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To The Members of the Council

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Date 14 December 2009

AGENDA SUPPLEMENT

Dear Sir/Madam

COUNCIL - THURSDAY 17 DECEMBER 2009

I refer to the agenda for the above-mentioned meeting and enclose the following items which had been marked 'to follow':

Item No	Report Title	Page Nos
5.	<u>Cabinet Minutes - 8 December 2009</u> Unconfirmed minutes of the Cabinet meeting held on 8 December 2009.	62 - 71
6.	<u>Overview and Scrutiny Commission - 26 November 2009</u> Unconfirmed minutes of the meeting of the Overview and Scrutiny Commission held on 26 November 2009.	72 - 79
9.	<u>Standards Committee - 8 December 2009</u> Unconfirmed minutes of the meeting of the Standards Committee held on 8 December 2009.	80 - 83

Yours faithfully

Sheila Cresswell

Member Services Officer

BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 8 December 2009 at 9.30 am in
Norfolk Room, The Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr J.W. Nunn (Chairman)	Mr M.A. Kiddle-Morris
Mr S. Askew	Mr W.H.C. Smith
Mr P.D. Claussen	Mrs T. Hewett
Lady Fisher	

Also Present

Mrs D.K.R. Irving

In Attendance

Ian Vargeson	- Member Services Manager
Robert Barlow	- Director of Governance and Finance
Julie Britton	- Senior Committee Officer
Sue Daniels	- Electoral Services Manager
Robert Walker	- Director of Community Services
David Spencer	- Principal Planning Policy Officer
Darryl Smith	- Principal Housing Officer (Strategy and Enabling)
Stephen James	- Policy and Performance Manager
Pam Sayle	- Corporate Consultation and Communications Officer
Riana Rudland	- PFI Leisure Monitoring Officer and Sports Development Officer

Action By

106/09 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 27th October 2009 were confirmed as a correct record and signed by the Chairman.

107/09 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Philip Cowen, Robin Goreham, Mark Stokes and Maxine O'Mahony.

108/09 DECLARATION OF INTEREST (AGENDA ITEM 4)

Lady Fisher wished for it to be noted that a personal interest would be declared if any site specifics were discussed in relation to Agenda items 9 and 10.

Action By

109/09 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mrs D. Irving was in attendance.

110/09 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 6)

Members were made aware of the latest position concerning the recent announcement from the Boundary Committee on the Local Government Review.

The Chief Executives from all five Norfolk councils would be meeting later in the day to consider what further action needed to be taken.

The Secretary of State for Communities and Local Government had stated that anyone who wished to make representations on any unitary proposal that was being considered, or on any matters connected with it, could do so by 19 January 2010.

The Chairman stated that Keep Norfolk Local councils would continue to oppose the reorganisation.

111/09 GOVERNANCE AND PERFORMANCE MONITORING REPORT - QUARTER 2 2009/10 (AGENDA ITEM 7)

The Performance Manager presented the report which 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 report had been structured into four themed sections: managing finances, managing performance, governing the Council and managing resources.

Managing Finances

The forecasted year end outturn at the end of Quarter 2 had reflected an overall underspend of £72,520 for the Council.

Income shown on page 5 of the document showed three areas that were experiencing a shortfall.

Income related to Land Charges and Development Control were linked to the economic climate, whereas the Bed and Breakfast shortfall was as a result of the Council managing down its usage of this type of accommodation which reduced the potential recoverable income.

Under Treasury Management (page 6 of the report), both measures, of actual income and percentage interest, remained better than targeted.

The Capital Programme report on page 7 requested approval for a revised budget of £7,419,569. This reflected the proactive management of the scheme.

Page 11 of the report asked for virements to be agreed to reflect the latest

Action By

forecasts of spend and income and to ensure reported budget performance remained updated.

Additionally, on page 12, the report asked for grant funding awarded to the Council to be accepted and the income and expenditure approved.

Managing Performance

The Managing Performance section on page 13 of the report tracked the Council's performance against its Annual Delivery Plan. All variances to planned targets and milestones had been covered in more detail through the report.

Customer Service on pages 24 to 28 of the report showed how the Council was using its data collected through the call centre for National Indicator 14 to change the way it operated.

The Council had seen a fall in complaints during quarter 2 with 20 received compared to 38 the previous quarter. Compliments had remained similar to last quarter with 13 received.

Page 37 of the report considered the performance of contracts. Beginning with Serco, there had been a fall in the number of complaints received and an increase in satisfaction for all three areas monitored.

Parkwood Leisure, who delivered the leisure centres in partnership with Breckland, showed an increase in customer satisfaction levels in both Thetford and Dereham, with Thetford's levels being significantly increased against quarter 1 and currently standing at 85%.

Capita performance remained high with all but one indicator being on target. All critical performance indicators remained on target.

The Anglia Revenues Partnership remained challenged by increased demand due to the economic climate although performance remained high. Time taken to process housing benefit and council tax benefit was higher than target, but had seen consistent falls during the early part of Quarter 3.

Governing the Council

The Council's risks were managed through the Audit Committee and these were shown from page 47 to 66 of the report.

Managing Resources

Looking at how the Council managed its resources, an under-spend of £109,933 was forecast for the year end and that was against a 4% vacancy factor.

On page 56 of the report the Council had seen lower than targeted absence levels with 3.18 days per employee being recorded against a target of 3.75. This was significantly lower than at the same point for the previous two years.

Action By

The Vice-Chairman drew Members' attention to the under-spend and congratulated the Officers involved for their good management of the Council's resources which he felt was due to the adherence to the Audit Committee's good practice.

He also drew attention to the Treasury Management section of the report which showed that the Council had out-performed its target on the interest received.

Referring to the Anglia Revenues Partnership's (ARP) performance indicators, the Vice-Chairman wished for it to be noted that all targets had now been achieved.

The Executive Member for the Environmental Well-Being and Customer Contact Portfolio congratulated Officers on driving the Green Agenda forward. Many projects had been delivered, including working with Mattishall Primary School towards the Silver Eco Schools Award, implementing a strategy to reduce the Council's CO2 emissions and reducing the amount of paper being used in the Council offices. Car sharing was also being encouraged. She also drew attention to the compliments section, particularly in regard to the Contact Centre.

The Vice-Chairman felt that the consultation section of the report was very useful as 79% of all Breckland respondents thought that the Council should generate income by letting out its commercial property and 65% felt that income could be generated by working with other councils and private sector companies. Faced with the prospect of the Local Government Review, this showed that the Council was on the right track by driving forward its own shared services initiative with South Norfolk Council.

Options

Not applicable

Reasons

See report.

RESOLVED that the Governance and Performance report for Quarter 2 be noted, and

RECOMMEND to Council that:

- 1) the revised Capital Programme of £7,419,569 (as per table 2 on page 8 of the Governance and Performance report) be agreed;
- 2) the virements as listed on page 11 of the Governance and Performance report be approved;
- 3) the budget for both the grant income and expenditure as detailed on page 12 of the Governance and Performance report be approved; and

**Stephen
James/
Sheila
Cresswell/
Ian
Vargeson**

Action By

- 4) the funding grants from the awarding bodies, ODPM and Norfolk County Council, as listed on page 12 of the Governance and Performance report, be accepted.

**112/09 GRANT PANEL AND FUNDING RECOMMENDATIONS - ROUND 2
(AGENDA ITEM 8)**

The report summarised the funding recommendations that had been made by the Grant Funding Panel meeting held on 26 October 2009.

The PFI Monitoring and Strategic Sports Officer explained the various grants awarded.

Three Match Funding applications had been submitted, two of which had since been delegated and approved for Old Buckenham Cricket Club and Attleborough Junior Football Club, as they both were under £3,000 (the permitted amount to be delegated).

An application had been received from Hardingham Cricket Club for Capital Match Funding of £9,564.99, which had been recommended to Cabinet for a decision because of the amount of money being requested.

The money, if approved, would be used towards the renovation and installation of new changing, showering and storage facilities.

The Executive Member for the Communities and Benefits Portfolio was delighted that people were coming forward to apply for these grants.

The Vice-Chairman felt that credit should be given to the Officers concerned, who should be very proud of the assistance they provided to the applicants in helping to enhance their community.

The Executive Member for the Communications and Corporate Services Portfolio said that the money being requested would be of great benefit to Hardingham Cricket Club.

Options

- To approve individual Match Funding applications for the full amount requested
- To award individual Match Finding applications for a lesser amount
- To reject individual Match Funding applications

Reasons

See report.

RESOLVED that the Capital Match Funding application of £9,565 to replace the existing changing, showering and storage facilities at Hardingham Cricket Club as detailed in the report be approved, subject to:

**Catherine
Lang**

Action By

- 1) a maximum of £9,565 or 30% whichever is the lower;
- 2) confirmation of the total cost of the project; and
- 3) the balance of all other funding being confirmed.

**113/09 ADOPTION OF REVISED AFFORDABLE HOUSING POLICY
(AGENDA ITEM 9)**

The Principal Housing Officer (Strategy and Enabling) presented the report which invited Members to consider the Affordable Housing Policy as the delivery mechanism for the affordable housing criteria within the Local Development Framework (LDF) and recommend it to Council for approval.

The review and development of the new Policy had been undertaken with a Task & Finish Group consisting of Members and Officers. During the process particular experts had been scrutinised on their respective knowledge and experience to assist with the shaping of the Policy.

The Policy set out how the Council would apply the relevant policies DC4 and DC5 of the LDF in securing a supply of affordable housing whether on a site just for affordable housing or as part of a larger development with a developer.

The Principal Housing Officer asked Members to note that Policies DC4, DC5, DC1 and DC16 could not be changed as they were part of the Core Strategy document which had been widely consulted on, scrutinised and found to be sound by the Planning Inspector.

The Vice-Chairman believed that a request had been put to revisit Policy DC4 before it came to Cabinet. The Chief Executive advised this could be done at a later date should Cabinet request any changes

The Executive Member for the Planning, Health & Housing Portfolio felt that this Affordable Housing Policy had been through a very inclusive journey and congratulated the Officers concerned on a very good piece of work.

The Executive Member for the Environmental Well-Being and Customer Contact Portfolio was very pleased with the matters that related to sustainability. She would encourage the Green Agenda Panel to view the 'green' developments in the area.

Options

- 1) To recommend the Policy for adoption.
- 2) To propose changes to the Policy and subsequently recommend the Policy for adoption.
- 3) Not agree to recommend the Policy for adoption.

Reasons

Action By

The Policy had been drafted to take account of Members priorities whilst balancing the legislative framework which was in place to deliver affordable housing. The Task & Finish Group was able to challenge Officers to ensure that their thoughts delivered the expectations of communities.

The Policy had been drafted to reflect the Local Development Framework which had been widely consulted upon, scrutinised and found to be sound by the Planning Inspector.

RECOMMEND to Council that the revised Affordable Housing Policy be adopted.

**Darryl
Smith/
Sheila
Cresswell/
Ian
Vargeson**

114/09 RESPONSE TO CONSULTATION ON THE REVIEW OF THE EAST OF ENGLAND PLAN TO 2031 - SCENARIOS FOR HOUSING AND ECONOMIC GROWTH (AGENDA ITEM 10)

The Principal Planning Policy Officer presented the report.

Members were asked to consider the latest consultation paper on the review of the East of England Plan to 2031. The consultation process set out the implications behind each of the four growth scenarios for the District and the proposed response.

The need for a review had been highlighted by the Government and responded to the need to plan strategically over a period of 20 years.

Breckland Council had been an active participant in the preparation of the current East of England Plan. However, since the adoption of the current Plan, the Council had developed a significant evidence base to underpin the policies in the Core Strategy and justify the delivery of its housing and employment figures as set out in the Regional Spatial Strategy.

It was noted that scenarios 1 to 3 proposed the same annual figure and represented an overall decrease in the Council's dwelling completion rate whilst retaining a growth target of 12,830 over the period 2011 to 2031. This compared to an existing target of 11,900 new homes to be allocated in the Core Strategy and a Plan total of 19,211 homes to 2026.

The Vice-Chairman pointed out a number of concerns with regard to economic and population growth and the existing housing need.

The Principal Planning Policy Officer explained that the growth rates within the preferred scenario would still require significant infrastructure investment but by extending very similar growth levels over a longer period of time presented a greater opportunity to secure delivery and reduces pressure over the plan period. He drew Members' attention to paragraph 3.2.27 of the report and highlighted the fact that Breckland Council would like the review of East of England to respond to the demographic changes and the increasing requirement to meet housing need, particularly affordable housing.

The Chairman asked for the recommendation to be clarified. Members were informed that Option 1 was to support 'scenario 3'.

Action By

The Executive Member for the Planning, Health and Housing Portfolio asked what would happen to this particular document if there was a change of Government in 2010. Members were informed that the East of England Regional Assembly (EERA) was trying to prepare the review to a very tight time scale. It was pointed out that the EERA currently intended to submit the document to the Government for independent Examination in Public by no later than March 2010, thus resulting in extremely short deadlines for local authorities to respond and limited time for the Regional Planning Body to review and respond to comments made.

The Executive Member for the Planning, Health and Housing Portfolio asked if Region had indicated any level of assistance. He reminded Members that Thetford Enterprise Park would not have been delivered without Region's intervention and Snetterton would not happen without the assistance from Region for the necessary energy supply.

The Chief Executive reported that Officers were currently in negotiations with the East of England Development Agency (EEDA) and the Homes & Communities Agency (HCA) and early indications were that these projects would be supported.

Options

- 1) To endorse the contents the report (including support for growth scenario 3) as the Council's formal response to the RSS review consultation.
- 2) Object to the consultation document, and suggest an alternative option be submitted that utilised a more strict interpretation of the earlier presented GVA controlled housing figures (i.e. no net additional dwellings to 2031) that was previously endorsed by Cabinet in January 2009 and reflect these under consultation question number 1.

Reasons

Endorsing growth rates proposed at the consultation paper under 'Scenario 3' was considered to a reasonable option in providing for new housing growth in the District to 2031. The additional quantum of housing proposed could be accommodated in the period up to 2031 and would provide some flexibility in the distribution of the additional housing through future reviews of the Core Strategy Development Plan Document.

However, the ability to accommodate this growth was dependant upon the resolution of key infrastructure constraints identified through the production of the Core Strategy, particularly in respect of energy, water supply and waste water treatment capacity.

RESOLVED that Option 1 of the report be endorsed and the contents of the report be submitted to the Regional Assembly as the Council's formal response on the consultation of the review of the East of England Plan to 2031.

**Phil
Mileham,
David
Spencer**

Action By

115/09 ANNUAL MONITORING REPORT (AGENDA ITEM 11)

The Principal Planning Policy Officer presented the Annual Monitoring Report for the 2008/2009 financial year.

Section 35 of the Planning and Compulsory Purchase Act 2004 required all local authorities to produce such a report by 31st December each year.

Due to the progress of the Council's Core Strategy and Development Control Policies, this AMR followed the strategic themes outlined in that document. These were:

- Housing, Employment and Regeneration
- Natural resources
- Environment
- Accessibility

Paragraph 3.1.5 of the report reflected the amount of housing that had been developed across the financial year. It was pointed out that on 1st April 2009, 2228 dwellings had been either under construction or with planning permission and awaiting development; a very healthy position to be in.

Paragraph 3.1.7 – Retail/Town Centre Development had seen a loss of floor space due to the economic climate; however, now that the former Woolworth's stores had new tenants, it was recognised that the financial year for 2009/10 would look more positive.

Referring to the environment at paragraph 3.1.9 of the report, Members were informed that Breckland Council had permitted three planning applications contrary to advice from the Environment Agency with regard to flood risk. This figure had risen from the previous year, where none had been permitted.

It was noted that any issues that arose with Policy DC4 of the Affordable Housing Policy could be brought back through the AMR.

The Chairman had noticed that many village pubs were being closed and boarded up and eventually being converted into residential dwellings. He asked for this particular policy to be reviewed and strengthened to enable more to be done to prevent this from happening.

The Vice-Chairman mentioned the practice of another authority that dealt with this particular policy in a very different way to Breckland. Applications that were submitted to change the use of a public house to a dwelling were automatically refused and subsequently dealt with at Appeal.

Members supported the Chairman's proposal.

Options

N/A

	<u>Action By</u>
<p><u>Reasons</u></p> <p>Section 35 of the Planning and Compulsory Purchase Act 2004 required all local authorities to produce an Annual Monitoring Report (AMR).</p> <p>RESOLVED that the contents of the Annual Monitoring Report be noted.</p> <p>RECOMMEND to Council that Planning Policy DC19 be reviewed and strengthened particularly with regard to community facilities in villages such as public houses and shops.</p>	<p>David Spencer/ Sheila Cresswell/ Ian Vargeson</p>
<p>116/09 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 12)</p> <p>The Principal Member Services Officer read out the comments made by the Chairman of the Overview & Scrutiny Commission (O&SC) following the call-in of the delegated decision regarding the appointment of a specialist consultant to assist with the delivery of Phase 4 of the Snetterton Utilities Project.</p> <p>He wished for it to be noted that the O&SC had held a fulsome debate on this issue and as a consequence had agreed to support the delegated decision. Members were asked to bear in mind the benefit that a successful outcome of such a project would bring.</p> <p>RESOLVED that:</p> <ol style="list-style-type: none">1) the delegated decision regarding the appointment of a specialist consultant to assist with the delivery of Phase 4 of the Snetterton Utilities Project be supported.2) further endeavours be encouraged to secure additional contributions towards the project from land owners.	<p>Becky Jefcoate</p>
<p>117/09 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 13)</p> <p>The Minutes of the Anglia Revenues and Benefits Partnership meeting held on 8 October 2009 were noted.</p>	
<p>118/09 NEXT MEETING (AGENDA ITEM 14)</p> <p>The next meeting of the Cabinet would be held on Tuesday, 12 January 2010 at 9.30am in the Norfolk Room.</p>	

The meeting closed at 10.15 am

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 26 November 2009 at 2.15 pm in the
Anglia Room, Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr J.P. Cowen (Chairman)	Mr R.G. Kybird
Mr S.G. Bambridge	Mr K. Martin
Mr A.J. Byrne	Mrs S.M. Matthews
Mr S.H. Chapman-Allen	Mr D.S. Myers
Mr K.S. Gilbert	Mr J.D. Rogers
Mr R.F. Goreham (Vice-Chairman)	Mr B. Rose
Mrs D.K.R. Irving	Mr A.C. Stasiak
Mr A.P. Joel	

Also Present

Mr S. Askew	Mr M.A. Kiddle-Morris
Mr P.D. Claussen	Mrs L.S. Turner
Lady Fisher	

In Attendance

Mark Broughton	-	Scrutiny Officer
Michael Horn	-	Legal Services Manager
Catherine Lang	-	Community Development Officer
Stephen McGrath	-	Member Development Team Leader
Riana Rudland	-	PFI Leisure Monitoring Officer and Sports Development Officer
Mark Stanton	-	Economic Development Manager
Mark Stokes	-	Deputy Chief Executive
Robert Walker	-	Director of Community Services
Elaine Wilkes	-	Senior Committee Officer

Introductions

The Chairman thanked out-going Member, Mr. Mark Kiddle-Morris for his work on behalf of the Commission during his term of office on the committee and welcomed his replacement, Mr. David Myers.

109/09 MINUTES

The minutes of the meeting held on 15 October 2009 were confirmed as a correct record and signed by the Chairman.

110/09 APOLOGIES

An apology for absence was received from Mrs. M. O'Mahony, Director of Organisation Development.

Action By

Action By

111/09 URGENT BUSINESS (AGENDA ITEM 3)

The Chairman announced one item of urgent business as follows:

Appointment of Chairman for the Parking Task & Finish Group

Consequent upon the recent Executive Member changes, the office of Chairman of the Parking Task & Finish Group was vacant and a nomination was sought.

RESOLVED that Mrs. S.M. Matthews be appointed as Chairman of the Parking Task and Finish Group.

112/09 DECLARATION OF INTEREST (AGENDA ITEM 4)

The following declarations were made:

- Mr. P. Cowen – Personal interest as the Ward Member for Wayland Ward in relation to agenda item 8.
- Mr. R.F. Goreham – Personal interest as Dereham Town Councillor in relation to agenda item 6.
- Mr. S.G. Bambridge – Personal interest as Ward Member for Eynsford Ward (Bawdeswell Parish) in relation to agenda item 6.
- Mr. A.J. Byrne – Personal interest as a landowner in relation to agenda item 8.

113/09 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

The following members were in attendance:

- Mr. S. Askew, Executive Member for Organisation Development
- Mr. P.D. Claussen, Executive Member Housing, Health & Planning
- Lady Fisher, Executive Member for Environmental Well-Being and Customer Contact
- Mr. M. Kiddle-Morris, Executive Member for Economic & Commercial
- Mrs. L. Turner, Executive Support Member for Communities

Public speakers in attendance for agenda item 6 (Community Car Schemes) were:

- Mr. Antony Needham, Clerk to Dereham Town Council, and
- Mr. David Shannon, representing Bawdeswell Community Car Scheme

114/09 COMMUNITY CAR SCHEMES REVIEW (AGENDA ITEM 6)

Mr. Antony Needham, Clerk to Dereham Town Council, and Mr. David Shannon, Chairman of Bawdeswell Parish Council and representing Bawdeswell Community Car Scheme, were in attendance by invitation for this item.

The Director for Community Services presented the report, which advised Members on the operation of the Breckland Community Car Scheme and implementation of the new governance arrangements for

Action By

the scheme, which had been approved by the Council in September 2008.

Bawdeswell Parish Council had successfully introduced a scheme under the new governance arrangements.

Dereham Town Council had been approached to introduce a scheme under the new governance arrangements as it had one of the largest and most popular schemes existing in the District. However, the Town Council had expressed concern that the new agreement represented a significant change in the relationship between Breckland and scheme co-ordinators.

Mr. Shannon spoke on the experience of the operation of the new Bawdeswell scheme. The assistance given by Breckland and the Ward Member, Mr. Bambridge, in helping the parish to set up the scheme had been invaluable. While the scheme contract was between Breckland and Bawdeswell Parish Council, its use was offered to the neighbouring parishes of Bylaugh and Foxley on a cost-sharing basis. It was felt this had the added benefit of fostering community relations. Figures on use of the scheme were given and operational running costs of the scheme were put at £110, giving an approximate annual cost to Breckland of £250. The experience at Bawdeswell highlighted the need to allow time for new schemes to bed-in before seeking to assess their value for money. In the case of Bawdeswell, the scheme was felt to offer good value and savings to local, vulnerable residents.

Mr. Needham explained the Dereham Town Council's views in the matter. The Dereham scheme was an excellent one and one of the best and biggest in the country. The Town Council also had no concerns with the introduction of the various checks, which were acknowledged to be necessary for good governance.

The main issue of concern for the Town Council was that of the liability attaching to the scheme for town and parish councils; whilst this was reasonable for larger scheme operators such as Dereham, it was felt it could place a somewhat onerous burden on smaller parishes.

In response, the Head of Legal Services explained that the new contract clearly set out the various obligations on the parties, as was proper in any contract or agreement. The decision by Breckland Council to continue the scheme with the new governance arrangements was clearly made on the basis that in funding the scheme, the Council would not be liable for statutory and other liabilities under the scheme agreements.

The importance and value of the community car schemes were endorsed by members. Their preservation and enhancement was felt to be essential and the success of the Bawdeswell scheme should be an encouragement to other parishes to establish their own schemes. It was also felt important that the schemes adhere to the condition that they be used for medical related journeys only. Breckland would be a poorer district without such schemes.

In answer to a question, it was noted that the Bawdeswell scheme was the first to be established under the new arrangements but presentations to other parishes were planned.

Action By

The Director of Community Services explained that the level of support offered to Bawdeswell was consistent with that offered to others and in the first stage of transition to the new arrangement, there would be an officer resource to support its implementation.

A member questioned the style of wording used in the form of agreement as being somewhat off-putting but it was explained that this was the nature of legal agreements, which needed to be clear and specific.

The Chairman made the point that the Council decision in September 2008 had been unanimous and the decision had been taken in full knowledge of the risk of potential rejection of the individual scheme operators in taking on the responsibilities under the new governance arrangements, which could potentially lead to the closure of some of the car schemes.

In conclusion, the Commission confirmed its continued support for the community car scheme and the officer resource required to assist scheme operators through the transition period to the new arrangements.

115/09 EXECUTIVE MEMBER PORTFOLIO UPDATE (AGENDA ITEM 7)

Mr. Askew, Executive Member for Organisation Development, presented an update to the Commission on the areas of responsibility under his Portfolio and on current objectives.

The Portfolio covered the functions of Human Resources, Marketing and Communications, Member Services and Emergency Planning.

Key areas of work in progress included the following:

Member Services:

- Preparations for the General Election anticipated in May 2010
- Preparations to commence at the end of next year for the 2011 Census

Marketing & Communications:

- Arrangements for the Light Dragoons Welcome Home parade on 4 December 2009
- Re-styling of the Breckland Voice magazine and trialling new distribution method using Royal Mail (*see note below)
- Website development

Emergency Planning

- Preparations for business continuity planning exercise to take place on 8 January 2010
- Introduction of revised business continuity strategy

Human Resources

- Ongoing process working towards Investors in People accreditation in March 2010
- Commencement of Leadership Development Programme
- Preparations for staff recognition scheme to take place at the end of May 2010 (as part of the Pride in our People campaign).

In response to questions about current proposals for shared services, the Deputy Chief Executive explained that the two management teams

were meeting to outline the key principles and projected programme of activity involved, with a view to bringing a report to Members in the New Year. The Executive Member for Planning, Housing & Health added that an information item was being circulated to all members and staff to update them on the latest position.

The Chairman confirmed there would be a clear need for some individual and joint scrutiny of the process.

Referring to the new distribution arrangements for Breckland Voice, a member asked for a breakdown of the costs of postage compared to delivery by Serco. The details were not to hand but could be provided after the meeting.

Another member added that the cellophane wrapping of the magazine should be stopped and it was noted that this would be one of the benefits of using Royal Mail.

The position was noted and the Chairman thanked Mr. Askew for his report.

(*) Note: Mr. K.S. Gilbert declared a personal interest at this point as an employee of Royal Mail.

Action By

Councillor
Stephen
Askew

116/09 SCRUTINY CALL-INS (STANDING ITEM) (AGENDA ITEM 8)

(a) Contract for delivery of Snetterton Utilities Phase 4 - Limited Exception

It was agreed to take this item under agenda item 16 below, with press and public excluded (see minute 124/09).

117/09 CONTRACT MONITORING (AGENDA ITEM 9)

(a) Leisure PFI

The PFI Monitoring and Strategic Sport Development Officer presented the report, which updated Members on the operation of the PFI Leisure contract and on performance covering the period January to September 2009.

Some questions of detail from Members were answered and Members expressed their overall satisfaction with the report and current performance of the Contract.

Mr. A. Byrne as County Councillor undertook to take up the question raised by a Member of the delay in highways signage to the Leisure Centres with the relevant County Council department.

The report was noted.

(b) Environmental & Security Services

The Environmental Services Contract Manager presented the report, which updated Members on the operation of the Environmental Services contract and on performance, including customer satisfaction surveys, covering the period January to June 2009.

Councillor
Alec Byrne

Action By

It was noted that the tonnage of recycling waste was dropping. This was a county-wide drop in dry recyclables and the situation was being investigated. However, a significant reason was an across the board reduction in paper waste, thought to be as a result of the recession with people buying less newspapers.

Lady Fisher, Executive Member for Environmental Well-Being, advised that Serco provided one of the best value services in the country. Public satisfaction with the service was good and every opportunity was being taken to improve the service where possible. The Environmental Education Officer had recently won an award from CPRE for her environmental project work on raising awareness. Lady Fisher remained very pleased with current progress of the contract.

So far as the national indicators on performance were concerned, the dip in percentage rates on household waste recycled and composted (i.e. garden waste) was a seasonal one and collection rates were expected to be on target again in the next Quarter.

The targets on levels of litter and graffiti were expected to reach their targets by the end of the year.

In drawing the item to a close, the Chairman welcomed the fact that the economic downturn in relation to tonnage rates was being looked at and that there was likely to be a correlation between reductions in packaging and sales.

It was also recognised that there was now a conflict between the need to reduce waste and at the same time maintain tonnage targets, raising the question of how to balance the two.

The Chairman said he was also interested to see how major companies were being challenged to reduce their waste.

It was also noted that the County Council had yet to determine the preferred mechanism for waste disposal.

In response to the issue of minimisation, the Environmental Services Contract Manager confirmed that the national indicator (NI 191) (which had replaced the previous BVPI measure on amount of waste per household) related to the amount of waste going to landfill.

So far as the issue of business waste was concerned, the Council, with Serco, was looking at a number of options to improve collection and recycling.

In addition, officers were also looking at options and cost/benefits of rolling out a glass collection service across the district.

The report was noted.

**118/09 LOCAL GOVERNMENT OMBUDSMAN - ANNUAL LETTER
(AGENDA ITEM 10)**

The report was noted.

Action By

119/09 GREEN AGENDA DEVELOPMENT PANEL (AGENDA ITEM 11)

The minutes of the meeting of the Green Agenda Development Panel held on 29 September 2009 were received and noted.

120/09 IMPLICATIONS ON SCRUTINY OF CRIME & DISORDER REGULATIONS 2009 (AGENDA ITEM 12)

The Member Development and Scrutiny Officer presented the report, which explained the background to Sections 19-21 of the Police and Justice Act 2006 and the Crime & Disorder (Overview & Scrutiny) Regulations 2009 and their implications for the Council's Overview and Scrutiny function.

Under the legislation, all local authorities were required to have an Overview and Scrutiny Committee designated as a Crime and Disorder Committee, to meet as such at least once a year.

It was quite common in other local authorities operating with a single scrutiny committee and multiple task and finish groups to simply designate the main committee as the "Crime and Disorder Committee" and this was recommended in Breckland's case. This would have the minimum impact on the work of the Commission and its resource.

The Commission accepted the report and accordingly

RECOMMENDS TO COUNCIL that it designates the Overview and Scrutiny Commission as the statutory "Crime and Disorder Committee" under the Police and Justice Act 2006.

Subject to adoption of the above recommendation by the Council, it was further

RESOLVED that the Commission's work programme is amended to accommodate at least one "Crime and Disorder" meeting per annum or otherwise acts as the designated "Crime and Disorder" Committee to hear relevant Councillor Calls for Action as and when they arise.

Mark
Broughton

121/09 WORK PROGRAMME (AGENDA ITEM 13)

The following scrutiny reviews were agreed for inclusion in the work programme:

- Shared Services
- School holidays activities programme

The Member Development and Scrutiny Officer advised that proposals for joint scrutiny arrangements for the ARP Partnership review would be reported to the Commission's next meeting on 17 December 2009.

122/09 NEXT MEETING

The details were noted.

Action By

123/09 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and 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 Part 1 of Schedule 12A to the Act.

124/09 CONTRACT FOR DELIVERY OF SNETTERTON UTILITIES PHASE 4 - LIMITED EXCEPTION (AGENDA ITEMS 8 AND 16)

By delegated decision dated 27 October 2009, approval was given to make an exception under Section 2(a) of Contract Standing Orders to permit the appointment of Inventa Partners as a specialist consultant to assist in the delivery of Phase 4 of the Snetterton Utilities Project, to bring more energy suppliers to the table and enhance the Council's negotiating position.

The decision was called-in within the 5-day scrutiny period by Mr. R.G. Kybird and the Chairman of the Overview and Scrutiny Commission on the grounds of "insufficient financial data and concern that only one consultancy can provide the identified advice".

The Commission considered the relevant exempt report in the matter and received further background information on the various stages in the development of this project which is aimed at finding a solution to the critical energy supply requirements to support future development in the Snetterton area.

Members of the Commission were satisfied that the appointment of Inventa Partners followed a comprehensive selection process and that the company offered brokering expertise that the Council does not have. On that basis, the Commission confirmed its support for the decision.

During discussion of the matter, members of the Commission had regard to the considerable benefits that a solution to the energy supply issue in this area would bring to local landlords and were of the view that further endeavours should be made to secure additional contributions towards the project from local landowners.

RESOLVED to recommend to Cabinet that it notes that:

- (1) the Commission supports the delegated decision regarding the appointment of a specialist consultant to assist with the delivery of Phase 4 of the Snetterton Utilities Project; and
- (2) bearing in mind the benefit that a successful outcome of the project would bring to them, the Commission would encourage that further endeavours are made to secure additional contributions towards the project from local landowners.

The meeting closed at 4.45 pm

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

STANDARDS COMMITTEE

**Held on Tuesday, 8 December 2009 at 2.15 pm in
Norfolk Room, Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr M.D. Eveling	Mr B.D Rayner
Mrs J. Jenkins (Chairman)	Mr G. Ridgway
Mr D.S. Myers	Mr F.J. Sharpe
Mrs M. Oechsle	Mr M. Whittley

In Attendance

Susan Allen	- Standards Officer
John Chinnery	- Solicitor & Standards Consultant
Pam Sayle	- Corporate Consultation and Communications Officer
Elaine Wilkes	- Senior Committee Officer

Action By

49/09 MINUTES

The minutes of the meeting held on 27 October 2009 were confirmed as a correct record and signed by the Chairman.

50/09 APOLOGIES

Apologies for absence were received from Mr. D. Williams and Mrs. M. O'Mahony, Director of Organisation Development & Monitoring Officer.

51/09 URGENT BUSINESS

None.

52/09 DECLARATION OF INTEREST

No declarations were made.

53/09 NON-MEMBERS WISHING TO ADDRESS THE MEETING

None present.

54/09 CITIZENS' PANEL (AGENDA ITEM 6)

The Communications and Consultation Officer was in attendance for this item to give advice on the Citizens' Panel and how the Committee might make use of it to carry out a survey into public awareness and understanding of the work of the Standards Committee.

Members were informed about the management of the Citizens' Panel, its composition and how surveys are carried out, as well as the types of questions that could be asked and the benefits of such surveys. An information sheet was circulated at the meeting.

Valid areas for questions through a Citizens' Panel survey that the Committee might raise included:

- To find out if people know about the existence of the Standards Committee and understand how it works
- To find out if they know they can lodge complaints and how to do so
- To find out if they are aware that local councils are governed by a Code of Conduct
- To find out if they wish, or know how, to learn more about the Committee

Members were informed that an article was being prepared for Breckland Voice which would be published before the next Citizens' Panel survey and could, therefore, act as a precursor to the survey.

The Chairman asked whether there was any benefit in conducting a county-wide survey, as all authorities had Standards Committees and a recent Standards for England report indicated that only 19% of people nationally knew about standards committees. The Communications and Consultation Officer undertook to make enquiries of Norfolk County Council as to the possibility of a county-wide survey.

The Committee concluded that a survey through the Citizens' Panel would be a useful tool for promoting public awareness on standards and it was accordingly

RESOLVED to participate in the next Citizens' Panel survey and that the officers be asked to formulate suitable questions covering the areas as suggested above for approval at the next meeting of the Committee.

Action By

Susan Allen,
John
Chinnery

55/09 LOCAL AUTHORITY PUBLICITY - CODE OF PRACTICE (AGENDA ITEM 7)

As requested at the last meeting (Minute 42/09), the Committee looked at the revised style of the Breckland Voice magazine.

Members were pleased to note the new layout and style of content, which they felt gave a better illustration of the work being done by the Council, with good explanatory information.

56/09 DRAFT WORK PROGRAMME 2009-11 (AGENDA ITEM 8)

Consideration was given to a draft work programme for the Committee for the forthcoming year.

So far as the topic of liaison was concerned, the Chairman sought Members' views on the preferred approach to be taken, i.e. for the Chairman to meet informally with the Members of the Executive Board or for a more formal joint discussion between the Standards Committee and the Cabinet.

Members were of the view that a joint meeting with the Cabinet was the more desirable approach.

Action By

It was suggested it would be helpful for that purpose to indicate the topics for discussion, for example items drawn from the work programme (such as furthering a better understanding of the work of the Standards Committee in the Council).

It was also suggested it would be useful to be able to explain why it was important that Standards Committee Members should attend various Council meetings, as this was the best way to ensure that they had a good understanding of the working of the Council and its Committees. Such an understanding was necessary given that the Members of the Committee were on occasion called to judge matters and they therefore needed to understand the processes involved. In this regard, an idea was put forward to draw up a programme for attendance at other meetings by Standards Members.

Various amendments to the work programme were made, including:

- Committee Role: Item 2: Method: Amend to "Standards Members to attend other Council meetings".
- Committee Role: Add new item 3: To inform members of the Council on the work of the Standards Committee. Method: Produce regular standards articles in the Members Information Bulletin.

It was noted that an article for the March edition of Breckland Voice was in preparation. A copy of the draft article would be provided at the Committee's next meeting on 2nd February, which would include a photograph of the Members of the Committee with accompanying text to explain what the Committee does.

It was agreed to invite a representative from the Norfolk Association of Local Councils to attend a future meeting of the Committee to discuss any opportunities for joint working on raising awareness and engagement on standards at the parish council level.

A suggestion was also made to see if there was any scope for a joint approach on raising awareness of standards through the Norfolk network of Monitoring Officers.

RESOLVED that

- (1) a joint meeting be sought with the Cabinet at which issues of liaison between Standards Members and Members of the Council can be discussed, with a view to fostering a better understanding of the work of the Committee in the Council along the lines indicated above;
- (2) the work programme, as amended, be included on future agenda as a standing item;
- (3) an invitation be extended to the Norfolk Association of Local Councils for a representative to attend a future meeting of the Committee;

Susan Allen,
John
Chinnery

- (4) the Standards Consultant be asked to seek views through the Norfolk Monitoring Officers network on a possible joint approach to raising awareness of standards among local councils.

Action By

57/09 NEXT MEETING

The arrangements for the next meeting on 2 February 2010 were noted.

The meeting closed at 3.55 pm

CHAIRMAN