mail: democratic.services@stedsbc.gov.uk up to three working days before the meeting.

8.4 Petitions containing not less than 100 signatories can be presented at a meeting of full Council during public question time, provided seven working days notice has been given to the Proper Officer before the meeting. The Council will, without debate, refer any petition to the appropriate forum for consideration.

8.5 If petitioners so wish, a petition containing not less than 20 signatures may, instead, be presented to the Leader of the Council or to the Chairman of the appropriate Committee or the relevant Chief Officer, for consideration by the Cabinet or the appropriate Committee(s), provided seven working days' notice in writing has been given to the Proper Officer before the relevant meeting. When a petition is considered by the Cabinet or the appropriate Committee, a representative of the petitioners may speak at the meeting for not more than three minutes.

9. E-petitions

- 9.1 The council welcomes petitions in electronic format. A number of websites are available that allow electronic petitions to be created and for the final petitions to be emailed to the council. These should be sent to: democratic.services@stedsbc.gov.uk
- 9.2 Please note that the council is not responsible for the content of any external websites used to create e-petitions. The council shall not be liable for how your personal data may be used by the website providers or the petition host.
- 9.3 The e-petition organiser will need to:-
- (a) provide us with their name, postal address and email address; and
 - (b) state how long you would like your petition to be open for signatures (most petitions run for three months, but you can choose a shorter period).
- 9.4 When an e-petition has closed for signature, the petition organiser should submit it to democratic.services@stedsbc.gov.uk for further consideration as appropriate. In the same way as a paper petition, you will receive an acknowledgement within 10 working days. If you would like to present your petition to the Council, or would like your councillor to present it on your behalf, please contact:

Service Manager (Democratic Services and Elections)
Telephone: (01284) 757105 or
Email: democratic.services@stedsbc.gov.uk

within five days of the petition closing.

- 9.5 The acknowledgment and response to the e-petition will also be published on the council's website.

10. How do I 'sign' an e-petition?

- 10.1 The free online software used will enable people wishing to 'sign' the petition free of charge by submitting their name and email address. The signer will usually receive an automatic email from the provider, asking them to confirm that they want to sign the petition.

11. What if my petition has not been dealt with properly?

- 11.1 If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny Committee review the steps that the Council has taken in response to your petition.
- 11.2 The Committee will consider your request at the next available meeting receiving it. Should the Committee determine that the Council has not

dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council and arranging for the matter to be considered at a meeting of full Council.

- 11.3 Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

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Department for
Communities and
Local Government

Right to challenge parking policies

Traffic Management Act 2004: Network Management Duty Guidance



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Introduction

This statutory guidance is issued by the Secretary of State under Section 18 of the Traffic Management Act 2004 (“the Act”). It applies to Local Traffic Authorities in England, which must have regard to this guidance when exercising their Network Management Duty under the Act. This guidance relates specifically to parking, and does not supersede the wider statutory guidance on the Network Management Duty issued in November 2004, and available at the National Archives website.

Background

The Traffic Management Act 2004 imposes an explicit duty on local authorities to manage their network so as to reduce congestion and disruption, and provides additional powers to do with parking. As a part of this Network Management Duty, local authorities need to develop parking strategies (covering on- and off-street parking) that are linked to local objectives and circumstances. Strategies need to take account of planning policies and transport powers as well as consider the needs of all road users in the area, the appropriate scale and type of provision, the balance between short and long term provision and the level of charges.

However, parking strategies cannot simply be about restricting parking. They need to meet the best interests of road users, communities and businesses. Inappropriate parking rules, over-zealous enforcement and high parking charges drive people out of town centres, push up the cost of living, harm local shops and make it harder for people to park responsibly and go about their everyday lives.

The current processes for considering and implementing parking strategies are not easily understood or accessed by local residents or businesses. The timeframe for reviewing policies is not linked to, or required to respond to, changes in local circumstances. This creates a perception that people have no say on parking in their area, or power to challenge decisions on parking policy. The Government wants to make it easier for local residents and firms to challenge unfair, disproportionate or unreasonable parking policies. This could include the provision of parking, parking charges or the use of yellow lines.

The Government believes that introducing a right to challenge parking policies will strengthen local democracy and local accountability. The introduction of direct democratic participation through the right to petition and initiate a local resident review will strengthen the rights of local taxpayers, and encourage citizen participation in local decision-making. Given elected councillors, not officers, will make the final decision on the review, in turn, this will strengthen local representative democracy. We hope the end result should be to remove unnecessary or excessive parking restrictions and unfair parking practices, to the benefit of the local economy and local shops.

The Government consulted in 2014 on a new mechanism that would use petitions to give local residents, community groups and businesses the ability to engage effectively while recognising the responsibility of local authorities to put in place parking strategies that reflect the needs of all road users. This includes pedestrians, cyclists and people with disabilities, and the needs of residents, shops and businesses. This guidance describes in

more detail how the Government proposes the mechanism should work, and advises local authorities on best practice.

Context

Making the best use of our current road network is important for both economic vitality and society. Potential conflicts need to be carefully handled, with a co-ordinated and proactive approach to managing the network.

Local authorities play an important role in this, and have a range of powers conveyed under acts such as the Highways Act 1980 and Road Traffic Regulation Act 1984. The Traffic Management Act 2004 adds the Network Management Duty, which requires local traffic authorities to do all that is reasonably practicable to manage the network effectively to keep traffic moving. This Act also provides the regulatory framework which gives local authorities the option of adopting civil parking enforcement powers. Under this Act, most local authorities in England have now taken responsibility for the design, implementation and enforcement of parking policies in their area.

This statutory guidance relates specifically to ensuring that local businesses, the residential community, and other road users, have a recognised voice in the exercise of the network management duty in relation to parking, as described in paragraphs 122-125 of the wide Network Management Duty guidance.

This guidance should also be considered alongside the statutory and operational guidance on the exercise of powers under Part 6 of the Traffic Management Act 2004, relating to the civil enforcement of most types of parking contraventions.

Broad Principles

Current guidance states that local authorities should review their portfolios of traffic regulation orders on a planned basis, and should amend or revoke orders that are no longer suitable for local conditions. As part of this process, local traffic authorities should consult as widely as is necessary to ensure that all of those affected by the orders have the opportunity to comment.

Local authorities should ensure that those affected by traffic regulation orders can raise issues including changed circumstances or unintended consequences between scheduled reviews, by putting in place a petition scheme that allows people and businesses to raise petitions about the parking restrictions in place for a specified location.

Such a petition scheme should provide clear information on:

- The minimum requirements for a valid petition. This should cover the minimum number of signatures and the information that must be provided, both about the issue being raised, and about the signatories.
- The circumstances where a petition will not be considered. This should clearly define the justification for defining vexatious petitions, and the minimum period after

the introduction or review of a traffic regulation order before a further review will be carried out.

- How the local authority will manage petitions received, including whether there is any variation in the response depending on the number of signatures, how petitioners will be kept up to date on the local authority response, how the local authority will manage the review and consider and report the outcome. We expect elected councillors to have the final role in considering reviews triggered by a petition.

In designing their petition scheme, or reviewing their existing scheme, we strongly urge local authorities that they should have regard to the guidance in the next section of this document.

Guidance

The purpose of a petition scheme is to make it easy for local residents, businesses and other groups within the community to engage with local government and raise issues, confident that their voice will be heard. To achieve this purpose the scheme should be designed to be accessible, and avoid placing barriers in the way of engagement. The following paragraphs provide guidance which should be used by local authorities to ensure that their petition scheme reflects this desire.

Minimum Requirements for a Valid Petition – Minimum Threshold for the Number of Signatures

It is of course the right of any individual or business to contact their local authority about any aspect of parking in their area. However, the local authority can expect people raising a petition to demonstrate that their challenge is supported by local residents, businesses and/or others affected by the parking policy.

Local authorities should set any thresholds for the minimum number of signatures to be locally achievable, even where the issues raised are of concern to a minority of those affected. Wherever practicable local authorities should set low thresholds, to ensure that their schemes encourage engagement. For instance, some existing local authority petition schemes set the thresholds at around 20 petitioners for the local authority to take action.

In setting thresholds local authorities should consider any particular geographical or population factors that may apply, such as areas of high or low population density, where the population fluctuates over the year (for instance, due to high numbers of students), or where the road users are predominantly non-resident. Local authorities should adjust their thresholds or use their discretion in relation to certain petitions rather than imposing the threshold as an immovable hurdle. Some parking issues may most directly affect a particularly small number of people – such as residents on a street. In these cases, local authorities should take this into account when considering the appropriate thresholds for specific petitions.

Local authorities should publish details of the thresholds, and clearly indicate how they will decide whether a petition meets the thresholds and the weight they will give to

representations from individuals and groups, such as Business Improvement Districts or Community Interest Groups.

Minimum Requirements for a Valid Petition – Information

Petitioners can be expected to provide sufficient information for a local authority to accurately identify the area addressed by the petition, and the issue they would like the authority to review. Petitioners should also be expected to provide contact details, so that the local authority can liaise on further information and on progress. Ideally, petitioners should state the traffic regulation orders in effect, and what aspects of those Traffic Regulation Orders will need to be reviewed – however this should not be essential. The failure to provide some or all of this information should not be treated as a reason for ruling that a petition is invalid. If the location or point for review is not clear to a local authority, it should give petitioners the chance to clarify. Most petitioners are not experts on the legal regulations relating to parking, and local authorities should offer assistance to petitioners to accurately define their challenge and ensure that local authority and petitioners have an agreed understanding of what aspects of their policies are being challenged.

Local authorities should publish clear guidance on the information that should be provided by anyone signing the petition, to satisfy the local authority that the signatures are valid, and demonstrate relevant and sufficient support for the challenge. This might include name, address and contact details.

Management of Petitions – Inappropriate Reviews

Local authorities have a responsibility to manage their resources to the best effect in performing all aspects of their duties, and to do this they must balance the resources necessary to review policies with their ongoing responsibilities. Repeated or inappropriate petitions from vexatious individuals or groups can impact negatively on this. Local authorities should include in their published petition scheme a clear statement of the grounds upon which they would define a petition as vexatious. This might include petitions calling for a review of many traffic regulation orders over too wide an area, or a series of petitions from a small or non-resident group addressing a particular aspect of the parking policies over a number of areas.

Local authorities should also clearly state when it would be inappropriate to review a policy, most usually because it has recently been reviewed or consulted on. Local authorities should provide advice to petitioners as early as possible where their petition will be refused on such grounds, and advise them on when their petition could be validly submitted. However, in deciding whether a petition will be refused on these grounds, local authorities should be flexible, particularly where a policy may have been substantially affected by an external change since the last review (for instance, major housing or commercial developments or population shifts).

Management of Petitions – Review of Parking Policies in Response to a Petition

Once it has accepted a petition, the local authority should ensure that the petitioner has a clear understanding of what aspects of its parking policies will be reviewed, and what that review will involve, including any requirement for public consultation. Large or complex reviews could take a considerable time, and local authorities will need to manage their available resources. Local authorities should ensure that petitioners have a clear understanding of the timescale, provide regular progress updates and in particular provide details on the timing and nature of any public consultation.

As in all aspects of their services, local authorities have a basic responsibility to ensure that their community understands what they are doing and why, even if some members of the community do not agree with their decisions. Following a review of a parking policy, the local authority should provide a clear report, with unambiguous plain English justification for any recommendations. They should ensure that the petitioner is provided with a copy of their report, and has an opportunity to consider and respond before a final decision is made.

Local authorities will have local and differing arrangements in place for exercising executive functions, which will include consideration of the outcome of a review of a parking policy. However, all local authorities should strive to ensure that their arrangements are transparent and accessible. Wherever possible, they should ensure that:

- To protect local democracy, decisions on the local authority's response to a petition should be made by those who are accountable to the local electorate, i.e. councillors. It should not be delegated to officers or a single executive member.
- Where the local governance arrangements mean that the initial decision is not made by councillors, petitioners should be able to escalate decisions. Petitioners should be given clear guidance on how long they have to escalate a decision with which they disagree, and how they can do so.
- Decisions should be made in a publicly accessible forum, where the petitioner has the opportunity to witness the discussion, and defend their challenge if necessary.

In all cases, local authorities should ensure that reports and decisions are published, so that the community can see what areas of parking policy have been challenged, scrutinise the decisions of their local authority, and hold them to account.

Illustrative Scheme

This short section provides some examples of how we would expect the guidance to be interpreted in practice.

A typical urban local authority:

- Local authority petition scheme has a published standard minimum of (e.g) 1000 signatures for general petitions on council services, but makes clear that these are

indicative, and that for local issues they will be adjusted to reflect a minimum of 10% of the affected residents, businesses and other road users.

- Local authority officers advise the petitioner of the area covered by the Traffic Regulation Order(s) that are relevant to the issues they are raising, and of the minimum number of signatures the petitioner needs to gather to meet the 10% minimum, based on population numbers. If necessary, the local authority advises the petitioner where their concerns are covered by a different traffic authority (for instance, Transport for London)
- On receipt of the petition, the local authority confirms that it is valid and determines how long the review will take, then publishes details of the petition and of the scheduled review.
- The local authority conducts the review as scheduled, including consultation. As part of this, the local authority uses its website to invite views from the public, local businesses and groups such as Traders Associations, Business Improvement Districts, and Community Interest Groups etc.
- On completion of the review, the local authority publishes its report, including evidence, recommendations, and details of when the report will be considered.
- The petitioner is specifically notified on when the report will be considered and is able to attend the meeting of councillors where their petition, and the review of the relevant traffic regulation order, is considered and voted upon.
- The outcome of the councillors' decision is published.

A typical rural district or county council – where responsibility for parking enforcement may be split between tiers of local government:

- The County Council publishes clear and simple online guidance (with maps) showing who is responsible for parking enforcement across their area.
- County and District Council petition schemes have a published standard minimum of (e.g) 100 signatures for general petitions on council services, but makes clear that these are indicative, and that for local issues they will be adjusted to reflect the particular circumstances.
- Council officers advise the petitioner, ensuring that they identify the Traffic Regulation Order(s) that are relevant to the issues they are raising, and that they are petitioning the correct council. They advise the petitioner of the minimum number of signatures they need to gather, taking into account that the Traffic Regulation Order may cover a wider and rural area, but that the issue being raised usually impacts on a particular and small group of residents living in a particular location. The Council ensures that the number of signatures required is appropriate for the area affected (for instance, an achievable threshold would be around 10-20% of the residents/businesses in the affected village, suburb etc).
- On receipt of the petition, the Council confirms that it is valid and determines how long the review will take, then publishes details of the petition and of the scheduled review.
- The Council conducts the review as scheduled, including consultation. As part of this, the Local Authority uses its website to invite views from the public, Town and Parish Council, local businesses and groups such as Traders Associations, Business Improvement Districts, and Community Interest Groups etc.
- On completion of the review, the local authority publishes its report, including evidence, recommendations, and details of when the report will be considered.

- The petitioner is specifically notified on when the report will be considered and is able to attend the meeting of councillors where there petition, and the review of the relevant traffic regulation order, is considered and voted upon
- The outcome of the councillors' decision is published.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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