

# Public Document Pack



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To The Members of the Council

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Date 28 September 2009

## AGENDA SUPPLEMENT

Dear Sir/Madam

### COUNCIL - THURSDAY 1 OCTOBER 2009

I refer to the agenda for the above-mentioned meeting and enclose the following items:

Item No	Report Title	Page Nos
6.	<u>Cabinet Meeting - 15 September 2009</u>  Unconfirmed minutes of the Cabinet meeting held on 15 September 2009.	63 - 71
20.	<u>Exclusion of Press and Public (Additional Item)</u>  To consider passing the following resolution:  "That under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act".	
21.	<u>Property Item (Additional Item)</u>  Report of the Deputy Chief Executive.	To Follow

Yours faithfully

*Sheila Cresswell*

Member Services Officer

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**BRECKLAND COUNCIL**

**At a Meeting of the**

**CABINET**

**Held on Tuesday, 15 September 2009 at 9.30 am in  
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mr J.W. Nunn (Chairman)	Mr W.H.C. Smith
Mr S. Askew	Mrs A.L. Steward
Mr P.D. Claussen	Mrs T. Hewett
Lady Fisher	

**Also Present**

Mrs L.S. Turner	Mr M.A. Kiddle-Morris
Mrs D.K.R. Irving	

**In Attendance**

Ian Vargeson	- Member Services Manager
Julie Britton	- Senior Member Services Officer
Mark Finch	- Finance Manager
Robert Walker	- Director of Community Services
Trisha Bailey	- Commercial Property Manager
Gordon Partridge	- Principal Environmental Health Officer
Trevor Holden	- Chief Executive
Maxine O'Mahony	- Director of Organisational Development
Stephen James	- Policy and Performance Manager

**Action By**

**79/09 MINUTES (AGENDA ITEM 1)**

The Minutes of the meeting held on 4 August 2009 were agreed as a correct record and signed by the Chairman.

**80/09 APOLOGIES (AGENDA ITEM 2)**

An apology for absence was received from Mr R. Goreham.

**81/09 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)**

The following non-Members were in attendance:

Mrs D. Irving  
Mrs L. Turner  
Mr M. Kiddle-Morris.

**Action By**

**82/09 MEDIUM TERM FINANCIAL STRATEGY AND CAPITAL STRATEGY  
(AGENDA ITEM 7)**

Members were asked to consider the Medium Term Financial Strategy and Capital Strategy following the period of public consultation that was now coming to an end.

It was a requirement of the Use of Resources Key Lines of Enquiries to have a Medium Term Financial Strategy and Capital Strategy in place, covering a minimum of three years.

The Strategies had been well received by the Audit Commission in 2008/09 and had both been updated to reflect the changing economic circumstances and the improvements that the Council had made over the last 12 months.

Further amendments were proposed as follows:

**Medium Term Financial Strategy**

- Page 13 of 24 under the heading Comprehensive Performance Assessment (CPA) to be amended to read: "The Authority was judged as '*good*' under CPA".

**Capital Strategy**

- Page 7 of 14 under the heading Balance of Funding to be amended to read: "...helping Breckland to charge the lowest '*District*' Council Tax of any district in England".
- Page 9 of 14 under the heading Monitoring of the Delivery of the Capital Programme to be amended to read: "The functions carried out in 2 will be delivered by an Officer and *Member* Working Group.....".

The Executive Member for Governance and Corporate Development conveyed his thanks to the Finance Officers for producing an extremely good report that was easy to read. He also thanked his predecessor, Lady K Fisher, who had overseen the whole process.

He drew Members' attention to a number of areas in the report which he felt were worth highlighting particularly with regard to Breckland's aspiration of a 0% council tax increase for 2010/11, the General Balance, which it would be proposed to set at a minimum level of £2m, the new Capital Working Group and the new Contract Monitoring Team.

Referring to the Council Tax, however, Breckland's aspiration might be difficult to achieve following the Prime Minister's recent announcement on public spending cuts. He also mentioned that, although the average Council Tax Band in England was a 'D', the fact that the majority of homes in Breckland were in Band B meant that residents were paying a lot less towards the services that the District provided.

**Action By**

Referring to the chart illustrating the Authority's income from sales, fees and charges, he asked the Cabinet to note that the income illustrated by King's Lynn and West Norfolk Borough Council, Breckland's nearest neighbour of comparative councils, included car parking charges; Breckland Council's did not. The Executive Member for Governance and Corporate Development pointed out that this authority would not introduce such charges unless requested by the Town and Parish Councils.

Lady K Fisher, the former Executive Member for Finance and Governance, thanked her successor for his comments and also thanked the Officers for all their hard work. She knew that Breckland faced considerable challenges in the future but felt confident that the Council was relatively well placed.

The Chairman questioned the General Income fund which illustrated a steady increase in grant income; he asked the Finance Manager whether the Council ought to be less optimistic following the recent announcement from Government about the estimated spending cuts. Members were informed that three years of government grants had been factored into the strategy; however, there would be major challenges in this particular area and the Council should not be overly pessimistic about grant levels.

Members were informed that the Chief Executive had been tasked with reducing the Council's current spend by 10% to prepare for future cuts in public spending.

**Options**

To recommend or not to recommend the Strategies to Council for approval.

**Reasons**

To provide a clear framework for Officers to manage the Council's finances over the medium term and to meet the requirements of the Use of Resources Key Lines of Enquiries.

**RECOMMEND** to Council that the Medium Term Financial Strategy and Capital Strategy be approved.

**Robert  
Barlow**

**83/09 HOUSING RENEWAL POLICY (AGENDA ITEM 8)**

The Principal Environmental Health Officer presented the report which concerned a review of the Housing Renewal Policy and the incorporation of an equity release scheme as part of a Norfolk Local Area Agreement initiative.

It was explained that the Environmental Health Team would be gradually renewing or revising all of its policies in the near future. This particular policy had been revised and was not connected to the disabled facilities grant.

**Options**

**Action By**

- 1) To adopt the new policy and equity release scheme which reflected current legislative provision widened the scope of available assistance.
- 2) Not to adopt the new Policy.

**Reasons**

- 1) To enable the Council to offer assistance to help vulnerable households to maintain their properties, enhance their quality of life and to prevent deterioration of Breckland's private housing stock.
- 2) The inclusion of the Equity Release Programme tapped into an additional £1million external funding stream as part of a joint bid by the seven District Councils to assist in meeting the Norfolk LAA target for Decent Homes. It further increased the potential interventions the Council could make to help maintain the private sector stock (an issue identified in the recent CAA audit).
- 3) The continuation of the existing schemes and the addition of the equity release option demonstrated the Council's commitment to improve and maintain the private sector stock. The latest stock condition survey indicated that 17% of the private stock fails the Decent Homes standard.

**RESOLVED** that the Housing Renewal Policy and the Enhance Equity Release Scheme be adopted.

**Gordon  
Partridge**

**84/09 MOVABLE HOUSING POLICY (AGENDA ITEM 9)**

The Principal Environmental Health Officer presented the report which concerned a policy for moveable dwellings reflecting the changes in legislation and good practice and to adopt new standards for permanent residential units.

Whilst the underlying legislation remained unchanged new legislation covering the fire safety aspects of caravan and camping sites had been brought forward.

The Executive Member for Governance and Corporate Development asked whether these changes would have any effect on costs to residents in mobile homes. In response, Members were informed that this would not and there would not be any change to planning rules.

**Options**

- 1) To adopt the new policy and standards which reflect current legislative provision and the powers already adopted by Cabinet.
- 2) Not to adopt the new policy and/or standards would present difficulties in any future enforcement proceedings.

**Reasons**

**Action By**

- 1) To enable the Council to comply with the current Model Standards.
- 2) To be able to justify its actions in relation to licensing of moveable dwellings.

**RESOLVED** that the Movable Dwellings Policy and its new standards be adopted.

**Gordon  
Partridge**

**85/09 ALLOCATION OF BRECKLAND COUNCIL'S AREA BASED GRANT FOR 2008-2011 (AGENDA ITEM 10)**

The Director for Community Services introduced the report which set out the proposals for the allocation of Breckland Council's Area Based Grant for 2008-2011. If approved, this would enable the Authority to undertake a programme of work on National Indicator 1 (percentage of people who believed people from different backgrounds got on well together in their local area).

An Area Based Grant was a non-ring fenced general grant allocated directly to local authorities as additional revenue. It was allocated according to specific policy criteria rather than general formulae. Local authorities were free to use all of this non-ring fenced funding as they saw fit to support the delivery of local regional and national priorities in their areas.

Members were informed that Breckland Council had been the recipient of the largest grant of this kind in Norfolk.

A question was asked about META, a project which was run by the Keystone Development Trust that provided advice, information and advocacy service for migrant workers and communities in Thetford and across the District. The Director for Community Services advised that META would be attending a future Cabinet meeting to present its work. Members would then have the option to agree the funding or not. It was explained that this would be a match for funding application in support of the Thetford Healthy Town project.

The Executive Member for Governance and Corporate Development supported this type of policy rather than putting communities into silos. The approach that was being taken would build stronger multi layered communities based on the young and the old and would not be concentrating on one particular group.

**Options**

To approve or not approve the proposals for the allocation of Breckland Council's Area Based grant and to accept or not accept the Migrant Impact Funding grant from the awarding body.

**Reasons**

Breckland's Area Based Grant allocation was largely based upon the 'community cohesion' best value performance indicator findings as per the 2006/07 General Best Value User Survey. The proposal

**Action By**

recommended to Members for approval would build on existing good practice in Breckland and enhance cohesion across all communities.

Breckland had been successful in attracting £250,000 Migration Impact Funding, the largest grant awarded to a local authority in Norfolk. These externally sourced funds would add value to existing good practice and activities delivered in Breckland by the Authority itself and a range of partners.

There was a strong economic case for building 'community cohesion'. Research (*guidance for local authorities on how to mainstream community cohesion into other services 2009*) had shown that more cohesive areas have lower crime levels, reduced fear of crime, improved [mental] health and improved participation in education/employment.

**RESOLVED** that the Migrants Impact Funding grant from the awarding body be accepted.

**RECOMMEND** to Council that:

- 1) the Area Based Grant funding for the Community Liaison Officer post be approved;
- 2) the Area Based Grant funding for the Participatory Budgeting scheme be approved; and
- 3) Cabinet be given delegated authority to approve Area Based Grant funding for Wayland Community Radio and META, on receipt of presentations from both organisations.

**Robert  
Walker**

**86/09 TRANSFERS OF BRECKLAND COUNCIL-OWNED LAND ON THE BARNHAM CROSS ESTATE TO PEDDARS WAY HOUSING ASSOCIATION - TO VARY THE SCHEME OF DELEGATION OF OFFICERS (AGENDA ITEM 11)**

The Commercial Property Manager presented the report which requested the Council's approval to vary the scheme of Officer Delegations to allow the Land Management Officer to approve transfers of land on the Barnham Cross Estate in Thetford to Peddars Way Housing Association at nil consideration.

The Executive Member for Economic, Health and Housing supported the recommendation as it would speed up the process. He was concerned, however, about the term 'nil consideration' being used as land at nil cost did not actually exist. The Head of Finance advised that the amounts were always reflected in the accounts and that these could be highlighted when produced annually.

The Executive Member for Governance and Corporate Development asked whether local Members were fully consulted before any such transfers.

He proposed that a further condition be added to the recommendation to ensure that a full consultation took place with the relevant Executive Member and Ward Member(s) on such transfers of land.

**Action By**

**Option 1**

That the scheme of delegation of officers be varied to allow the Land Management Officer to approve transfers of Breckland Council-owned land to Peddars Way Housing Association providing each request was processed in accordance with the approved land management framework and that the legal costs associated with such transfer(s) were borne by Peddars Way Housing Association. The exception to this would be where the commercial value of the land proposed to be transferred exceeded £10,000.00, when the matter would be referred to Cabinet for consideration/decision.

**Option 2**

That the scheme of delegation of officers not be varied resulting in Cabinet having to continue determining requests for the transfer of Breckland Council-owned land to Peddars Way Housing Association.

**Reasons**

Efficiency savings would be made both for Officers and Members.

Such requests would be determined sooner.

**RECOMMEND** to Council that the scheme of delegation to Officers be varied to allow the Land Management Officer to approve transfers of Breckland Council-owned land on the Barnham Cross Estate in Thetford to Peddars Way Housing Association, at nil consideration, subject to:

Zoe Footer

- 1) each request being processed in accordance with the approved land management framework;
- 2) the legal costs associated with such transfer(s) be borne by Peddars Way Housing Association;
- 3) any proposed transfer of land with a commercial value exceeding £10,000.00 to be referred to Cabinet for consideration; and
- 4) full consultation with the relevant Executive Member and Ward Member.

**87/09 GOVERNANCE AND PERFORMANCE REPORT (AGENDA ITEM 12)**

The Governance and Performance Monitoring report detailed how well the Council was using its resources to deliver value for money as well as better and sustainable outcomes for local people.

The Performance Manager provided Members with a detailed overview of the report.

Members' attention was drawn to the recommendations on pages 8, 9 and 10 of the document.



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The Executive Member for Economic, Health and Housing felt that the outcome of the discretionary HMO Licensing scheme project did not reflect what had actually happened. He explained that the Government had introduced the scheme which, in fact, was totally inadequate for a rural area such as Breckland. He felt that this information should be reflected in the report in some way.

The Executive Member for Governance and Corporate Development thanked the Performance Team for improving the knowledge of performance management. Referring to the customer feedback section, he asked whether there was a comprehensive satisfaction figure similar to the one that the Council used to receive from the Citizens Panel. In response, the Performance Manager explained that such data had recently been collected through the 'Play' Survey and would be brought to a future meeting.

**Options**

None.

**Reasons**

See report.

**RESOLVED** that the Governance and Performance report be noted, and the funding grants as listed on page 8 of the report from the awarding bodies be accepted.

**Stephen  
James**

**RECOMMEND** to Council that:

- 1) the budget for both the grant income and expenditure as detailed on page 8 of the Governance and Performance report be approved;
- 2) the variations to the Capital programme as shown on page 9 of the Governance and Performance report be approved;
- 3) the new 2009/10 budget of £8,142,787 be agreed to include the revised funding; and
- 4) the virements as listed on page 10 of the Governance and Performance report be approved.

**88/09 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 14)**

The Minutes of the Anglia Revenues and Benefits Partnership Joint Committee meeting held on 30 July 2009 were noted.

**89/09 BUSINESS IMPROVEMENT SUB-COMMITTEE (AGENDA ITEM 15)**

- a) Urgent Business (Minute No. 02/09)

The Member Services Manager explained that the conversion of the former Business Improvement Board to a Sub-Committee of Cabinet

**Action By**

restricted the membership to Executive Members only. Councillor Duigan could still attend the meeting but would not be able to vote on any matters discussed.

The recommendation to co-opt Mr P Duigan as a full voting member of the Business Improvement Sub-Committee was therefore not accepted.

b) Terms of Reference (Minute No. 4/09)

**RESOLVED** that the wording at clause 9 of the Business Improvement Sub-Committee's Terms of Reference be amended to ensure the use of 'sustainable' procurement, rather than 'green' procurement.

**Kevin J  
Taylor**

c) Minutes

**RESOLVED** that, subject to no action on the recommendation at 02/09, the Minutes of the Business Improvement Sub-Committee meeting held on 7 September 2009 be adopted.

**90/09 NEXT MEETING (AGENDA ITEM 16)**

The next meeting of the Cabinet would be held on Tuesday, 27 October 2009 at 9.30am in the Norfolk Room.

The meeting closed at 10.25 am

CHAIRMAN