



St Edmundsbury
BOROUGH COUNCIL

DECISIONS NOTICE

The following decisions were taken in the week ending 16 February 2007 and, if not called in by Councillors, will come into operation on Monday 26 February 2007. A decision may be called in, in accordance with the Rules of Procedure contained within Part 4 of the Constitution, by Councillors submitting a request in writing to Democratic Services (e-mail: democratic.services@stedsbcc.gov.uk) by 5 p.m. on Friday 23 February 2007.

A. DECISIONS TAKEN BY CABINET ON 14 FEBRUARY 2007

Item No.	Subject (Forward Plan Ref)	Report No.	Decision	Financial Implications	Reason(s) for Decision	Other Option(s) Considered	Contact(s)
5	Report of the Overview and Scrutiny Committee: Outcome of the Call-In of the Car Park Charges Decision	X498	That, when car park charges and any other significant issues relating to car parking are to be discussed at future meetings of the Sustainable Development Panel, representatives of the Haverhill and Bury St Edmunds Chambers of Commerce be invited to attend those meetings.	There are no financial implications in inviting representatives of the Haverhill and Bury St Edmunds Chambers of Commerce to attend meetings of the Sustainable Development Panel.	It was considered appropriate that when the Borough Council was considering car parking charges and any other significant issues relating to car parking that representatives of the Haverhill and Bury St Edmunds Chambers of Commerce be invited to attend those meetings.	Not inviting the representatives of the Haverhill and Bury St Edmunds Chambers of Commerce was not considered an option.	Terry Clements (01284-827161) Sandra Pell (01284-757300)
7	Treasury Management Strategy Statement and Annual Investment Strategy 2007/2008	X500	Subject to approval by full Council, (1) the Annual Treasury Management Strategy Statement and Annual Investment Strategy for 2007/2008 attached as Appendix 1 to Report X500,	It is estimated that in 2007/2008 Treasury Management activity will generate income of £2,121,000 (which is equivalent to	It is considered that the recommendations give the maximum flexibility in terms of the usage of fixed and variable rate investments. In addition, so far as longer term investments are concerned	The Council is required to produce an Annual Treasury Management Strategy Statement and Prudential Indicators.	Sara Mildmay-White (01359-270580) Chris Barber (01284-757241)

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	(Feb07/06)		together with the Prudential Indicators be approved; (2) the upper limit on fixed and variable rate exposures be set at 100% and 75% respectively of the Council's total investments; and (3) the upper limit for principal sums invested for more than 364 days be set at £65 million.	£57.15 for each Council Tax Band D property) and the Council's non operational property and assets portfolio will generate income of £1,955,000 (which is equivalent to £52.69 for each Council Tax Band D property).	they allow balancing certainty of income with flexibility to take advantage of any upward movement in interest rates while retaining a core balance that can be easily liquidated should the need arise.		
8	Review of Compensation Awards on Redundancy and Efficiency Grounds (Feb07/14)	X501	That the decision be deferred until the next meeting of the Cabinet, scheduled for 21 March 2007, to allow for further investigation into the financial implications of the proposals.	The decisions have been deferred.	To allow for further investigation into the financial impact of the proposals.	Options are still being evaluated.	Sara Mildmay-White (01359-270580) Jeff Stevens (01440-762511) Graham Moore (01284-757252)
9	Request for the Return of William Corder's Remains	agenda item 9	(1) A Disposals Committee of three Members, comprising the Portfolio Holders for Arts and Culture, Performance and Organisational Development and Resources and Community Development be appointed and the Portfolio Holder for Economy and Asset Management be appointed as a Substitute Member to consider the request for the return of the human remains and an artefact of William Corder; and (2) the Disposals Committee's	Any financial implications arising from the formation of the Disposals Committee and implementing the decisions will be borne within existing budgets.	The process for deciding the claim will require the examination of evidence and the consideration in detail of a number of different issues, and it was considered beneficial to be undertaken by a small Committee.	That the Cabinet could decide upon the claim.	Paul Farmer (01284-768777) Mike Dawson (01284-757060)

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			Terms of Reference as detailed in Report X502 be approved.				
10	Report of the Policy Development Committee: Scrutiny of New Budget and Service Plan Proposals 2007/2008	X503	The Cabinet endorsed the proposals of the Policy Development Committee which were incorporated into the draft budget (see item 11 below).	The financial implications are included in Report X504 below.	The Policy Development Committee had co-ordinated a detailed scrutiny into the budget.	Options had been considered in detail by the Dynamic Review – Innovation, Value and Enterprise (DR-IVE) Teams and the Policy Development Committee.	Gerry Kiernan (01440-705135) Adriana Stapleton (01284-757613)
11	Budget and Council Tax Setting: 2007/2008 (Feb07/01)	X504	Subject to approval by full Council, (1) the capital and revenue budgets attached to Report X504, including the new revenue and capital items and the Dynamic Review – Innovation, Value and Enterprise (DR-IVE) proposals set out in Appendices A, B and F be approved; (2) having taken into account the Risk Assessment and the Five Year Financial Model, together with all the other information contained in Report X504, the level of Band D Council Tax for 2007/2008 be set at £166.32; (3) the Chief Finance Officer be authorised to place any payments received under the Local Authority Business Growth Incentives Scheme in an Economic Development Reserve;	The level of Council Tax proposed for 2007/2008 represents a 2.9% increase, which equates to £4.68 per annum for a Band D Council Tax payer or 9 pence a week. This is the lowest rate of increase since 1995/1996.	The Cabinet is committed to achieving a sustainable level of Council Tax.	Numerous options were considered in detail by the Dynamic Review – Innovation, Value and Enterprise (DR-IVE) Teams, the Policy Development Committee and the Cabinet.	Sara Mildmay-White (01359-270580) Graham Moore (01284-757252)

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			(4) the level and use of the reserve account established under (3) above be subject to further consideration by the Cabinet and, if required, full Council; and (5) £200,000 of any underspend in the 2006/2007 budget be transferred to the Council's Capital Reserve to be used to finance expenditure incurred in facilitating the disposal of assets and feasibility work, etc, required to produce new capital schemes.				
12	Compact in Suffolk (Feb07/12)	X505	The 'Suffolk COMPACT', attached as Appendix A to Report X505, and four of the supporting Codes of Good Practice attached as Appendices B to E to Report X505 be adopted.	There are no direct resource implications from the adoption of the Compact in Suffolk.	The Government is determined that there needs to be a formal agreement between the local authorities and the community and voluntary sector to improve their relationship. A Suffolk Compact was developed in 2001 to which the Borough Council signed up, together with 30 other statutory and voluntary groups. It was felt that this document needed to be reviewed and brought to the attention of partners once again.	No other options were considered as the Government requires all local authorities to sign up to a compact.	Sara Mildmay-White (01359-270580) Jane Chance (01284-757609)
13	Emergency Panel: Recommendations (Feb07/03)	X506	Business Continuity Plan (BCP) Subject to approval by full Council:-	There are no direct financial implications in adopting a	The Civil Contingencies Act (CCA) 2004 gives the Borough Council a statutory responsibility to	Options were considered in detail by the Emergency Panel.	Jeremy Farthing (01440-820763) David Bird

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			(1) the draft Business Continuity Policy, attached as Appendix 1 to Report X481, be adopted; and (2) the Business Continuity Plan development programme set out in Report X481 be approved.	Business Continuity Policy and approving the process for the development of the Business Continuity Plan. Consultants will advise on the formulation of the Policy and the cost will be met by the Suffolk Joint Emergency Planning Unit. The time commitment of Borough Council staff will be met from existing resources and any further financial requirements, once identified, will be met from the existing resources of the services affected or included in budget growth proposals.	maintain plans to ensure that, as far as is reasonably practical, it can continue to exercise its critical functions in the event of an emergency.		(01284-757035)
14	Sustainable Development Panel: Recommendations (Feb07/08)	X507	(a) Bury St Edmunds and Haverhill Retail, Leisure and Offices Study (1) the Bury St Edmunds and Haverhill Retail, Leisure and Offices Study be used as background evidence for the preparation of the Local Development Framework and to provide the basis for the	At the moment the Council has accepted the report but has to determine whether to implement any of its proposals.	In June 2006, the Borough Council appointed Donaldsons Consulting to prepare a new retail/leisure and offices study to inform the preparation of the new Local Development Framework and to provide a basis for the	Options were considered in detail by the Sustainable Development Panel.	Terry Clements (01284-827161) Ian Poole (01284-757350)

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			<p>determination of planning applications in respect of Retail, Leisure and Office uses, until such a time when the information contained within is superseded; and</p> <p>(2) the Study document, including its appendices, be offered for retail sale at a cost of £200 and that only the 'Summary of Principal Conclusions and Recommendations' chapter be made available on the Council's website.</p> <p>(b) Replacement St Edmundsbury Borough Local Plan 2016: Masterplan for the Development of the West Suffolk College, Bury St Edmunds</p> <p>Subject to approval by full Council:-</p> <p>(1) the Masterplan for the development of the West Suffolk College in Bury St Edmunds, be adopted as planning guidance for the determination of future planning applications; and</p> <p>(2) the Head of Planning and Engineering Services be given delegated authority to make any necessary minor typographical, grammatical or similar textual amendments</p>	<p>There are no direct financial implications in adopting this Masterplan for planning guidance.</p>	<p>consideration of proposals for new development across the Borough. The study had now been completed and the consultants have submitted the final report to the Council.</p> <p>The adopted replacement St Edmundsbury Borough Local Plan 2016 requires a Masterplan for the proposed site at Newmarket Road, Bury St Edmunds and the Masterplan had been prepared in accordance with the Council's draft protocol that was approved by the former Planning Policy Panel.</p>	<p>Detailed options were considered by the Sustainable Development Panel.</p>	<p>Terry Clements (01284-827161)</p> <p>Chris Rand (01284-757352)</p>

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			<p>prior to the Masterplan's final publication.</p> <p>(c) East of England Regional Spatial Strategy: Secretary of State's Proposed Changes (1) subject to the amendment detailed in (2) below, further representations on the Secretary of State's Proposed Changes to the East of England Regional Spatial Strategy, in accordance with those stated in Section 2 of Report X468, be approved; and (2) the representation stated in paragraph 2.9 of Report X468, be amended to read, 'the officers consider that GO-East should be informed that the increase of housing to 10,000 in St Edmundsbury is welcomed, but that the Council is disappointed in the Government's lack of commitment to public investment in infrastructure in order to maintain and improve existing highways and services'.</p> <p>(d) Consultation by Neighbouring Local Planning Authorities on Local Development Documents</p>	<p>There are no direct financial implications in responding to this Government Consultation.</p> <p>There are no direct financial implications in responding to these consultation</p>	<p>The East of England Regional Assembly (EERA) prepared the draft East of England Plan, (the Regional Spatial Strategy) and published it for consultation in December 2004. Following the consultation, an Examination In Public was held. In June 2006, the Government published the report of the Independent Panel that conducted the Examination In Public. The report made recommendations as to how the draft Regional Spatial Strategy might be improved. The changes to the Strategy had accepted the Borough Council's request in respect of proposed housing numbers but other concerns raised had not been accepted. The consultation period ends on 9 March 2007.</p> <p>The Borough Council had been consulted by Suffolk County Council and Mid Suffolk District Council inviting comments on draft</p>	<p>Options were considered in detail by the Sustainable Development Panel.</p> <p>No other options were considered.</p>	<p>Terry Clements (01284-827161)</p> <p>Ian Poole (01284-757350)</p> <p>Terry Clements (01284-827161)</p> <p>Ian Poole (01284-757350)</p>

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			<p>Due to the short timescale in which to submit representations within the designated consultation periods, the Cabinet be requested to consider responding to:-</p> <p>(1) Suffolk County Council's Mineral Core Strategy consultation; and</p> <p>(2) Mid Suffolk Local Development Framework consultation.</p> <p><i>(see items 15 and 16 below)</i></p> <p>(e) St Edmundsbury Borough Council Recycling Plan 2006/2007 to 2011/2012 (Feb07/02)</p> <p>Subject to approval by full Council:-</p> <p>(1) St Edmundsbury Borough Council Recycling Plan 2007/2012, in accordance with Appendix 1 to Report X471, be approved;</p> <p>(2) the Corporate Director for Economy and Environment, in consultation with the Portfolio Holder for Safe, Sustainable Communities and Environment, be authorised to approve on behalf of the Borough Council any amendments to the Recycling Plan as a result of the Suffolk Waste Partnership's</p>	<p>documents.</p> <p>The proposed Recycling Plan can be delivered within existing budgets.</p> <p>Any opportunity to attract external funding to improve the service will be sought.</p>	<p>Local Development Documents. Due to the period of consultation it was considered appropriate that the Cabinet respond.</p> <p>Under the Environment Protection Act 1990, local authorities had a statutory duty to produce a recycling plan. The Borough Council's previous recycling plan expires in March 2007, and a new plan must be implemented from 1 April 2007.</p>	<p>The Council has a statutory duty to produce a recycling plan as the current plan will expire at the end of March 2007.</p>	<p>Jeremy Farthing (01440-820363)</p> <p>Sandra Pell (01284-757331)</p>

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			<p>formatting of these documents, which was still to be agreed; and (3) St Edmundsbury Borough Council Recycling Plan 2007/2012 be included as a supporting document to the Suffolk Joint Municipal Waste Management Strategy.</p> <p>(f) Review of Recycling Credits Scheme (Feb07/11) The Corporate Director for Economy and Environment, in consultation with the Chief Finance Officer and the Portfolio Holder for Safe, Sustainable Communities and Environment, be authorised to agree the future recycling credit payment on behalf of the Borough Council.</p> <p>(g) Sponsorship of Bus Services in Bury St Edmunds and the Surrounding Area The Corporate Director for Economy and Environment, in consultation with the Chairman of the Sustainable Development Panel and the Ward Members for Stanton and Risby and Councillor Ames one of the Ward Members for Abbeygate Ward,</p>	<p>The Borough Council is currently in negotiation with Suffolk County Council.</p> <p>Currently the land-fill tax is £21 per tonne and due to rise by £3 per tonne until it reaches £35. However, for the purposes of the recycling credit, the Government has capped the land fill tax in 2005/2006 to £18 per tonne.</p>	<p>Negotiations are currently taking place between Suffolk County Council, as the Waste Disposal Authority, and the Borough and District Councils within Suffolk, the Waste Collection Authorities, relating to the recycling credit payment made by the Waste Disposal Authority to the Waste Collection Authorities.</p> <p>The Borough Council has been successful in securing Section 106 funding to provide evening and Sunday bus services for Bury St Edmunds. However, there was a need to review these arrangements and to examine ways of using the available resources in a more efficient manner. It was considered</p>	<p>The Sustainable Development Panel concluded that there was a need to continue with negotiations with Suffolk County Council as the Waste Disposal Authority.</p> <p>No other options were considered.</p>	<p>Jeremy Farthing (01440-820363)</p> <p>Sandra Pell (01284-757331)</p> <p>Terry Clements (01284-827161)</p> <p>Jerry Massey (01284-757200)</p>

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			be authorised to agree with Suffolk County Council the arrangements to revise bus services receiving financial support from Section 106 Agreements held by St Edmundsbury Borough Council.	In 2005/2006 the Borough Council received recycling credits amounting to £945,500 which was used to off set the cost of recycling operations. The funding of these revised bus services will be met from existing Section 106 funds held by the Borough Council.	appropriate that a small 'Sub-Committee' discuss in detail with Suffolk County Council.		
15	Mid Suffolk Local Development Framework Consultation	X508	That (1) the comments in Section 4 of Report X508 form the basis of the Council's response to Mid Suffolk District Council's consultation on the Final Issues and Options for the Core Strategy of their Local Development Framework; and (2) reference also be made to the traffic implications of further development at Thurston at the crossroads at Mount Road, Bury St Edmunds.	There are no direct financial implications in responding to this consultation exercise.	The Council had already responded to the invitation from Mid Suffolk District Council to comment on its Local Development Framework. However, having considered consultation responses, Mid Suffolk District Council had now published the Final Issues and Options for the Core Strategy for consultation, and the consultation period ends on 19 February 2007.	Not responding to the consultation was not considered an option.	Terry Clements (01284-827161) Ian Poole (01284-757350)
16	Suffolk County Council Minerals Core Strategy Consultation	X509	That the comments in Appendix A of Report X509 form the basis of the Council's response to Suffolk County Council's latest consultation	There are no financial implications in responding to this consultation	Suffolk County Council had revised its Issues and Options report in the light of comments received and the content of recently	Not responding to the consultation exercise was not considered an option.	Terry Clements (01284-827161) Ian Poole (01284-757350)

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			on the Minerals Core Strategy Issues and Options Report.	exercise.	published Government Policy on minerals planning and had now submitted the latest version to consultation.		
17	Waste Management: Battery Recycling Trial Proposal	X510	Subject to final arrangements and documentation between the Council and the Waste Resource Action Programme, approval be given to accept the proposals for a trial kerbside battery collection by the Council to start in April 2007 and finish by 31 March 2008.	The trial period will be entirely funded by the Waste Resource Action Programme and a grant will be provided to cover the costs. The funding for this trial expires on 31 March 2008.	Following the publication of the EU Battery Directive in September 2006, the Borough Council has been approached by the Waste Resource Action Programme to carry out a trial for the kerbside collection of batteries from April 2007 to March 2008. By agreeing to undertake a kerbside battery collection, the Council will be able to raise awareness of battery recycling and at the same time enable valuable data to be collected that will assist central Government in understanding how many batteries are in the waste stream and what is required to ensure that the UK achieves the targets set out in the Battery Directive.	Declining the offer to participate in the trial was not considered an option.	Jeremy Farthing (01440-820363) Daniel Sage (01284-757457)
18	Haverhill Area Working Party/Haverhill Masterplan (Feb07/04)	X512	(a) Queen Street, Haverhill: Enhancement Works (1) The scope of work that may be undertaken in respect of the enhancement of Queen Street be the next priority in	The Enhancement Works will be undertaken within existing budgets.	The Council has determined a budget for the Haverhill Masterplan and have already commenced works on the Jubilee Walk enhancements. It is now	The detailed options were considered by the Haverhill Area Working Party.	Jeff Stevens (01440-762511) Mike Dawson (01284-757060)

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			<p>the public realm enhancement works; and (2) outline details be presented to the next meeting of the Working Party.</p> <p>(b) Delivering a Sustainable Urban Extension for Haverhill – Planning the development and delivery of the North-West Haverhill housing allocation A community engagement exercise be undertaken and this include an event similar to a 'Planning for Real' day arranged for a Saturday in March 2007.</p>	The cost of the 'Planning for Real' day will be met from existing budgets.	<p>considered the next stage in the process is enhancements to Queen Street.</p> <p>It was considered that the public should be made aware and consulted on a major impact due to the future housing growth to be provided through the major urban extension that has been allocated in the St Edmundsbury Replacement Local Plan 2016 at North-West Haverhill.</p>	Not to consult was not considered an option.	<p>Jeff Stevens (01440-762511)</p> <p>Mike Dawson (01284-757060)</p>
19	Housing Benefit Overpayment: Proposed Write-Off	X513	One Housing Benefit overpayment totalling £3,047.46 and one Council Tax Benefit overpayment totalling £952.87 as detailed in exempt Appendix 1 attached to Report X513 be approved for write-off.	The paper is seeking Cabinet approval to write off one case of overpaid Housing Benefit of £3,047.46, and one case of overpaid Council Tax Benefit of £952.87, where Officers consider there to be valid reasons not to pursue the Benefit Claimant.	Exempt Appendix 1 provides the details as to the reasons for write off.	Not to write off the debts was not considered an option.	<p>Sara Mildmay-White (01359-270580)</p> <p>Graham Moore (01284-757252)</p>
20	Revenues Collection Performance	X514	(1) The levels of collection performance achieved, as set out in Section 8 of Report X514, be noted; and	The write off of the amounts detailed in the exempt appendices to this	The Revenue Section collects outstanding debts in accordance with either Statutory Guidelines or	On this occasion not to write-off these debts was not considered an option.	Sara Mildmay-White (01359-270580)

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			(2) the write off of the amounts detailed in Exempt Appendices 1 to 3 to Report X514, being 16 accounts for business rates totalling £87,737.07 (exempt Appendix 1), 34 accounts for Council Tax totalling £56,682.16 (exempt Appendix 2) and 7 accounts for sundry debts totalling £34,719.91 (exempt Appendix 3) be approved.	report, being 16 accounts for business rates totalling £87,737.07 (exempt Appendix 1), 34 accounts for Council Tax totalling £56,682.16 (exempt Appendix 2) and 7 accounts for sundry debts totalling £34,719.91 (exempt Appendix 3).	Council Agreed Procedures. When all these procedures have been exhausted the outstanding debt is written off using the delegated authority of the Chief Finance Officer for debts up to £750 or by Cabinet for debts over £750.		Graham Moore (01284-757252)

Joy Bowes, Head of Legal and Democratic Services
16 February 2007