



St Edmundsbury
BOROUGH COUNCIL

DECISIONS NOTICE

The following decisions were taken in the week ending Friday 5 November 2004 and, if not called in by Councillors, will come into force on Monday 15 November 2004. 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 p.m. on Friday 12 November 2004.

A. DECISIONS TAKEN BY CABINET – WEEK ENDING 5 NOVEMBER 2004

Item No.	Subject (Forward Plan Ref)	Report No.	Decision	Financial Implications	Reason(s) for Decision	Other Option(s) Considered	Contact(s)
4	Restoration of former Maltings, Elsey's Yard, Bury St Edmunds (Nov04/11)	V307	Subject to confirmation of Final Stage II Heritage Lottery Funding:- (a) £406,000 of the Council's capital funding for affordable housing for 2004/2005 and 2005/2006 be committed to the provision of five social housing units at the former Maltings, Elsey's Yard, Bury St Edmunds, as outlined in Section 3 of Report V307; and (b) subject to the clarification of the position regarding VAT recovery, the capital shortfall for the overall scheme be met by the Borough Council, up to a maximum of £155,000, from within the approved Capital Programme allocation of £250,000 for the renovation of	The estimated cost of the project is £1,696,500. The funding is as follows:- (a) Heritage Lottery Fund £802,000; (b) Borough Council's Affordable Housing contribution £406,000; and (c) St Matthew Housing contribution of £334,000. This funding totals £1,542,000. The anticipated shortfall of	The opportunity exists with the provision of partner and Heritage Lottery funding to secure the future of this historic building. In addition, there is an urgent need for more affordable housing in St Edmundsbury, especially for single people.	There is a substantial cost to the tax payer of 'doing nothing' due to the condition of the building and its listed status which requires it to be protected and maintained by the Borough Council.	Sara Mildmay-White (01359-270580) Frank Warby (01284-700678) Richard Combes (01284-757361)

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			Elsley's Yard in the financial year 2005/2006.	£154,500 to be funded from the approved allocation in the Borough Council's Capital Programme of £250,000.			
5	Refurbishment of the Athenaeum, Bury St Edmunds (Nov04/09)	V308	<p>(1) In accordance with the adopted findings of the Policy Development Committee's Capital Programme DR-IVE Review Team, the existing Capital Programme allocation for the refurbishment of the Athenaeum be increased from £350,000 to £370,000 to enable the Council to meet the requirements of the Disability Discrimination Act; the additional £20,000 to be vired from allocations in the existing Capital Programme which the Policy Development Committee has recommended should be deleted or reduced under DR-IVE;</p> <p>(2) Phase 1 of the works to the Athenaeum, as outlined in Report V308 and on the drawing attached to that report as Appendix A, be approved in order to improve accessibility to the premises; the cost to be met from within the revised Capital Programme allocation;</p> <p>(3) Phase 2 of the works (improved kitchen facilities and means of escape), as outlined</p>	There is a cost of £370,000 to enable the Borough Council to meet the requirements of the Disability Discrimination Act. The Borough Council has already allocated £350,000 in its Capital Programme and the balance of £20,000 will be vired from allocations in the existing Capital Programme which have been deleted or reduced by the DR-IVE process.	<p>It is a requirement of the Disability Discrimination Act that where a physical feature makes it impossible or unreasonably difficult for a disabled person to make use of a service, the service provider takes such steps as is reasonable to remove or overcome that physical barrier.</p> <p>There is also scope to make further operational improvements to the building.</p>	Options were considered under the Asset Management Plan review.	<p>Sara Mildmay-White (01359-270580)</p> <p>Andrew Varley (01284-753135)</p> <p>Ivan Sams (01284-757308)</p>

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			<p>in Report V308, also be approved provided that, following assessment of growth bids under the policy-based budgeting element of DR-IVE, sufficient additional capital funding is included in the Capital Programme from 2005/2006;</p> <p>(4) the works approved commence on site in January 2006; and</p> <p>(5) in conjunction with (3) above, a combined growth bid for proposed Phases 2-4 also be assessed under the policy-based budgeting element of the DR-IVE process for 2005/2006 in order to establish the Council's overall position on the refurbishment scheme before any works commence.</p>				
6	Museum Service: Review (Nov04/03)	agenda item 6	<p>(1) In consultation with the relevant Portfolio Holders, the Corporate Director for Community carry out a review of the Borough Council's Museums Service; and</p> <p>(2) the findings of the review be scrutinised by the Policy Development Committee before being presented to the Cabinet in July 2005 as part of the Asset Management Review.</p>	Any financial implications will be identified during the review.	It was considered opportune for a fundamental service review of the Borough Council's Museums Service to take place in advance of the proposed Asset Management Plan Review of the two museums.	Options for the Museums Service will be considered during the review.	<p>Sara Mildmay-White (01359-270580)</p> <p>Andrew Varley (01284-753135)</p> <p>Terry Clements (01284-827161)</p> <p>Betty Albon (01284-757307)</p> <p>Neil Anthony (01284-757064)</p>

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8	Freedom of Information: Policy Statement	agenda item 8	Subject to the approval of full Council, the Freedom of Information Policy Statement as detailed in agenda item 8 be adopted.	There are no direct costs in the production of this policy statement. However there are costs associated with the implementation of the Act.	The Freedom of Information Act 2000 requires the Borough Council to produce a policy statement.	No options were considered as this is a statutory requirement.	Jeff Stevens (01440-762511) Natalie Tobutt (01284-757633)
9	The Service Plan and Budget Development Process (Nov04/05)	agenda item 9	(1) The proposed timetable for the development of the 2005/2006 Service Plans and Budget as detailed in Report V309 be approved; and (2) that the Part 1 Service Plans as amended by the Policy Development Committee be approved for use as the basis for the development of service priorities and the 2005/2006 budget.	There are no direct costs in producing the timetable or the production of the Part 1 Service Plans.	Good practice dictates that there is a published timetable for the development of the Borough Council's Service Plans and budget development process. The process also needs to be informed by provisional service priorities.	Options were considered by the Policy Development Committee on 20 October 2004.	Gerry Kiernan (01440-705135) Jeff Stevens (01440-762511) Adriana Shooter (01284-757613)
12	Leisure Centres Transfer Steering Group (Nov04/08)	exempt report V312	The Cabinet approved the recommendations contained within the report.	The cost of reinstating the Bury St Edmunds Leisure Centre after the fire and the cost of any improvement works taken at the same time will not be known until the completion of the rebuilding programme and quotations are received. However, most of the costs of the	The Borough Council must undertake reinstatement works as a result of the fire at the Bury St Edmunds Leisure Centre on 20 September 2004. In addition it is considered opportune to undertake some improvement works at the same time to minimise future disruption to the operation of the Leisure Centre.	Options were considered by the Leisure Centres Transfer Steering Group, in consultation with the Abbeycroft Leisure Board.	Terry Clements (01284-827161) Mike Dawson (01284-757060)

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				reinstatement works will be paid for by insurance companies and any improvement works will be funded from the approved budget within the Capital Programme.			
13	Bury St Edmunds Town Council: Potential Devolution of Services (Nov04/06)	V313	<p>(1) Further liaison take place with the Bury St Edmunds Town Council and investigation be undertaken into the implications, including staffing matters and costs, of devolving to the Town Council some or all of the Borough Council's current responsibilities regarding:-</p> <ul style="list-style-type: none"> (a) the provision and maintenance of bus shelters; (b) twinning; (c) the Carnival; and (d) signage; <p>(2) the Bury St Edmunds Town Council be a consultee only in respect of street naming;</p> <p>(3) the Borough Council take no action for the time being with regard to the other matters listed in Report V299; and</p> <p>(4) progress with regard to the matters set out in recommendation (1) above be reported to the meeting of the</p>	Any costs to the Borough Council will be determined at the end of negotiations with Town Council.	The reasons for the decisions relating to each individual service are listed in the report to the Working Party.	A range of services that could be devolved to the Town Council was discussed by the Borough Council's Working Party.	<p>John Griffiths (01359-268881)</p> <p>Joy Bowes (01284-757141)</p>

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			Bury St Edmunds Town Council Working Party on 16 February 2005.				
15	Draft Licensing Statement of Policy (Nov04/02)	V314	<p>Subject to the approval of full Council, the draft Policy Statement attached as Appendix A to Report V298, as amended by the Licensing & Regulatory Committee, be adopted subject to the following further amendment:-</p> <p>Subject to paragraphs 5.3 and 5.4, special policies will be considered for both the town centre and Station Hill areas of Bury St Edmunds.</p>	<p>There are no direct financial implications in adopting this Statement of Policy.</p> <p>The Council has already increased budgets to implement the Act itself.</p>	Approving the Policy and the proposed amendments following consultation will ensure that the Borough Council is in the best position to adopt and publish the Licensing Statement in advance of the statutory required date of 5 January 2005.	The Council has a statutory duty to produce a Licensing Statement of Policy. The detail of the Policy has been considered by the Licensing & Regulatory Committee, and been subject to an extensive consultation process.	<p>Frank Warby (01284-700678)</p> <p>Hilary Workman (01284-757113)</p>
16	Waste Management Recycling Credit Scheme (Nov04/16)	V315	<p>(1) The Consultation Paper on the Changes to the Recycling Credits Scheme be noted;</p> <p>(2) the Department for Environment, Food and Rural Affairs (DEFRA) be advised that the Borough Council recognises the need for change in the current system but has concerns as outlined in paragraph 3.7 of this report; and</p> <p>(3) the views as outlined in Appendix 1 of Report V315 be supported.</p>	<p>There are no direct costs in responding to this consultation exercise. However, there could be significant financial implications for the Borough Council depending on the actual changes made to the Recycling Credits Scheme by the Government.</p>	Given the high level of income received from recycling credits this subject is of high importance to the Borough Council and it is felt necessary to state St Edmundsbury's case both individually and in a joint response submitted by the Suffolk Waste Management Group.	Detailed considerations of the proposals were undertaken in consultation with the Suffolk Waste Management Group.	<p>Jeremy Farthing (01440-820763)</p> <p>Sandra Pell (01284-757300)</p>

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17	Planning Policy Panel (Nov04/14)	V316	<p>Subject to the approval of the full Council where applicable:-</p> <p>Employment Chapter – Proposed Modifications (1) the representations appended to Paper V222 be received and noted and the officers’ responses outlined in the Appendix be endorsed; and (2) the Revised Draft Employment Chapter be included in the Revised Draft Replacement Local Plan and the changes noted therein be adopted.</p> <p>Housing Chapter (excluding Rural Policies) – Proposed Modifications (1) the representations appended to Paper V273 be received and noted and the officers’ responses outlined in Appendix B of Paper V273 be endorsed; and (2) the Revised Draft Housing Chapter attached as Appendix A to Report V273 be included in the Revised Draft Replacement Local Plan and the changes noted therein be adopted.</p>	<p>There are no new budgetary implications in amending the Replacement Local Plan.</p> <p>There are no new budgetary implications in amending the Replacement Local Plan.</p>	<p>Amendments to this Chapter arise from extensive consultation and consideration of the responses received.</p> <p>Amendments to this Chapter arise from extensive consultation and consideration of the responses received.</p>	<p>Options were considered by the Planning Policy Panel in response to consultation.</p> <p>Options were considered by the Planning Policy Panel in response to consultation.</p>	<p>Jeremy Farthing (01440-820763)</p> <p>Ian Poole (01284-757350)</p> <p>Jeremy Farthing (01440-820763)</p> <p>Ian Poole (01284-757350)</p>

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			<p>Town Centre and Retailing Chapter (excluding Rural Policies) – Proposed Modifications That the Town Centres and Retailing Chapter, as detailed in Report V274, be agreed with the exception of the hanging signs policy which was to be revisited and which would be deferred for reconsideration at a future Planning Policy Panel.</p> <p>Draft Planning Policy Statement 9 – Biodiversity and Geological Conservation (1) the contents of Report V275 be noted; and (2) the comments contained in section 5 of the report be agreed to form the basis of the Borough Council's response to the Office of the Deputy Prime Minister on draft Planning Policy Statement 9 – Biodiversity and Geological Conservation.</p>	<p>There are no new budgetary implications in amending the Replacement Local Plan.</p> <p>There are no direct financial implications in responding to this consultation document.</p>	<p>Amendments to this Chapter arise from extensive consultation and consideration of the responses received.</p> <p>It is considered important to respond to the consultation document which took into account the recent developments in Conservation Regulation and Acts, and incorporated new policies and recent priorities. It provided a clearer focus on nature conservational considerations.</p>	<p>Options were considered by the Planning Policy Panel in response to consultation.</p> <p>Options were considered by the Planning Policy Panel.</p>	<p>Jeremy Farthing (01440-820763) Ian Poole (01284-757350)</p> <p>Jeremy Farthing (01440-820763) Ian Poole (01284-757350)</p>
18	Cattle Market Redevelopment Working Party (Nov04/17)	V317	<p>Emerging Designs The Cabinet also reaffirmed its support for the resolution approved by Council on 26 February 2004 and endorsed the resolution of the Cattle Market Redevelopment Working Party on 19 October</p>	<p>The financial implications of the Cattle Market redevelopment are under continual review.</p>	<p>Due to the consultation processes and changing requirements there is a need to revise the planning applications.</p>	<p>Options concerning the Cattle Market redevelopment are under continual review arising from consultations and considerations by the Cattle Market Redevelopment Working Party.</p>	<p>Andrew Varley (01284-753135) Jerry Massey (01284-757302)</p>

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			<p>2004, namely:-</p> <p>(1) Centros Miller, the development partner for the Cattle Market, be advised that the Borough Council, as current landowner and prospective owner of the site, has no objection to the Developer submitting amendments to the planning application for the mixed use development and to the submission of a new planning application for the revised link to the town centre based on the designs presented to the Working Party on 19 October 2004; and</p> <p>(2) in granting this approval it is acknowledged that there will be further changes to specific elements of the scheme during the planning process. Any changes that represent a significant variation from the form and nature of the current proposals will be reported to the Cattle Market Redevelopment Working Party for comment before submission to the planning authority.</p>				
20	Cattle Market Redevelopment Link	exempt agenda item 20	The Director for Economy & Environment be authorised to report direct to full Council on 16 November 2004 regarding the provision of a link, after having consulted with the	The financial implications are still subject to negotiation.	Considerable discussion and consultation with all interested parties on the link between the existing town centre and the Cattle Market redevelopment has	The Cattle Market Redevelopment Working Party has considered numerous options associated with the provision of a link between the existing town centre and	<p>Andrew Varley (01284-753135)</p> <p>Jerry Massey (01284-757302)</p>

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			Cattle Market Redevelopment Working Party at its meeting on 9 November 2004.		resulted in the need for the proposals to be reconsidered.	the Cattle Market redevelopment.	
21	Renovation of Numbers 3, 4, 5 and Samsons Tower, West Front, Bury St Edmunds (Nov04/13)	exempt report V319	(1) The current position, as outlined in Report V319, be noted; (2) authority be delegated to the Corporate Director for Resources, in consultation with the Portfolio Holder for Resources, to interview and, if appropriate, select a partner from those parties who have expressed an interest in delivering the restoration of the West Front, Bury St Edmunds; and (3) the Corporate Director for Resources, in consultation with the Portfolio Holder for Resources, the Head of Property Services and the Head of Legal and Democratic Services, negotiate and enter into a Development Agreement on agreed terms with the successful party.	The financial implications will be subject to negotiations with the development partner.	The previous Development Agreement expired with effect from 10 September 2004.	The option remains for the Borough Council to undertake the work itself, however, there would be risks associated with the costs of the works and the anticipated receipts.	Sara Mildmay-White (01359-270580) Ivan Sams (01284-757304)
22	Housing Benefit Overpayments: Proposed Write-Offs	exempt report V320	One case of overpaid Housing Benefit totalling £1,791.21 and Council Tax Benefit of £480.94, as detailed in Appendix 1 to Report V320, be approved for write-off.	The Council has written-off a total of £2,272.15.	The details for making the decision are included in the information provided in Appendix 1.	It was considered that writing off the debt was the most appropriate option in this case.	Sara Mildmay-White (01359-270580) Graham Moore (01284-757252)

Joy Bowes, Head of Legal and Democratic Services
5 November 2004

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