



*St Edmundsbury*  
BOROUGH COUNCIL

# St Edmundsbury Borough Council

## Cabinet Decisions Notice

(Published: Wednesday 8 February 2017)

The following decisions were taken by the Cabinet on **Tuesday 7 February 2017** and, if not called in by Councillors, will come into operation on Thursday 16 February 2017. This procedure does not however, apply to decisions that have been recommended to Council for a final decision (and which are also indicated within the decisions below). An executive decision may be called in, in accordance with the Overview and Scrutiny Committee Procedure Rules contained within Part 4 of the Council's Constitution, by at least five Councillors submitting the required call-in request form to the Assistant Director (HR, Legal and Democratic Services) (e-mail: [democratic.services@westsuffolk.gov.uk](mailto:democratic.services@westsuffolk.gov.uk)) by **5.00 pm on Wednesday 15 February 2017**.

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

Agenda Item and Report No.	Declarations of Interest/Dispensations Granted	Decision(s) (including recommendations to Council)	Reason(s) for Decision(s)	Other Options Considered and Reasons for Rejection	Contacts
Item No. 6 CAB/SE/17/002	None	<p><u>Recommendations of the Overview and Scrutiny Committee: 11 January 2017 - St Andrews Car Park, Bury St Edmunds</u></p> <p>RESOLVED: That:</p> <p>(1) the all-day tariff for long stay parking in St Andrew's Street Car Park, Bury St Edmunds not be changed, and that the Annual Update Report on Car Parking, usually presented to the Committee in November be moved to January 2018, following the completion of the</p>	<p>The Cabinet considers the outcome of the Overview and Scrutiny Committee's examination of the contents of Councillor David Nettleton's referred Motion on Notice to be acceptable in part. It agrees that the tariffs for St Andrews Street Car Park should not be changed in isolation as this may impact on other car parking provision in the borough. However, the Cabinet considers the Committee's recommendation regarding its proposed reinstatement of the previous alignment of the footpath in this car</p>	<p>No other options have been considered as Councillor Nettleton's Motion on Notice was presented to Council on 20 December 2016 and referred without debate to the Overview and Scrutiny Committee for examination.</p>	<p><u>Portfolio Holder:</u> Cllr Peter Stevens 01787 280284</p> <p><u>Officer:</u> Mark Walsh Assistant Director (Operations) 01284 757300</p>

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		<p>Bury St Edmunds Town Centre Master Plan; and</p> <p>(2) the Committee's recommendation regarding the alignment of the footpath in St Andrew's Street Car Park, as provided in Report No: CAB/SE/17/002, be noted and included in the evidence being gathered for the review of car parking in Bury St Edmunds which will inform the forthcoming Town Centre Masterplan.</p>	<p>park, which if carried out, would result in a requisite loss of parking spaces, should be noted at this stage, as it considers this needs to be assessed further and included in the evidence being gathered for the review of car parking in Bury St Edmunds as part of the development of the Town Centre Masterplan.</p>		
<p>Item No. 7 CAB/SE/17/003</p>	<p>None</p>	<p><u>Recommendations of the Overview and Scrutiny Committee: 11 January 2017 - Public Space Protection Orders (PSPOs): Changes to Anti-Social Behaviour Legislation</u></p> <p>RESOLVED: That, as detailed in Report No: OAS/SE/17/002:</p> <p>(1) the inclusion of street begging in the Bury St Edmunds alcohol-related Public Space Protection Orders, be approved, subject to public consultation; and</p> <p>(2) the Public Space Protection Orders relating to dog control across St Edmundsbury, be approved, subject to public consultation.</p>	<p>The Cabinet is satisfied that subject to the outcome of the public consultation, the proposed amended conditions to the Public Space Protection Orders outlined in the decision, are proportionate to mitigate potential nuisance or problems in an area that may be detrimental to the local community's quality of life.</p>	<p>The current Designated Public Place Orders could be discharged and not replaced with any Orders; however the Police and other stakeholders believe that the Orders are necessary and that a further condition regarding street begging should be added to the Bury St Edmunds Order.</p>	<p><u>Portfolio Holders:</u></p> <p>Cllr Robert Everitt 01284 769000</p> <p>Cllr Jo Rayner 07872 456836</p> <p><u>Officers:</u></p> <p>Helen Lindfield Families and Communities Officer 01284 757620</p> <p>Damien Parker Service Manager (Operations,</p>

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					Leisure and Culture) 01284 757090  Mark Christie Service Manager (Business) 01638 719220
Item No. 8  CAB/SE/17/004	None	<p><u>Recommendations of the Overview and Scrutiny Committee: 11 January 2017 - Review of Abbeycroft Leisure Ltd Performance 2005-2016</u></p> <p>RECOMMENDED TO COUNCIL: (21 February 2017)</p> <p>That note be taken of the findings of the Overview and Scrutiny Committee in developing a new Partnership Agreement with Abbeycroft moving forward, in particular:</p> <ol style="list-style-type: none"> <li>(1) the need for full transparency in costs to the Council of providing leisure services;</li> <li>(2) the need for the agreement to focus on the outcomes for the health and wellbeing of communities; and</li> <li>(3) the approach to developing a Partnership Agreement with Abbeycroft for at least 10 years and alignment of leases will deliver value for money service for the Council.</li> </ol>	<p>Following the Overview and Scrutiny Committee's review of Abbeycroft Leisure's past performance, the Cabinet has considered the Committee's recommendations are acceptable and should be formally noted by Council as these will inform the development of a new longer term Partnership Agreement with Abbeycroft.</p>	<p>Not to review Abbeycroft Leisure's performance, however, the findings of the Overview and Scrutiny Committee will provide a significant contribution to the development of a new Partnership Agreement with Abbeycroft.</p>	<p><u>Portfolio Holder:</u></p> <p>Cllr Jo Rayner 07872 456836</p> <p><u>Officer:</u></p> <p>Jill Korwin Director 01284 757252</p>

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Item No. 10 CAB/SE/17/006	None	<p><u>Recommendations of the Performance and Audit Scrutiny Committee: 25 January 2017 - Treasury Management Report 2016-2017 - Investment Activity (1 April to 31 December 2016)</u></p> <p>RECOMMENDED TO COUNCIL: (21 February 2017)</p> <p>That the Treasury Management Report 2016-2017, attached at Appendix 1 to Report No: TMS/SE/17/001, be approved.</p>	The Council is required by the Treasury Management Code of Practice to approve a current third quarter review of the treasury services against the adopted annual strategy.	Options for the management of Council investments are formally considered within the annual treasury management and investment strategy. This includes key strategies in respect of the maintenance of the Council's debt free status, the continuation of in-house management of funds, and the approach to be adopted in establishing the creditworthiness of potential counterparties. The changing nature of the economic climate requires that these key areas are subject on-going review.	<p><u>Portfolio Holder:</u> Cllr Ian Houlder 01284 810074</p> <p><u>Officer:</u> Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p>
Item No. 11 CAB/SE/17/007	None	<p><u>Recommendations of the Performance and Audit Scrutiny Committee: 25 January 2017 - Annual Treasury Management and Investment Strategy 2017/2018 and Treasury Management Code of Practice</u></p>	The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management requires that, prior to the start of the financial year that Council formally approves an Annual Treasury Management and	Options for the management of Council investments are formally considered within the Annual Treasury Management and	<p><u>Portfolio Holder:</u> Cllr Ian Houlder 01284 810074</p> <p><u>Officer:</u> Rachael Mann Assistant</p>

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		<p>RECOMMENDED TO COUNCIL: (21 February 2017) That:</p> <p>(1) the Annual Treasury Management and Investment Strategy Statements 2017/2018, as contained in Appendix 1 to Report No: TMS/SE/17/002, be approved; and</p> <p>(2) the Treasury Management Code of Practice 2017/2018, as contained in Appendix 2 to Report No: TMS/SE/17/002, be approved.</p>	<p>Investment Strategy, setting out the Council's treasury management policy and strategy statements for the forthcoming year.</p> <p>CIPFA also recommends that all Councils adopt a Treasury Management Code of Practice based on the treasury management practices published by CIPFA and guidance issued in their Code of Practice on Treasury Management.</p>	<p>Investment Strategy.</p>	<p>Director (Resources and Performance) 01638 719245</p>
<p>Item No. 12 CAB/SE/17/008</p>	<p>None</p>	<p><u>Recommendations of the Performance and Audit Scrutiny Committee: 25 January 2017: Delivering a Sustainable Medium Term Financial Strategy 2017-2020</u></p> <p>RECOMMENDED TO COUNCIL: (21 February 2017)</p> <p>That the proposals, as detailed in Table 1 at paragraph 1.2.1 of Report No: PAS/SE/17/005, be included in order to progress securing a balanced budget for 2017-2018.</p>	<p>Following the Cabinet's consideration of budget proposals at its last meeting in December 2016, it has recommended to Council approval of an updated position for progressing the securing of a balanced budget for 2017/18 and a sustainable budget in the medium term.</p>	<p>Other options for securing a balanced budget for 2017/2018 could be proposed and considered by Members; however, they would need to take into account core principles such as deliverability, affordability and risk.</p>	<p><u>Portfolio Holder:</u> Cllr Ian Houlder 01284 810074</p> <p><u>Officer:</u> Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p>
<p>Item No. 13 CAB/SE/17/009</p>	<p>None</p>	<p><u>Budget and Council Tax Setting 2017/2018 and Medium Term Financial Strategy 2017-2021</u></p> <p>RECOMMENDED TO COUNCIL:</p>	<p>Cabinet is required to recommend to full Council the budget for the authority and the level of Council Tax required to fund the budget. In 2017/2018, the Cabinet has</p>	<p>Other options have been considered and rejected to ensure the Council meets its statutory</p>	<p><u>Portfolio Holder:</u> Cllr Ian Houlder 01284 810074</p>

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		<p>(21 February 2017) That:</p> <p>(1) the revenue and capital budget for 2017-2021 contained in Attachment A to Report No: CAB/SE/17/009 and as detailed in Attachment D, Appendices 1-5 and Attachment E be approved;</p> <p>(2) having taken into account the conclusions of the Assistant Director (Resources and Performance)'s report on the adequacy of reserves and the robustness of budget estimates (Attachment C) and the Medium Term Financial Strategy (MTFS) (Attachment D), particularly the Scenario Planning and Sensitivity Analysis (Attachment D, Appendix 5) and all other information contained in Report No: CAB/SE/17/009, Cabinet recommends a 1.96% increase (equates to £3.51 for an average Band D property) in council tax for 2017/2018. The level of Band D council tax for 2017/2018 therefore be set at £182.16. (Note: the level of council tax beyond 2018 will be set in accordance with the annual budget process for the relevant financial year);</p>	<p>recommended a 1.96% increase in Council Tax, which equates to an increase of £3.51 per year for a Band D taxpayer.</p> <p>The Cabinet has recommended approval of the proposals set out in its decisions with the knowledge that an updated National Non-Domestic Rate (NDR)1 form has been submitted to the Department of Communities and Local Government (DCLG) which states that the anticipated business rate income has increased. This will not, however, affect the net position of the 2017/18 budget and the updated figures will be presented to Council on 21 February 2017.</p>	<p>requirements of setting a balanced budget for 2017/2018.</p>	<p><u>Officer:</u> Rachael Mann Assistant Director (Resources and Performance) 01638 719245</p>

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		<p>(3) the Assistant Director (Resources and Performance), in consultation with the Portfolio Holder for Resources and Performance, be authorised to transfer any surplus from the 2016/2017 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.11.4, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year; and</p> <p>(4) the Discretionary Business Rates Relief awarded for local newspapers, as detailed in paragraph 1.4.2.1 to 1.4.2.3 to Report No: CAB/SE/17/009, be approved.</p>			
Item No. 15 CAB/SE/17/011	None	<p><u>Bury St Edmunds Town Centre Masterplan Progress</u></p> <p>RESOLVED: That:</p> <p>(1) the update on the Bury St Edmunds Town Centre Masterplan process, be noted;</p> <p>(2) the emerging issues and options, as detailed in Section 1.7 of Report No: CAB/SE/17/011, be noted; and</p>	The Cabinet considers that in order to ensure the consultation on the Issues and Options Report (which will inform the development of the Bury St Edmunds Town Centre Masterplan) is undertaken at the appropriate time, it is necessary to put the relevant delegations in place to enable this to happen.	<ul style="list-style-type: none"> <li>Not to prepare a masterplan. This option would result in the uncoordinated approach to the development of the town; and many missed opportunities.</li> <li>The masterplan will eventually become a Statutory</li> </ul>	<p><u>Portfolio Holder:</u> Cllr Alaric Pugh 07930 460899</p> <p><u>Officer:</u> Kirsty Pitwood Principal Growth Officer 01284 757109</p>

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		<p>(3) delegated authority be given to the Chief Executive Officer, in consultation with the Portfolio Holder for Planning and Growth, to approve the Issues and Options Report for public consultation.</p>		<p>Planning Document. As such, there is a mandatory process to go through in terms of options appraisals.</p> <ul style="list-style-type: none"> <li>• Not to grant the relevant delegations to go out to consultation at the appropriate time; however this may impact on the masterplan's delivery timeline.</li> </ul>	
<p>Item No. 16 CAB/SE/17/012</p>	<p>None</p>	<p><u>Recommendation of the Licensing and Regulatory Committee 24 January 2017 - Joint West Suffolk Sex Establishments Licensing Policy</u></p> <p>RECOMMENDED TO COUNCIL: (21 February 2017)</p> <p>That the proposed Joint West Suffolk Sex Establishment Licensing Policy, as set out in Appendix 1 of Report No: LIC/SE/17/003, be adopted.</p>	<p>In order to operate under the legislation, 'best practice' advises that Councils adopt a policy for the issue of licences and the maintenance of Sex Establishments and approve a set of conditions to be applied to each licence.</p> <p>The Borough Council has a Sex Establishment Licensing Policy, which was adopted in April 2011. Forest Heath District Council has a separate policy and the Cabinet has recommended to Council that the joint West Suffolk policy replaces both documents.</p>	<p>Not to adopt a joint policy; however adoption will provide clear aligned controls on the issue of licences and maintenance of sex establishments across St Edmundsbury Borough and Forest Heath District.</p>	<p><u>Portfolio Holder:</u> Cllr Alaric Pugh 07930 460899</p> <p><u>Officer:</u> Peter Gudde Service Manager (Environmental Health) 01284 757042</p>



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Item No. 17 CAB/SE/17/013	None	<p><u>Recommendations from the Grant Working Party: Community Chest Funding - 2017/2018: Deferred Recommendations</u></p> <p>RESOLVED: That:</p> <p>(1) the allocation of Community Chest funding for 2017/2018 be approved, namely:</p> <p>(a) Suffolk Mind £4,970.30</p> <p>(b) Catch 22, Suffolk Positive Futures £8,189.00</p> <p>(c) HomeStart (Honington) £10,000.00</p> <p>(2) No Community Chest funding for 2017/2018 be awarded to Unit Twenty Three ('Freefall' production)</p>	<p>On 8 December 2016, the Cabinet resolved to defer consideration of four applications for Community Chest funding in 2017/2018 pending further information/clarification (Minute 283 (6) refers)</p> <p>On receipt of requested additional information, the Grant Working Party re-considered the applications and having examined the reasons for the Working Party's recommendations, as summarised in Report No: CAB/SE/17/013, the Cabinet considers its recommendations to be acceptable.</p>	<p>The Council could choose not to provide any grant funding; however it is recognised that some support to the Voluntary, Community and Social Enterprise Sector is required. The Community Chest also enables the Council to commission services to support the delivery of its priorities.</p>	<p><u>Portfolio Holder:</u> Cllr Robert Everitt 01284 769000</p> <p><u>Officer:</u> Davina Howes Assistant Director (Families and Communities) 01284 757070</p>
Item No. 19 CAB/SE/17/015	None	<p><u>Revenues Collection Performance and Write Offs</u></p> <p>RESOLVED: That the write-off of the amounts detailed in the exempt appendices to Report No: CAB/SE/17/015, be approved, as follows:</p> <p>(1) Exempt Appendix 1: Business</p>	<p>The total amounts detailed in the decision have been written off. Detailed reasons for the decisions are included in Exempt Appendices 1, 2 and 3 attached to the Report.</p>	<p>The Council currently uses the services of the ARP Enforcement Agency to assist in the collection of business rates and also has online tracing facilities. It is not considered appropriate to pass</p>	<p><u>Portfolio Holder:</u> Cllr Ian Houlder 01284 810074</p> <p><u>Officer:</u> Rachael Mann Assistant Director (Resources and Performance)</p>

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		<p>Rates totalling £32,208.93;</p> <p>(2) Exempt Appendix 2: Overpayment of Housing Benefit totalling £22,012.40; and</p> <p>(3) Exempt Appendix 3: Sundry Debt totalling £18,578.24.</p>		<p>the debt on to another agency. In the event that a written off debt becomes recoverable, the amount is written back on and enforcement procedures are re-established.</p>	<p>01638 719245</p>
<p>Item No. 20 CAB/SE/17/016</p>	<p>None</p>	<p><u>Civil Parking Enforcement</u></p> <p>RECOMMENDED TO COUNCIL: (21 February 2017)</p> <p>That:</p> <p>(1) the contents of Report No: CAB/SE/17/016 and the estimated financial impact of introducing Civil Parking Enforcement (CPE) shown at Exempt Appendix A, be noted;</p> <p>(2) Suffolk County Council be supported in seeking the transfer of Civil Parking Enforcement to St Edmundsbury Borough Council;</p> <p>(3) an Agency Agreement be entered into with Suffolk County Council for the period 2019-2029 to undertake delegated Civil Parking Enforcement powers across the Borough;</p>	<p>The Cabinet has recommended to Council approval of the transfer of Civil Parking Enforcement (CPE) to St Edmundsbury Borough Council under the operation of a West Suffolk service; including the financial implications associated with that. It is recognised that CPE has the benefit of a common enforcement service for both on and off-street parking for the convenience and ease of understanding for the motorist as well as providing greater control and a more efficient operation to that currently delivered by the Police.</p>	<p>Other options considered and rejected include Civil Parking Enforcement (CPE) powers to be retained by Suffolk Police; and CPE being contracted to another authority/private sector by Suffolk County Council.</p>	<p><u>Portfolio Holder:</u> Cllr Peter Stevens 01787 280284</p> <p><u>Officer:</u> Mark Walsh Assistant Director (Operations) 01284 757300</p>

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		<p>(4) £10,000 be contributed towards the countywide set up costs for Civil Parking Enforcement;</p> <p>(5) it be agreed that St Edmundsbury Borough Council will meet the cost of operating Civil Parking Enforcement delivered by a West Suffolk service, subject to (i) the retention of all on-street parking and neighbourhood parking receipts; (ii) a Service Level Agreement with Suffolk County Council on the processing of new requests for Traffic Regulation Order (TRO) restrictions and the maintenance of lines and signs; and (iii) assume delegated responsibility for on street pay and display tariff setting and the provision of on-street parking bays (subject to a Highway Authority pre-defined assessment);</p> <p>(6) CPE enforcement be provided in parts of Babergh and Mid Suffolk and a separate agreement with the individual District Councils to enforce their off street car parks, on a full cost recovery basis; and</p> <p>(7) delegated authority be given to the Assistant Director</p>			

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		(Operations), in consultation with the Portfolio Holder for Operations, to sign-off the final agreements relating to the introduction of Civil Parking Enforcement.			

Karen Points  
Assistant Director (HR, Legal and Democratic Services)  
8 February 2017