

# Council



St Edmundsbury  
BOROUGH COUNCIL

<b>Title of Report:</b>	<b>Referrals Report of Recommendations from Cabinet</b>	
<b>Report No:</b>	<b>COU/SE/17/021</b>	
<b>Report to and date:</b>	<b>Council</b>	19 December 2017
<b>Documents attached:</b>	<b>Appendix 1:</b> Cabinet Report No: CAB/SE/17/061 'West Suffolk Operational Hub' <b>Appendix 2:</b> Appendix B to Cabinet Report No: CAB/SE/17/062 'Statement of Licensing Policy and Cumulative Impact Policy Renewal' <b>Appendix 3:</b> Appendix A to Cabinet Report No: CAB/SE/17/064 'Bury St Edmunds Town Centre Masterplan' <b>Appendix 4:</b> Appendix A to Cabinet Report No: CAB/SE/17/070 'Draft West Suffolk Strategic Framework'	

## (A) Referral from Cabinet: 17 October 2017

### 1. West Suffolk Local Code of Corporate Governance

**Portfolio Holder:** Cllr Ian Houlder

**Report No:**  
[CAB/SE/17/051](#)

**Performance and Audit  
Scrutiny Committee**

**Report No:**  
[PAS/SE/17/021](#)  
[Appendix A](#)

#### **RECOMMENDED:**

***That, the West Suffolk Local Code of Corporate Governance, attached as Appendix A to Report No: PAS/SE/17/021, be approved.***

- 1.1 In 2016, the Chartered Institute of Public Finance and Accountancy's (CIPFA) / Solace updated their guidance, which strongly advocated the production of local Codes of Corporate Governance by local authorities so that they can review and account for their own individual arrangements to effectively discharge their functions and demonstrate their own compliance with good practice.
- 1.2 In light of this, St Edmundsbury Borough and Forest Heath District Councils (the West Suffolk councils) have taken the opportunity to review their Code which was last produced jointly in 2013.
- 1.3 Members may view the full report and its appendix on the Council's website via the above links or may request a paper copy from Democratic Services.

**(B) Referrals from Cabinet: 5 December 2017**

**1. West Suffolk Operational Hub**

**Portfolio Holder:** *Cllr Peter Stevens*

**Report No:**  
[CAB/SE/17/061](#)

**RECOMMENDED: That**

- (1) Report No: CAB/SE/17/061 and its appendices, be noted;**
- (2) the allocation of an additional £1,095,000 to the Council's Capital Programme funded in line with paragraphs 5.14 - 5.17 of Report No: CAB/SE/17/061, be approved;**
- (3) Subject to receiving a planning consent:**
  - (a) the Council's option to procure land at Hollow Road Farm, be exercised;**
  - (b) with Suffolk County Council and Forest Heath District Council, a contract be entered into for the construction of the West Suffolk Operational Hub at Hollow Road Farm; and**
- (4) it be agreed for the Council's Section 151 Officer to make the necessary changes to the Council's 2017/18 prudential indicators as a result of recommendation (2) above.**

For ease of reference, a copy of the full Cabinet report (CAB/SE/17/061) is attached as Appendix A to this referral report.

## **2. Statement of Licensing Policy and Cumulative Impact Policy Renewal**

**Portfolio Holder:** Cllr Alaric Pugh

**Report No:**  
[CAB/SE/17/062](#)  
[Appendices A to D](#)

**Licensing and  
Regulatory Committee  
Report No:**  
[LIC/SE/17/011](#)

### **RECOMMENDED: That**

- (1) the proposed Cumulative Impact Area of Bury St Edmunds Town Centre contained within the Statement of Licensing Policy at Appendix 3 to Report No: LIC/SE/17/011, be amended to cover the area shown on Map 2, attached as Appendix B to Report No: CAB/SE/17/062; and**
- (2) subject to the agreement of (1) above, the revised Statement of Licensing Policy incorporating the amended Cumulative Impact Policy, attached as Appendix 3 to Report No: LIC/SE/17/011, be adopted.**

- 2.1 Section 5 of the 2003 Act requires a licensing authority to prepare and publish a statement of its licensing policy at least every five years. Such a policy must be published before the authority carries out any function in respect of individual applications and notices made under the terms of the 2003 Act.
- 2.2 St Edmundsbury Borough Council adopted the current Statement of Licensing Policy in 2012 (Report [D160](#) refers). Under the scope of the Policy, the Council re-adopted a special area policy covering certain parts of the town centre of Bury St Edmunds where the cumulative impact of significant number of licensed premises concentrated in the area is considered to have a potential impact on the promotion of the licensing objectives.
- 2.3 On 31 October 2017, the Licensing and Regulatory Committee considered Report No: LIC/SE/17/011, which set out proposals to re-adopt both the Statement of Licensing Policy and Cumulative Impact Policy area for Bury St Edmunds town centre, based on a review of the current legislative framework, the effectiveness of the current policy on crime and disorder in the area and a consultation carried out in accordance with statutory guidelines that apply.

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- 2.4 Attached to Report No: [LIC/SE/17/011](#), are a number of appendices:
- ([Appendix 1](#)) - Crime statistics
  - ([Appendix 2](#)) - Summary of the Consultation Responses
  - ([Appendix 3](#)) - Statement of Licensing Policy including proposed Policy wording and the proposed map extension of the Cumulative Impact Policy (CIP)
  - ([Appendix 4](#)) - Residents' consultation responses
  - ([Appendix 5](#)) - Police consultation
  - ([Appendix 6](#)) - British Beer and Pub Association consultation response.
- 2.5 As a result of hearing representations at the meeting of the Licensing and Regulatory Committee, including that of Councillor David Nettleton, one of the Ward Members for Risbygate ward, a summary of which was contained in Cabinet Report No: CAB/SE/17/062, the Committee had recommended to Cabinet that Map 1, attached as Appendix A to that report be the revised cumulative impact area for Bury St Edmunds Town Centre.
- 2.6 Subsequent to the deliberations of the Licensing and Regulatory (L&R) Committee and its recommendation, Officers recommended to Cabinet that Map 2, attached as Appendix B to that report be the revised cumulative impact area for Bury St Edmunds Town Centre. This area includes the Abbeygate ward and removes most of Risbygate ward (as recommended by the L&R Committee) apart from a small section of St Andrews Street North. The reason for this is to retain all current late night premises that have a detrimental cumulative impact on the town, such as noise, crime, anti-social behaviour and damage, within the cumulative impact area.
- 2.7 Whilst it has carefully considered the recommendations of the Licensing and Regulatory (L&R) Committee, the Cabinet considers that application of the CIP is about creating a balance between mitigating the effects of problems that may cause a detrimental cumulative impact for residents and ensuring business growth is not stifled. The Cabinet therefore considers that in order to achieve this balance, the new cumulative impact area should cover the area shown in Map 2, as set out in its recommendations above.
- 2.8 For ease of reference, Map 2, attached as Appendix B to Report No: CAB/SE/17/062, is attached as Appendix 2 to this referrals report.

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### **3. Bury St Edmunds Town Centre: Masterplan**

**Portfolio Holder:** Cllr Alaric Pugh

**Report No:**  
[CAB/SE/17/064](#)  
[Appendix A](#)  
[Appendix B](#)

#### **RECOMMENDED:**

***That the masterplan for Bury St Edmunds Town Centre, as detailed in Appendix A to Report No: CAB/SE/17/064, be adopted as a Supplementary Planning Document.***

- 3.1 The Bury St Edmunds Vision 2031 document was adopted by St Edmundsbury Borough Council (SEBC) in September 2014. The preparation of a masterplan for Bury St Edmunds town centre is referred to in Policy BV27 of this document.
- 3.2 The aim of the masterplan is to set guidelines for the future growth and development of Bury St Edmunds town centre and to provide the framework for individual development proposals to be assessed when they come forward.
- 3.3 The Council is legally responsible for the masterplan; the final masterplan will become a formal Supplementary Planning Document.
- 3.4 The governance is provided by the councillor representation for Bury St Edmunds, jointly with Cabinet.
- 3.5 The masterplan has been co-produced; as such, a Bury St Edmunds Town Centre Masterplan Working Group has been created, which consists of:
  - (a) Portfolio Holders for Planning and Growth (Chair of the Working Group), and Families and Communities;
  - (b) St Edmundsbury Borough councillors;
  - (c) Bury St Edmunds Town councillor;
  - (d) Suffolk County councillors;
  - (e) Business representative groups;
  - (f) Trader association representative; and
  - (g) Heritage/environment representative groups.
- 3.6 Bury St Edmunds' ward members also have a governing role and have been invited to attend meetings at strategic points in the process.
- 3.7 Town Planning experts, David Lock Associates and Peter Brett Associates, were appointed in early November 2016 to deliver the masterplan, working closely with officers and other stakeholders.
- 3.8 The timeline for reaching this point in the development of the masterplan is set out in Cabinet Report No: CAB/SE/17/064, including details of the extensive consultation process that took place between Monday 31 July and Friday 8 September 2017 on the draft masterplan. Details of all

replies, together with Officer comment and consequential changes to the masterplan document are included in the Consultation Report which can be viewed online at [Appendix B](#). to the Cabinet report.

- 3.9 Adoption of the draft Masterplan, which for ease of reference is attached as Appendix 3 to this referral report, will be a key element in guiding investment and development opportunities to accommodate growth within Bury St Edmunds Town Centre helping to implement an important part of Bury St Edmunds Vision 2031.

**4. Mid Year Treasury Management Performance Report 2017/2018 and Investment Activity (1 April to 30 September 2017)**

**Portfolio Holder:** Cllr Ian Houlder

**Report No:**  
[CAB/SE/17/066](#)

**Treasury Management Sub-Committee Report No:** [TMS/SE/17/004](#)  
[Appendix 1](#)

**RECOMMENDED:**

***That, the Mid-Year Treasury Management Report for 2017-2018, including the change to the Annual Treasury Management and Investment Strategy and associated Code of Practice, attached as Appendix 1 to Report No: TMS/SE/17/004, be approved.***

- 4.1 Following the Treasury Management Sub-Committee's and Performance and Audit Scrutiny Committee's consideration of Report No: TMS/SE/17/004, which includes a summary of the investment activities for the first six months of 2017/2018 at Appendix 1, the Cabinet concurs with the Committees' examination of this report and has recommended approval of the mid-year treasury management report 2017/2018.
- 4.2 Below is a summary of those investment activities:

<b>INTEREST EARNED &amp; AVERAGE RATE OF RETURN SUMMARY</b>			
	<b>Budget</b>	<b>Actual</b>	<b>Difference</b>
Investment Interest Earned	£126,500	£155,841	+ £29,341
Average Rate of Return	0.55%	0.57%	+0.02%

- The over-achievement of interest earned was primarily due to higher cash balances being available for investment than expected. These increases in balances are due to timing differences in the collection and payment of Council Tax, NNDR and other revenue streams, and underspends relating to the budgeted capital programme.
- As at 30 September 2017 we held £51,200,000 of investments.

<b>INVESTMENT ACTIVITY SUMMARY</b>	
	<b>2017/18</b> <b>£</b>
<b>Opening Balance 01 April 2017</b>	<b>46,350,000</b>
Investments made during the year (including transfers to business reserve accounts)	64,250,000
Sub Total	110,600,000
Investments realised during the year (including withdrawals from business reserve accounts)	59,400,000
<b>Closing Balance 30 September 2017</b>	<b>51,200,000</b>

- 4.3 The mid year report also includes a request to revise the 'Red' percentage of portfolio limit from 35% to 50%. This is due to the majority of the banks now having a Sector Colour Code rating of 'Red' (there are no longer any Purple or Blue UK banks and only two Orange UK banks). The maximum investment with any one 'Red' institution will remain at £11m.
- 4.4 The Treasury Management Sub-Committee on 20 November 2017 scrutinised the investment activity from 1 April to 30 September 2017, and the request to revise the "Red" percentage of portfolio limit from 35% to 50%.
- 4.5 Members may view the full report and its appendix on the Council's website via the above links or may request a paper copy from Democratic Services.

## **5. Local Council Tax Reduction Scheme 2018/2019**

**Portfolio Holder:** Cllr Ian Houlder

**Report No:**  
**[CAB/SE/17/068](#)**

### **RECOMMENDED: That**

***Taking into consideration the consultation and engagement feedback detailed in section 7 of Report No: CAB/SE/17/068, the following changes to the current Local Council Tax Reduction Scheme be agreed to take effect from 1 April 2018:***

- (a) Update the "applicable amounts" to 2015 prices as detailed in paragraph 5.1 of Report No: CAB/SE/17/068;***
- (b) incorporating changes that have occurred as a result of the Government's welfare reforms as detailed in paragraph 5.2, regarding family premiums; dependence allowances where there are two or more children; and eligibility of foreign nationals; and***
- (c) modernise the scheme as detailed in paragraph 5.3, so that claimants in receipt of Universal Credit do not need to make a separate application to qualify for Council Tax Discount.***

- 5.1 Since 1 April 2013, St Edmundsbury Borough Council has operated a Local Council Tax Reduction Scheme (LCTRS) to replace the previous, centrally administered Council Tax Benefit (Report D224 provides further background). St Edmundsbury's scheme is aimed at:
- making provision to protect vulnerable people; and
  - supporting work incentives for claimants created by the Government's wider welfare reform.
- 5.2 St Edmundsbury's initial scheme for 2013-14 required working age claimants to pay 8.5% more of the council tax charge than previously. This requirement has been continued over the subsequent four financial years, 2014-15, 2015-16, 2016-17 and 2017-18. St Edmundsbury also protected War Pensioners (pensioners are protected by the Government changes) from the reduction in maximum benefit and removed Second Adult Rebate for working age claimants.
- 5.3 St Edmundsbury developed a LCTRS that mirrored the previous Council Tax Benefit rules. The scheme pays maximum benefit of 91.5% for working age claimants, previously 100%, and otherwise is, in most areas, the same as the default prescribed LCTRS applied to pensioners. It should be noted the old Council Tax Benefit scheme and rules complied with protections for vulnerable groups, including the disabled, to mitigate the effects of child poverty, duty to prevent homelessness as well as the Equality Duty (see background paper A 'Vulnerable People Key Local Authority Duties').
- 5.4 Each year the Council is required to review its LCTRS. As a result of the review, as detailed in Cabinet Report No: CAB/SE/17/068, and following the consideration and rejection of other options for the 2018/2019 LCTRS, the following amendments are proposed, as reproduced from the Cabinet report:
- 5.1 ***Up-rating benefit rates to 2015 rates for all claimants.*** *The benefit rates used in the scheme have not been up-rated in line with the Prescribed Scheme for Pensioners nor Housing Benefit since 2013. The cost to the Borough is small (under £1,000, £4,000 for Suffolk County Council (SCC)); it should be noted that benefit rates only require up-rating to 2015 rates, as Government determined to freeze rates at 2015 values in 2016 for four years. This would impact positively on all existing claimants.*
- 5.2 ***Harmonise the Scheme to the DWP Welfare Reforms introduced in the Prescribed Scheme for Pensioners and Housing Benefit for new claimants.*** *These measures include restricting new claims to two children, removing the family premium and changes to the entitlement rules for persons from abroad. Due to the fluctuating nature and volume of these cases we cannot predict the impact although we believe it to be small. Such changes will align administration and enable a consistent customer service.*
- 5.3 ***Introduce links to the award of Universal Credit (UC) for new claimants;*** *the Council shall be in the UC Full Service from March*



*2018, meaning all new claims will be affected from 2018-19. The present scheme takes into account the award of UC in a similar way to other DWP Benefits. The proposal is to make LCTRS entitlement conditional upon UC entitlement, thereby removing the requirement to make a separate application.*

- 5.4 *Those customers not claiming UC who are entitled to do so will be supported to make a claim. Customers not entitled to UC due to their financial circumstances will be in a similar position to existing customers whose income exceeds entitlement to LCTRS. Thus, the Council will continue to support customers in work on a low income using existing DWP calculation rates – the support will be tapered, eventually ceasing, once income exceeds DWP levels.*
- 5.5 *It is proposed that St Edmundsbury determines additional classes of applicant who will not be required to satisfy the UC entitlement requirement, that being; War Pensioners, customers receiving Armed Forces payments and customers in receipt of Industrial Injuries Disablement Benefit, this list is not exhaustive.*
- 5.6 *Changes at 5.2 and 5.3 above will affect people needing to make a new claim either through change in financial circumstances or making a claim for the first time. Existing claimants will have transitional protection until specific changes in their circumstances. We expect the number of people to be effected by these changes to be proportionately small.*
- 5.5 As amendments to the LCTRS for 2018/2019 are proposed, the Council is required to consult/engage with preceptors and stakeholders in order to inform final scheme design by 28 February of the preceding year. Details of the engagement exercise undertaken is contained in the Cabinet report. Overall, the results of the consultation have indicated a lack of concern for the changes proposed.
- 5.6 Members may view the full report on the Council's website via the above link or may request a paper copy from Democratic Services.

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## **6. Council Tax Base for Tax Setting Purposes 2018/2019**

**Portfolio Holder:** Cllr Ian Houlder

**Report No:**  
[CAB/SE/17/069](#)  
[Appendix 1](#)  
[Appendix 2](#)

**RECOMMENDED: That**

- (1) the tax base for 2018/2019, for the whole of St Edmundsbury is 36,490.95 equivalent band D dwellings, as detailed in paragraph 1.4 of Report No: CAB/SE/17/069; and**
- (2) the tax base for 2018/2019 for the different parts of its area, as defined by parish or special expense area boundaries, are as shown in Appendix 2.**

- 6.1 The Council Tax Base of the Council is the total taxable value at a point in time of all the domestic properties in its area, projected changes in the property base and the estimated collection rate.
- 6.2 The total taxable value referred to above is arrived at by each dwelling being placed in an appropriate valuation band determined by the Valuation Office, with a fraction as set by statute being applied in order to convert it to a Band 'D' equivalent figure. These Band 'D' equivalent numbers are then aggregated at a district wide level and are also sub totalled for parishes. This has to be done by the Council responsible for sending the bills out and collecting the council tax ('the billing authority'). In two tier areas, district councils fulfil this function.
- 6.3 The Council Tax Base is used in the calculation of Council Tax. Each authority divides its total Council Tax required to meet its budget requirements by the Tax Base of its area to arrive at a Band 'D' Council Tax.
- 6.4 The Tax Base for Council Tax collection purposes has been calculated as 36,490.95 for 2018/2019, which is an increase of 233.68 on the previous year.
- 6.5 The calculations applied to reach this figure are detailed in Report No: CAB/SE/17/069. Members may view the full detailed report and its appendices on the Council's website via the above links or may request a paper copy from Democratic Services.

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## **7. West Suffolk Strategic Framework 2018-2020**

**Portfolio Holder:** Cllr John Griffiths

**Report No:**  
[CAB/SE/17/070](#)  
[Appendix A](#)

### **RECOMMENDED:**

***That the West Suffolk Strategic Framework 2018-2020, as contained in Appendix A to Report No: CAB/SE/17/070, be adopted.***

- 7.1 The most recent strategic plan for West Suffolk covered the period 2014-2016. It was previously agreed to extend the vision and priorities in that plan until the outcome of the devolution process in Norfolk and Suffolk was clear. It is now considered timely for a new strategic framework document to be developed and adopted, especially given that both St Edmundsbury Borough Council (SEBC) and Forest Heath District Council (FHDC) have now agreed to proceed with proposals for creating a single council for West Suffolk.
- 7.2 Work has been underway by FHDC and SEBC Portfolio Holders since summer 2017 on the revised Strategic Framework for 2018-2020 and has been presented to both FHDC and SEBC Overview and Scrutiny Committees for their comments, as detailed in Cabinet Report No: CAB/SE/17/070.
- 7.3 In summary, the document contains the proposed:
- (a) **West Suffolk councils' vision:** *Supporting and investing in our west Suffolk communities and businesses to encourage and manage ambitious growth in prosperity and quality of life for all;*
  - (b) **Strategic priorities:**
    - *Growth in West Suffolk's economy for the benefit of all our residents and UK plc.*
    - *Resilient families and communities that are healthy and active.*
    - *Increased and improved provision of appropriate housing in West Suffolk in both our towns and rural areas.*
  - (c) **Projects and actions to support the priorities:** projects and actions already underway as well as those that have been agreed but not yet started; and
  - (d) **Ways of working:** how the West Suffolk councils will work together in taking forward the ambitious set of projects and activities, in order to support improvements in quality of life in West Suffolk.
- 7.4 For ease of reference, the draft West Suffolk Strategic Framework 2018-2020 document, attached as Appendix A to Report No: CAB/SE/17/070, is attached as Appendix 4 to this referrals report.

## **8. St Genevieve Lakes (formerly Park Farm, Ingham): Masterplan**

**Portfolio Holder:** Cllr Alaric Pugh

**Report No:**

[CAB/SE/17/072](#)

[Appendix A](#)

[Appendix B Pt1](#)

[Appendix B Pt2](#)

### **RECOMMENDED:**

***That the masterplan for St Genevieve Lakes, as contained in Appendix A to Report No: CAB/SE/17/072, be adopted as informal planning guidance.***

- 8.1 The adopted Rural Vision 2031 Local Plan document identifies the area at Park Farm, Ingham for leisure, recreation and tourism development. The site is currently a sand and gravel quarry which has recently completed extraction activities and is being restored to arable farmland, species rich grassland and a series of open water lakes. The Rural Vision 2031 Local Plan document identifies that the restoration has brought forward the opportunity for the creation of recreational, leisure and tourism facilities serving both the locality and the wider area.
- 8.2 The allocation will not only bring economic and community benefits to the area, but it will also help mitigate potential effects on the Breckland Special Protection Area (SPA) by providing an alternative visitor attraction that can absorb the pressure of visitors to the area.
- 8.3 The Concept Statement, which sets out the planning issues and constraints and provided guidance as to what will need to be addressed in the subsequent masterplan, was adopted by the council in February 2016. Following adoption of the Concept Statement, the site has been renamed St Genevieve Lakes to better reflect its location and current form.
- 8.4 The draft masterplan, which is attached as Appendix A to Report No: CAB/SE/17/072, has been prepared by consultants on behalf of the landowner building upon and developing the principles established by the Concept Statement. Consultation on the draft masterplan commenced on 16 August and ran until 14 September 2017. Details of the responses received and the subsequent replies are contained in Appendix B attached to the Cabinet report.
- 8.5 Members may view the full report and its appendices on the Council's website via the above links or may request a paper copy from Democratic Services.