St Edmundsbury
BOROUGH COUNCIL

DECISIONS NOTICE

The following decisions were taken in the week ending 31 July 2009 and, if not called in by Councillors, will come into operation on Monday 10 August 2009. 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@stedsbc.gov.uk) by 5 pm on Friday 7 August 2009.

A. DECISIONS TAKEN BY CABINET ON 29 JULY 2009

Item No.	Subject (Forward Plan Ref)	Report No.	Decision	Financial Implications	Reason(s) for Decision	Other Option(s) Considered	Contact(s)
5	Councillor Call for Action – Stanton Grundle Flooding Remedial Action	A141	(1) Detailed assessment, including catchment flow study to confirm the adequacy of the underground pipework, and design of the preferred option, of replacement of the current three vertical screens along the length of the Grundle with a single grill at a location to be determined, taking account of a bridleway and footpath, be undertaken by the Council in consultation with relevant partners; (2) agreement to a proposed solution by all agencies involved be sought; (3) capital and revenue funding for the works be investigated, together with	Capital and revenue funding for the works to be investigated, together with identification of ongoing maintenance responsibilities and the necessary funding.	Councillor Call for Action, which came into effect on 1 April 2009, is a mechanism which any Member of the Council may refer to the Overview and Scrutiny Committee any local government matter or any crime and disorder matter which affects their ward. The recommendations emanate from the examination of this issue by the Overview and Scrutiny Committee.	Options were considered in detail by the Overview and Scrutiny Committee.	David Lockwood (01638-718002) Adriana Stapleton (01284-757613)

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			identification of ongoing maintenance responsibilities and the necessary funding; (4) Suffolk County Council be requested to carry out more frequent clearing and jetting of the gulleys and culvert; and (5) an update on progress on the above be reported to the next meeting of the Overview and Scrutiny Committee on 9 September 2009, together with details of Suffolk County Council's existing Planned Drainage Maintenance Programme.				
7	Annual Governance Statement: 2008/2009 (Aug 09/01)	A143	(1) The draft Annual Governance Statement for 2008/2009, as set out in Appendix 1 to Report A125 be approved and issued with the Council's published accounts; (2) the process used to compile the Annual Governance Statement and review of internal controls be endorsed for application in future years; and (3) the internal control assessment and proposed additional areas for improvement (Assurance Framework and related Action Plan) at Appendices 2 and 3 of Report A125 be approved.	The Annual Governance Statement is produced within existing resources.	The Council is required to produce and publish an Annual Governance Statement.	Not to produce an Annual Governance Statement was not considered an option.	David Ray (01359-250912) Jon Snares (01284-757239)

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8	Anti Fraud/Anti Corruption Strategy	A144	The revised Anti-Fraud and Anti-Corruption Strategy, as set out in Appendix 1 of Report A126, be approved.	The Strategy is produced within existing resources.	The Council requires that the Strategy is reviewed and updated on a periodic basis.	Options on the contents were considered in detail by the Performance and Audit Scrutiny Committee.	David Ray (01359-250912) John Snares (01284-757239)
11	Asset Management Plan: Operational Efficiency Programme and New National Asset Management Guidance (Aug 09/11)	A147	(1) The Operational Efficiency Programme national savings target of 20% asset sales over 10 years be adopted by the Council; (2) the findings and recommendations of the Operational Efficiency Programme five key areas for asset management delivery be noted and adopted where they are not already part of corporate asset management; (3) the findings and recommendations of the Audit Commission report for asset management delivery be noted and adopted where they are not already part of corporate asset management; (4) the Royal Institution of Chartered Surveyors Best Practice leaflets be noted and applied where they are not already part of corporate asset management; and	There are no specific resource implications in adopting recommendations of the new national guidance.	Three important documents relating to asset management have recently been published and have been considered in line with the Council's Asset Management Planning Process.	The Council could choose to ignore Asset Management Planning guidance, but this would be a failing in the proper management of the Council's resources and in delivering effective asset management and services.	Nigel Aitkens (01284-735258) Betty Albon (01284-757307)

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			(5) appropriate changes are made to the adopted Corporate Asset Management Plan and Capital Management Strategy 2008-25.				
12	Joint Staff Consultative Panel: 13 July 2009 (Aug 09/09)	A148	**(a) Policy on the Recruitment of Ex-Offenders** Subject to the following amendments, the Policy on the Recruitment of Ex-Offenders, as contained in Appendix A to Report A95 (Amended), be approved:- (1) Paragraph 1.1, be amended to read *'.....treat all applicants fairly and not to discriminate against any subject of a Disclosure* ***solely*** *on the basis of conviction or other information revealed;* and (2) Paragraph 6.1, be amended to read *'A disclosure is only requested after a thorough risk assessment* ***(see Appendix 1)*** *has indicated that one is relevant to the position,.....'*	The production of this Policy was undertaken within existing resources.	It was considered appropriate that the Council had an up-to-date Policy with regard to this issue.	Detailed Policy options were considered by the Joint Staff Consultative Panel	David Ray (01359-250912) Louise Hammond (01284-757008)
			(b) Policy on the Secure Storage, Handling, Use, Retention and Disposal of Disclosures and Disclosure Information Subject to the following amendments, the Policy on Secure Storage, Handling,	The production of this Policy was undertaken within existing resources.	It was considered appropriate that the Council had an up-to-date Policy with regard to this issue.	Detailed Policy options were considered by the Joint Staff Consultative Panel	David Ray (01359-250912) Louise Hammond (01284-757008)

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			Use, Retention and Disposal of Disclosure Information, as contained in Appendix B to Report A95 (Amended), be approved:- (1) Paragraph 1.1, be amended to read, *'.....treat all applicants fairly and not to discriminate against any subject of a Disclosure **solely** on the basis of conviction or other information revealed;* (2) Paragraph 4.2, reference to *'Unison'*, be replaced with *'the Unions'*; (3) Paragraph 7.5, reference to *'is shredding'* be replaced with *'will be shredded'*; and (4) Paragraph 7.5, reference to, *'We **may** keep a record of the date of the issue of a Disclosure ....'* be replaced with, *'We **will** keep a record of the date of the issue of a Disclosure....'*. **(c) Policy on Psychometric Testing** The Policy on Psychometric Testing, as contained in Appendix A to Report A96, be approved.	The production of this Policy was undertaken within existing resources.	It was considered appropriate that the Council had an up-to-date Policy with regard to this issue.	Detailed Policy options were considered by the Joint Staff Consultative Panel	David Ray (01359-250912) Louise Hammond (01284-757008)
13	Boundary Committee Review of Suffolk: Judicial Review (Aug 09/03)	A149	Subject to the approval of full Council, (1) Delegated authority be granted to the Head of Legal and Democratic Services, following advice from counsel	A further specific reserve of up to £50,000 has been allocated to cover the eventuality that the Boundary Committee's	It was considered prudent to make further financial provision for the additional expense which maybe incurred if the Boundary Committee's appeal succeeds.	Not to allocate further funding was not considered an option.	John Griffiths (01284-757136) Joy Bowes (01284-757141)

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			and after consultation with the Leader of the Council and Chief Executive, to instruct a barrister and, jointly with other councils, resist the appeal and take any other further legal action arising in connection with the existing Judicial Review; and (2) a further specific reserve of up to £50,000, additional to the existing reserve created for the purposes of the Judicial Review, be created to cover the costs associated with the appeal.	appeal succeeds.			
15	Public Venue Working Party: 15 July 2009 (Aug 09/10)	A150	The new public building (Venue) in the arc development, Bury St Edmunds, be named The Apex.	Consultants were retained to assist in the process for naming the Venue at a cost of £30,000.	The Council had to name the new public building situated in the new arc development in Bury St Edmunds, which was subject to an extensive process.	As part of the process for selecting an appropriate name over 500 names were initially considered.	Lynsey Alexander (01284-765054) Neil Anthony (01284-757064)
16	Emergency Panel: 21 July 2009 (Aug 09/07)	A151	**(1) Community Preparedness** The details of the status of individual parishes with regard to emergency preparedness, as detailed in Appendix A to Report A113, be approved for publication on the Community Preparedness web pages. **(2) West Suffolk Joint Emergency Planning Training Programme 2009/2010**	Placing this information on the website will be undertaken within existing resources. The cost of the training programme is within approved budgets.	There will be an easily accessible information database. The Council is required to provide appropriate training to deal with emergency situations.	Options were considered by the Emergency Panel. Options were considered by the Emergency Panel.	Sara Mildmay-White (01359-270580) David Bird (01284-757035) Sara Mildmay-White (01359-270580)

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			The 2009/2010 West Suffolk Joint Emergency Training Programme, detailed in Appendix A to Report A114, be approved.				David Bird (01284-757035)
17	Sustainable Development Panel: 22 July 2009 (Aug 09/06)	A152	**(a) Replacement St Edmundsbury Borough Local Plan 2016: Development Brief for land between Upthorpe Road and Hepworth Road, Stanton** Subject to approval of full Council, the Design Brief for the development of land between Upthorpe Road and Hepworth Road, Stanton be adopted as non-statutory planning guidance for the determination of future planning applications. **(b) St Edmundsbury Local Development Framework: Core Strategy Submission Document** Subject to approval of full Council, (1) the Core Strategy Submission Document and Sustainability Appraisal and Habitat Regulations Assessment Screening, as amended to include:- (a) reference to accommodating, where appropriate, sites for gypsies and travellers in strategic	The Development Brief was prepared by the developers. The work on the Local Development Framework is undertaken within approved budgets.	A development brief is required by the adopted Local Plan. The Council is required to produce a Local Development Framework.	No options were considered as a development brief is a requirement. Not to produce a Local Development Framework is not an option.	Chris Rand (01284-757352) Terry Clements (01284-827161) Ian Poole (01284-757350) Terry Clements (01284-827161)

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			directions of growth; and (b) Insert in Policy CS2 E) after "A network of designated sites", including the Breckland Special Protection Area (SPA)* INSERT AT THE END OF THE POLICY * Only *development that will not adversely affect the integrity of the SPA will be permitted. In applying this policy a buffer zone has been defined that extends 1,500m from the edge of those parts of the SPA that support or are capable of supporting stone curlews, within which:-* *a) Permission may be granted for the re-use of existing buildings and for development which will be completely masked from the SPA by existing development; alternatively* *b) Permission may be granted for other development not mentioned in sub-paragraph (a) provided it is demonstrated by an appropriate assessment that the development will not adversely affect the integrity of the SPA.* be recommended for approval as emerging Council Policy and for public consultation; and (2) any minor typographical, factual and grammatical				

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			changes to the final document be agreed by the Head of Planning and Engineering in consultation with the Portfolio Holder for Transport and Planning.				
			(c) St Edmundsbury Local Development Framework: Development Management Development Plan Document (1) The Development Management Development Plan Document and related Sustainability Appraisal be approved for public consultation; and (2) any minor typographical, factual and grammatical changes to the final document be agreed by the Head of Planning and Engineering in consultation with the Portfolio Holder for Transport and Planning.	The work on the Local Development Framework is undertaken within approved budgets.	The Council is required to produce a Local Development Framework.	Not to produce a Local Development Framework is not an option.	Jackie Ward (01284-757364) Terry Clements (01284-827161)
			(d) St Edmundsbury Local Development Framework: Site Allocations Issues and Options – Additional Sites Consultation Document (1) The site Allocations Issues and Options: Additional Sites Consultation Document, as attached as Appendix A to Report A119, be approved for public consultation; and	The work on the Local Development Framework is undertaken within approved budgets.	The Council is required to produce a Local Development Framework.	Not to produce a Local Development Framework is not an option.	Emma Ousbey (01284-757694) Terry Clements (01284-827161)

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			(2) any minor typographical, factual and grammatical changes to the final document be agreed by the Head of Planning and Engineering in consultation with the Portfolio Holder for Transport and Planning.				
			(e) St Edmundsbury Local Development Framework: Strategic Housing Land Availability Assessment (SHLAA) 2009 (1) The St Edmundsbury Strategic Housing Land Availability Assessment 2009 be approved for publication as part of the evidence base for the St Edmundsbury Local Development Framework; and (2) any minor typographical, factual and grammatical changes to the final document be agreed by the Head of Planning and Engineering in consultation with the Portfolio Holder for Transport and Planning.	The work on the Local Development Framework is undertaken within approved budgets.	The work on the Local Development Framework is undertaken within approved budgets.	The work on the Local Development Framework is undertaken within approved budgets.	Anne-Marie Howell (01284-757342) Terry Clements (01284-827161)
18	Bury St Edmunds Area Working Party: 20 July 2009 (Aug 09/04)	A153	**(a) Gates: Nelson Road, Bury St Edmunds** That the design and funding of new gates in Nelson Road, Bury St Edmunds, as detailed in Section 4 and Appendix B of Report A107, be approved.	The estimated cost is £10,000, which will be funded from Section 106 monies for public realm works in Bury St Edmunds.	Residents of Nelson Road had requested improvements to the existing gates. The gates would also hep finish the public realm works associated with the Cattle Market redevelopment.	Options were considered in detail by the Bury St Edmunds Area Working Party.	Steve Boor (01284-757323) Sara Mildmay-White (01359-270580)

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			(b) Bury St Edmunds Victoria Street: Conservation Area Appraisal and Management Plan The revised Bury St Edmunds Victoria Street Conservation Area Appraisal and Management Plan, attached as Appendix B to Report A108, be adopted as planning guidance.	The production of this document was undertaken within existing resources.	The Appraisal and Management Plan are required for non-statutory planning guidance.	Options were considered in detail by the Bury St Edmunds Area Working Party.	Christine Leveson (01284-757323) Sara Mildmay-White (01359-270580)
			(c) Bury St Edmunds Town Centre Management Proposed Business Improvement District (BID) (1) The Borough Council supports the Business Improvement District (BID) process, subject to further discussions regarding the financial implications for the Borough Council; and (2) the Corporate Director for Economy and Environment be authorised to spend up to £5,000 from LABGI funds.	If this BID is successful the Council will incur set up costs of £17,750 and first year costs of £8,100.	BIDs are being established throughout England and from initial consultations there is support from businesses in Bury St Edmunds.	Options were considered in detail by the Bury St Edmunds Area Working Party.	Andrea Mayley (01284-757343) Sara Mildmay-White (01359-270580)
19	Haverhill Area Working Party: 23 July 2009 (Aug 09/05)	A154	**(1) Public Art in the Town Centre of Haverhill (PATCH): Presentation** Subject to ascertaining the feasibility of engineering the designs for public artwork in Queen Street, Haverhill, the following design option be approved:-	The art work will be undertaken within the approved budget.	Public art works will support the Queen Street Enhancement Scheme.	Art works were considered in detail by the Haverhill Area Working Party.	Nigel Aitkens (01284-735258) Mike Dawson (01284-757060)

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			(1) larger gates incorporating the Lime Leaf design and manufactured from aluminium and stainless steel for installation at the Lower Downs Slade end of Queen Street; (2) smaller gates, also incorporating the Lime Leaf design and manufactured from aluminium and stainless steel for installation at the High Street end of Queen Street; (3) sculptured figures be positioned in specific locations in Queen Street, with the option to relocate them to other designated sites in Haverhill; and (4) planters reflecting the above aluminium and stainless steel design feature also be incorporated into Queen Street.				
			(2) Friday Market Expansion into the High Street, Haverhill The proposal to expand the Friday market to the High Street, Haverhill, be approved in principle, subject to the following:- (1) the officers undertake	There are no direct budgetary implications.	To enhance the market provision in Haverhill and attract more people into the Town Centre.	Not to expand the market.	Nigel Aitkens (01284-735258) Mike Dawson (01284-757060)

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			consultations, detailed in paragraph 5.1 of Report A133, and following the outcome of the consultation a further report be brought back to the Haverhill Area Working Party before the proposal proceeds; (2) Suffolk County Council (SCC) be approached to undertake necessary amendments to the current Traffic Regulation Order (TRO) applicable to the High Street as part of its current consultations on changes to traffic restrictions in the town centre, as detailed in 3.2 of Report A133; and (3) (a) engineering works be undertaken to make the necessary alterations to the entrance to the Town Hall car park from Quakers Lane; and (b) should there be a delay in receiving funding from SCC in respect of funding the engineering works estimated at approximately £4,000, the works be funded from the Haverhill Masterplan (revenue) Reserve Fund.				

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			(3) Haverhill Town Centre Management: Planned Activities to March 2010 The Haverhill Town Centre Management Work Programme for 2009/2010, as detailed in Report A134, be approved including the following five priority areas identified by the Town Centre Manager:- (1) regularly liaising with businesses located in Haverhill Town Centre; (2) supporting the launch and progress of the Queen Street Shop Front Grant Scheme; (3) promoting the new 89A Bus Service which will provide direct access between Haverhill and the villages of Great Yeldham via Birdbrook and Ridgewell; (4) promoting the retail, leisure amenities and events in and around Haverhill through the *'Winter in West Suffolk 2009'* brochure; and (5) promoting Queen Street following its enhancements.	The Work Programme will be undertaken within the approved budget.	The Work programme will promote the viability of the Town Centre.	Details of the programme were considered by the Haverhill Area Working Party.	Nigel Aitkens (01284-735258) Mike Dawson (01284-757060)
			(4) Queen Street Enhancement Scheme: Proposed Commemorative Plaque The design, materials and costs proposed for the installation of two Plaques to commemorate the completion	The plaques will be financed from the approved budget.	To commemorate the completion of Queen Street Enhancement Scheme.	Options were considered in detail by the Haverhill Area Working Party.	Nigel Aitkens (01284-735258) Mike Dawson (01284-757060)

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			of the Queen Street Enhancement Scheme, as detailed in Section 2 of Report A136, be approved. (**5) Haverhill Range of Bespoke Street Furniture: Raised Planter for Trees and Shrubs** The design for a raised planter for trees and shrubs, with the option to incorporate a 'perch' seating element, where appropriate, as detailed in Section 3.2 of Report A137, be approved as an addition to the 'Haverhill Range' of bespoke street furniture.	The street furniture will be financed from within approved budget.	To enhance the range of the bespoke street furniture.	Options were considered in detail by the Haverhill Area Working Party.	Nigel Aitkens (01284-735258) Mike Dawson (01284-757060)
20	Staff and Management Restructure: Report of the Chief Executive Officer	A155	(1) Proposals contained within Report A155 to move Senior Staff within the organisation and assign new duties as described be supported; and (2) the structure of Appendix 1 to Report A155 be endorsed.	It is currently estimated that there will be savings to the Council of £70,000 in a full year and £35,000 in 2009/2010 arising from this restructuring.	The Corporate Director for Community has been promoted to the post of Chief Executive Officer for Tewkesbury Borough Council and this promotion has provided the opportunity to review the current Senior Management arrangements of the authority.	To consider the opportunity to review the current Senior Management arrangements was not considered an option.	John Griffiths (01284-757136) Geoff Rivers (01284-757009)
21	Acquisition of Land: Use of Compulsory Purchase Powers	A157	Subject to the approval of full Council, (1) the Corporate Property Officer be authorised to negotiate with a view to agreeing a purchase by private treaty;	The financial implications will be the subject of a further paper.	If negotiations fail, the Council requires the option of using its compulsory purchase powers	Not to proceed with the acquisition on the property.	Nigel Aitkens (01284-735258) Joy Bowes (01284-757141)

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			(2) the use by the Council of its compulsory purchase order making powers pursuant to Section 226(1)(a) of the Town and Country Planning Act 1990 for the acquisition of the land shown outlined in orange on the plan attached to Report A157 and the other land referred to in the report ("the CPO") be authorised; and (3) the Head of Legal and Democratic Services be authorised to:- (a) serve requests for information (pursuant either to the Local Government (Miscellaneous Provisions) Act 1976 or the Town and Country Planning Act 1990) about the ownership or interests affecting the land for the purposes of promoting the CPO; (b) take all necessary steps to secure the making and confirmation of the CPO including the publication and service of all notices and the presentation of the Council's case at any public inquiry following the making of the CPO; and (c) enter into agreements with landowners setting out the terms for withdrawal of objections to the CPO,				

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			including, where appropriate, seeking exclusion of land or new rights from the CPO and/or making arrangements for the relocation of occupiers.				

Joy Bowes,
Head of Legal and Democratic Services
31 July 2009