



St Edmundsbury
BOROUGH COUNCIL

DECISIONS NOTICE

The following decisions were taken in the week ending 22 June 2007 and, if not called in by Councillors, will come into operation on Monday 2 July 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@stedsbcb.gov.uk) by 5 p.m. on Friday 29 June 2007.

A. DECISIONS TAKEN BY CABINET ON 20 JUNE 2007

Item No.	Subject (Forward Plan Ref)	Report No.	Decision	Financial Implications	Reason(s) for Decision	Other Option(s) Considered	Contact(s)
4	Annual Cabinet Report	Y76	Subject to the amendment requested at the meeting, and to minor formatting and wording changes, the Annual Report of the Cabinet for 2006/2007 and priorities for 2007/2008 as detailed in Report Y76 be approved.	The financial implications will be recorded in the approved budgets for the relevant financial years.	The Council's Constitution requires that the Cabinet produce an Annual Report and good management practice requires forward planning to be undertaken.	Numerous options were considered with regard to the determination of commitments for future years.	John Griffiths (01284-757136) Deborah Cadman (01284-757001)
5	Suffolk Community Strategy: Consultation Response	Y77	(1) the Borough Council responds to the Suffolk Strategic Partnership's consultation on its next Community Strategy for Suffolk on the basis set out in the discussion paper attached as Appendix B to Report Y77; and (2) The Chief Executive, in consultation with the Leader, be authorised to	The Community Strategy would have a major impact on the future allocation of public funds in Suffolk as it would be delivered through the next Local Area Agreement. The Government	The Suffolk Strategic Partnership's (SSP) Community Strategy establishes the long-term vision for Suffolk; a vision which will promote the wellbeing of its people, economy and environment. The vision will guide future funding and Local Area Agreement policies and is currently	As a Member of the Suffolk Strategic Partnership, and given the importance of the Strategy, not responding is not considered to be an option.	John Griffiths (01284-757136) Alex Wilson (01284-757002)

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			approve and submit the final response.	made clear its intentions to use LAAs as a mechanism to pull public spending and, therefore, the share of the resources received by western Suffolk would be directly influenced by the priorities in the Community Strategy.	out for consultation and will cover the period 2008-2028. Report Y77 sets out a proposed response by the Borough Council to the consultation, which closes in July 2007.		
8	Report of the Policy Development Committee: Diversity Group Progress made in 2006/2007 and new Equality Action Plan for 2007/2008 (Jun07/28)	Y80	The Equality Action Plan for 2007/2008, as set out in Appendix 2 to Report Y27 be approved.	There are no financial implications arising from the approval of the Equality Action Plan for 2007/2008.	The Policy Development Committee received an update on progress made in 2006/2007 on implementing the actions outlined in the Equality Action Plan. The Committee also received the revised Equality Action Plan for 2007/2008 and sought approval.	To not approve the Equality Action Plan for 2007/2008.	Ian Houlder (01284-714248) Adriana Stapleton (01284-757613)
9	Report of the Policy Development Committee Corporate Communications Strategy 2007 – 2010 (Jun07/29)	Y81	The Corporate Communications Strategy 2007 – 2010 be adopted.	There are no financial implications arising from the adoption of the Corporate Communications Strategy other than staff time.	The Policy Development Committee received the draft Corporate Communications Strategy, which had been produced based on consultation with residents. The aim of the Strategy was simply to communicate better and an action plan had also been prepared.	To not approve the Corporate Communications Strategy however communicating better with stakeholder groups and partners is essential.	Ian Houlder (01284-714248) Adriana Stapleton (01284-757613)

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10	Report of the Policy Development Committee Review of Annual Reporting and Corporate Planning Cycle (Jun07/20)	Y82	Subject to full Council approval:- (1) the draft Corporate Plan for 2007-2017, as set out in Paper Y26, be approved, subject to any amendments requested by councillors; (2) in consultation with the Leader and Portfolio Holder for Performance and Organisational Development, the Chief Executive be authorised to make any minor changes required to the draft Plan prior to its publication; (3) subject to any minor changes by officers to reflect outstanding data, publication of the Best Value Performance Plan 2006/2007 as an annex to the Corporate Plan be approved; and (4) the Performance and Audit Scrutiny Committee, as part of its scheduled work programme, be asked to examine the performance information contained in the plan against the national data which is due to be published in December 2007 or January 2008.	The Corporate Planning Cycle itself is used to guide financial planning systems. However, there are no resource implications arising directly from the report as preparing the Corporate Plan and Service Plans are existing activities.	The Corporate Planning and Performance framework is reviewed every year and is monitored by the Policy Development Committee. The Corporate Plan had been updated to reflect the changes with the Local Area Agreements, Community strategy and Council Improvement Plan. Adoption of the Best Value Performance Plan is a statutory requirement.	Annual review and adoption of the Plan is required.	Ian Houlder (01284-714248) Adriana Stapleton (01284-757613)
11	Asset Management Plan (AMP) and	Y83	(a) the outcomes and performance of the Asset	Resource implications will	Adoption of the AMP Action Plan will facilitate	The Asset Management Action Plan is based on	Nigel Aitkens (01359-270580)

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	Capital Strategy Performance Management and Implementation Plans (Jun07/16)		Management Plan and Implementation Programmes 2006/2007 be noted; (b) the Implementation Programmes 2007/2008 be approved; (c) the performance against the reformatted national property Performance Indicators (PIs) be noted; (d) the Asset Management Plan Action Plan 2007 be approved; and (e) the recommendations of the external audit be incorporated in the AMP Action Plan.	be considered in detail as part of the assessment process for individual buildings.	the Council in achieving its strategic aims by identifying the ideal and sustainable property portfolio to meet service delivery needs and to help support major items of capital expenditure.	considering options for holding the Council's property portfolio. The Council has adopted the assessment processes for its non-operational portfolio which require each property to be assessed in terms of financial return, service return and value for money.	Betty Albon (01284-757307)
12	Public Service Village – Joint Committee	Y84	That, subject to the approval of full Council:- (1) the establishment of a joint committee with Suffolk County Council on the terms set out in Section 4, as amended, of Report Y84 be agreed; (2) the appointment of two Cabinet Members as Members of the joint committee and two Cabinet Members as substitutes of the joint committee be agreed; (3) the Head of Legal and Democratic Services, in consultation with the	The decision to work with Suffolk County Council on a combined office development at Western Way, Bury St Edmunds, was based on an outline business case produced in November 2005. Over the past twelve months this has been refined to reflect the detailed design of the	Phase 1 of the Public Service Village (PSV) Programme encourages an integrated approach to the delivery of services by Suffolk County Council and St Edmundsbury Borough Council. The Cabinet is empowered to establish joint arrangements to exercise functions which are executive functions. Such arrangements may involve the appointment of joint committees. The establishment of a joint	External Legal Advisers facilitated a workshop which explored in great detail the various implications of different models such as a joint venture company, joint ownership and limited liability partnership. Considerations including tax, regulatory, valuations of property interests and other risks and liability issues were explored.	Nigel Aitkens (01359-270580) Jerry Massey (01284-757200)

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			<p>Leader of the Council, be given delegated authority to make these appointments;</p> <p>(4) the joint committee be known as the "<i>name of the building</i>" Joint Committee;</p> <p>(5) the functions as set out in Section 4, as amended, of Report Y84 be delegated to the joint committee so as to be discharged by the joint committee on behalf of the Council, thereby replacing the Programme Board as soon as possible after the meeting of Full Council on the 26 June 2007;</p> <p>(6) delegation of functions by the joint committee to officers of either authority be authorised; and</p> <p>(7) a sub-committee of the joint committee be created for the discharge of such functions where the Joint Committee considers it appropriate.</p>	<p>building, the development of an integrated approach to office working and clarification of the respective organisations' office requirements. There will be a resource implication for Legal and Democratic Services in providing Democratic Services, including clerking of meetings, to the Joint Committee. This will be provided from existing resources.</p>	<p>committee would enable specific functions to be delegated and discharged by the joint committee on behalf of their authorities.</p>		
13	<p>Recommendations from Grant Panel: 12 June 2007 (Jun07/19)</p>	Y85	<p>Play Area Grant Scheme</p> <p>The maximum grant available under the Play Area Grant Scheme be</p>	<p>As discussed by the Grant Panel.</p>	<p>To approve recommendations made by the Grant Panel.</p>	<p>The Grant Panel considered each application individually.</p>	<p>Paul Farmer (01284-768777)</p> <p>Mike Dawson (01284-757060)</p>

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			<p>increased from £3,500 to £10,000 to allow for rising costs of new play area equipment.</p> <p>Applications for Project Funding: 2007/2008</p> <p>That, the following grants be awarded in 2007/2008:-</p> <p>(a) Recreation, Village Halls and Play Area Grants</p> <p>(1) £525 be awarded towards the insulation of the exterior walls of Whepstead Community Centre;</p> <p>(2) further consideration of the application for a £10,000 grant towards the construction and equipping of a new village play area in Stoke-by-Clare be deferred to enable the officers to seek further clarification and information; and</p> <p>(3) £1,170 be awarded towards the cost of new site screens at Cavendish Wanderers Cricket Club.</p>				
14	Capital Schemes – Funding Adjustments	Y86	<p>That, subject to the approval of Full Council:-</p> <p>(1) £1.4million from the unallocated Haverhill Masterplan Capital</p>	The total additional capital provision for the Haverhill Cinema development is	The funding requirement for the Haverhill cinema scheme has changed following the pre let of the whole scheme, an	The increased investment in the Cinema development is a product of the development agreement between the Council and	<p>Lynsey Alexander (01284-765054)</p> <p>Mike Dawson (01284-757060)</p>

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			<p>provision be allocated to the Haverhill cinema and restaurant scheme in respect of the additional investment value and the increased car park works costs; and</p> <p>(2) the additional sum of £60,000 in respect of the Nowton pitch replacement be met from the 2008/2009 unallocated Capital Programme provision.</p>	<p>£1,369,600. It is therefore proposed that an additional provision of £1.4 million be made for the scheme in the capital programme and this be met from the unallocated Haverhill Masterplan Capital Provision. The additional £60,000 cost of the Nowton pitch replacement can be met from the 2007/2008 unallocated capital programme provision.</p>	<p>additional investment opportunity and additional infrastructure works. The requirement for Nowton pitch replacement has also changed and the provision made for these schemes within the Capital Programme requires adjustment.</p>	<p>the developers which defines the rental return for the additional investments. The Council are bound to pay the additional capital in return for the increased revenue return from the completed scheme.</p> <p>The options associated with the Nowton pitch resurfacing are:-</p> <p>(a) not undertaking the work;</p> <p>(b) not undertaking the sub-surface repairs; or</p> <p>(c) not replacing the fencing.</p>	
15	<p>Joint Staff Consultative Panel Recommendations: 19 June 2007 (Jun07/18)</p>	Y87	<p>Terms of Reference</p> <p>(1) The Head of Human Resources and Organisational Development write to the Trade Unions listed in paragraph 4.1 (b) of Report Y71, to review the representation on the Joint Staff Consultative Panel so as to correctly represent the workforce, as outlined in paragraph 4.1 (a) of</p>	<p>As discussed by the Joint Staff Consultative Panel.</p>	<p>To approve recommendations made by the Joint Staff Consultative Panel.</p>	<p>The Joint Staff Consultative Panel considered each report and the possible options individually.</p>	<p>David Ray (01359-250912)</p> <p>Louise Hammond (01284-757008)</p>

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			<p>Report Y71; and (2) Paragraph 8.1 be amended to read 'three times a year' instead of quarterly.</p> <p>Workstyle Provision: Homeworking Allowances</p> <p>(1) The Head of Human Resources and Organisational Development, in consultation with the Chairman of the Joint Staff Consultative Panel and the Portfolio Holder for Performance and Organisational Development, be given delegated authority to discuss and finalise, by the end of July, the homeworking allowances based on Report Y72; and</p> <p>(2) The issue be referred back to a special meeting of the Joint Staff Consultative Panel if Unison proposes major changes.</p> <p>Maternity and Paternity Leave Policy and Procedure</p>				

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			<p>The Maternity and Paternity Leave Policy and Procedure as contained within Appendix A to Report Y73 be approved, subject to the HR Business Partner amending the minor typographical errors.</p> <p>2007 Staff Survey</p> <p>(1) The Joint Staff Consultative Panel considered the programme of work for the 2007 Staff Survey; and</p> <p>(2) Howard Cook, Chairman of the Joint Staff Consultative Panel and Unison representative, be appointed to represent the Employee's side, and Councillor Ray be appointed to represent the Employer's side, to assist the Member/Officer Working Group.</p>				
16	Haverhill Area Working Party	Agenda Item 16	<p>(1) the Membership of the Haverhill Area Working Party be increased from seven to ten Members as detailed above; and</p> <p>(2) the Head of Legal and Democratic Services be authorised to appoint Members to the Haverhill</p>	There are no financial implications arising from the increase in membership on the Haverhill Area Working Party.	The Cabinet consider it appropriate to increase membership from seven to ten Members in order to broaden the representation. Applying the political balance formula means that there will be eight Conservative	To leave the Constitution as previously agreed.	<p>Nigel Aitkens (01359-270580)</p> <p>Steven Lincoln (01284-757108)</p>

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			Area Working Party in accordance with the political balance of the Council and the nominations received from Group Leaders and Independent Councillors.		Members and two Non-Conservative representatives, and there will be a total of five Substitute Members, three Conservative and two 'other'.		
17	Play Strategy (Jun07/25)	Y88	That, subject to the approval of Full Council:- (1) the play strategy be adopted; and (2) the Head of Leisure, in consultation with the Portfolio Holder for Culture and Sports, be authorised to make minor changes to the play strategy as required before an application is submitted to the Big Lottery Fund.	Adoption of this Strategy allows the Council to bid for £200,000 of funding from the Big Lottery Fund. In the event of the application for lottery funding being unsuccessful, the broad aims of the Play Strategy would be delivered within existing resources.	The creation of a Play Strategy is required to allow the council to apply for a lottery grant to improve opportunities for play in St Edmundsbury. The report seeks Cabinet's approval of the Strategy and requests that the Head of Leisure, in consultation with the Portfolio Holder for Culture and Sports, be given delegated authority to make minor changes.	Not completing a Play Strategy was considered, however this would have left the Council unable to apply for the lottery funding allocated to St Edmundsbury.	Lynsey Alexander (01284-765054) Neil Anthony (01284-757064)
18	Fly-tipping protocol between Suffolk Local Authorities and the Environmental Agency (Jun07/23)	Y89	That the Fly-tipping Protocol contained in Appendix 1 to Report Y89 be adopted, subject to any amendment required to clarify the types of land covered by items 10 and 11 of Appendix 1 of Report Y89, and St Edmundsbury be included within the partnership that will be made up of Babergh District Council, Forest Heath District Council,	It is not expected that the new protocol would have any negative impacts on the Council's resources.	A voluntary agreement, known as the National Fly-tipping Protocol, exists between the Environment Agency and the Local Government Association, which sets out the different types of incidents with each organisation should deal. Appendix 1 to Report Y89 contains the draft Fly-tipping Protocol between Suffolk Local Authorities and the	By not approving the fly-tipping protocol, St Edmundsbury would continue to tackle fly-tipping but will do so without an agreement to outline the responsibilities between the Borough Council and the Environment Agency.	Peter Stevens (01787-280284) Daniel Sage (01284-757457)

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			Ipswich Borough Council, Mid Suffolk District Council, Suffolk Coastal District Council, Waveney District Council and the Central and East of England Environment Agency.		Environment Agency. By approving the protocol St Edmundsbury there is greater clarity between the Borough Council and the Environment Agency over responsibility for dealing with fly-tipping incidents.		
19	Planning Delivery Grant and Local Plan Fund Expenditure 2007/2008 (Jun07/11)	Y90	That the joint Planning and Local Plan Reserve Fund be used to finance the item set out in paragraph 4.5 of Report Y90.	There is no additional revenue impact arising from this investment. However, the report identifies that there are future budgetary implications/ Commitments to meet the staffing costs and the delivery of new planning policy processes which have previously been funded out of the reserve.	Cabinet approval is sought for the investment of the Planning and Local Plan Reserve funds for 2007/2008 and to advise Cabinet on the future implications of the reduction in Planning Delivery Grant.	Other options in terms of the scale of funding needed to deliver the Local Development Framework are being investigated and will be reported to Cabinet in the future. Staffing levels in the planning service were reviewed as part of the Vanguard Intervention and are recognised as being at the level needed to deliver the current expectations from the service.	Terry Clements (01284-827161) Sandra Pell (01284-757302)
20	Sustainable Development Panel Recommendations: 12 June 2007 (Jun07/07)	Y91	Terms of Reference (1) The Membership as detailed in paragraph 4.1 of Report Y50 be amended to read 13 Members with the constitution being 10 Conservative, 1 Labour, 1 Liberal Democrat and 1 'other' Members.'; and	As discussed by the Sustainable Development Panel.	To approve recommendations made by the Sustainable Development Panel.	The Sustainable Development Panel considered each report and the possible options individually.	Terry Clements (01284-827161) Sandra Pell (01284-757302)

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			<p>(2) The Portfolio Holders titles in paragraph 4.2 of Report Y50 be amended to read 'Transport and Planning' and 'Environment and Street Scene'.</p> <p>St Edmundsbury Replacement Local Plan 2016 – Policy HAV2; Strategic Housing Site – North West Haverhill Draft Concept Statement</p> <p>(i) Subject to there being no over-riding adverse comments from the landowners and Ward Members, the draft Concept Statement for North West Haverhill as attached at Appendix 1 to Report Y51 be approved for public consultation; and</p> <p>(ii) The Head of Planning and Engineering Services be authorised, in agreement with the Portfolio Holder for Transport and Planning, to incorporate into the Concept Statement any further minor changes as are necessary to make any spelling, grammatical,</p>				

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			<p>factual, formatting and numbering corrections.</p> <p>St Edmundsbury Replacement Local Plan – Policy BSE6: Station Hill and Policy BSE9: Tayfen Road, Bury St Edmunds Draft Concept Statement</p> <p>(i) the draft Concept Statement be amended to include the amended Concept Plan contained in Appendix 1 of this report and the amended text contained in paragraph 2.8 of Report Y52;</p> <p>(ii) that the Head of Planning and Engineering Services be authorised, in agreement with the Portfolio Holder for Planning and Transport to incorporate into the concept statement any further minor changes as are necessary to make any spelling, grammatical, factual, formatting and numbering corrections; and</p> <p>(iii) public consultation should commence at the earliest opportunity.</p> <p>Abbeygate Street</p>				

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			<p>Traffic Barrier</p> <p>That the design of the suggested traffic barrier be agreed for consultation with business and interest/amenity groups and the outcome of the consultation be reported back to the Sustainable Development Panel.</p> <p>Robert Bobby Way Car Park – Charges</p> <p>(1) The decision by Petros the owners of the Robert Bobby Way car park, to increase the up to 1 hour charge from 10p to 20p be noted; and</p> <p>(2) The request by Petros to set a maximum stay period of 2 hours be considered as part of the next annual review of car park charges.</p> <p>Engineering Services Works Programme</p> <p>(1) the progress of works detailed in paragraphs 2.1, 2.2 and 2.3 be noted;</p> <p>(2) an experimental residents parking scheme be introduced into the North Brackland area, as</p>				

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			<p>detailed in Appendix A to Report Y55, be approved; and (3) the construction of the Rougham Road cycle route as detailed in Appendix B to Report Y55, be approved.</p> <p>Greater Anglia Rail Utilisation Strategy: Network Rail Consultation</p> <p>That the officer comments in Report Y56 form the basis of a formal response to Network Rail.</p> <p>Sponsorship of Bus Services in Bury St Edmunds and the surrounding area</p> <p>(a) the Corporate Director for Environment be authorised to agree with Suffolk County Council the cessation of the 306, 307 and 308 bus service at the earliest opportunity; and (b) the Corporate Director for Environment, in consultation with the Chairman of the Sustainable Development Panel, the Portfolio Holder for Transport and Planning</p>				

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			<p>and the Ward Members for Stanton, Barningham and Risby, be authorised to agree with Suffolk County Council the future use of the Section 106 funding on any relevant new or revised routes.</p> <p>East of England Regional Assembly Planning for Gypsy and Traveller accommodation: Issues and Options Consultation</p> <p>(i) the East of England Regional Assembly be thanked for consulting the Borough Council on its Planning for Gypsy and Traveller accommodation in the East of England: Issues and Options; and (ii) the suggested responses contained in Section 3 of Report Y59 be approved as the Borough Council's formal response to the consultation.</p> <p>Mid Suffolk Local Development Framework: Core Strategy Preferred Options Consultation</p>				

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			<p>That the suggested responses contained in section 3 Report X60 be approved for submission to Mid Suffolk District Council.</p> <p>Hardwick Lane/Gypsy Lane</p> <p>(1) progress on implementing the Cabinet resolution on the Experimental Scheme in Hardwick Lane/Gypsy Lane be noted; and (2) the proposed traffic calming arrangements be noted.</p>				
	<p>Asset Management Plan – Replacement Depot, Haverhill</p> <p><i>(This item was considered by Cabinet using the Special Urgency rule as contained within the Council's Constitution (item 16, page 158))</i></p>	Exempt Report Y92	<p>That, subject to the approval of full Council:- (a) the Capital Programme sum for the replacement depot be increased; (b) the Head of Property Services be authorised to negotiate with the lowest tenderer, and after consultation with the Head of Legal and Democratic Services to enter into a contract for a reduced scheme; and (c) In accordance with rule 2.2(ii) of the Contract Procedure Rules, Cabinet authorise exemptions from</p>	As outlined in Exempt Report Y92.	A detailed scheme has been developed and tendered for the replacement depot at Haverhill. The returned tenders have been assessed and value engineered.	As outlined in Exempt Report Y92.	<p>Peter Stevens (01787-280284)</p> <p>Sandra Pell (01284-757302)</p>

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			the provisions of those rules concerning post tender negotiations because following the rules would result in unreasonable delay as set out in paragraph 4.3 of Exempt Report Y92; and (d) the additional land referred to in 4.6 of Exempt Report Y92 be acquired.				

Joy Bowes, Head of Legal and Democratic Services
22 June 2007