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To The Members of the Council

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Date: 14 December 2010

AGENDA SUPPLEMENT

Dear Sir/Madam

COUNCIL - THURSDAY 16 DECEMBER 2010

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

Item No	Report Title	Page Nos
7.	Special Meeting of the Overview & Scrutiny Commission - 6 December 2010 Unconfirmed minutes of the Special Meeting of the Overview & Scrutiny Commission held on 6 December 2010.	164 - 170
10.	Special Joint Meeting of the General Purposes Committee and Overview & Scrutiny Commission - 6 December 2010 Unconfirmed minutes of the Special Joint meeting of the General Purposes Committee and Overview & Scrutiny Commission held on 6 December 2010.	171 - 176
17.	Proposal for Joint Management Arrangements Comments of the Deputy Monitoring Officer, South Holland District Council.	177

Yours faithfully

Helen McAleer

Senior Committee Officer

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BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Monday, 6 December 2010 at 1.30 pm in the
Norfolk Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr J.P. Cowen (Chairman)	Mr R.G. Kybird
Mr A.J. Byrne	Mr K. Martin
Mr K.S. Gilbert	Mrs S.M. Matthews
Mrs D.K.R. Irving	Mr J.D. Rogers
Mr A.P. Joel	Mr B. Rose

Also Present

Mr P.D. Claussen
Mr M.A. Kiddle-Morris

In Attendance

Natalie Beal	- Planning Policy Officer (Growth Point)
Phil Daines	- Development Services Manager (Capita Symonds for Breckland Council)
Helen McAleer	- Senior Committee Officer
Jane Osborne	- Committee Officer
Rory Ringer	- Elections and Scrutiny Manager
David Spencer	- Principal Planning Policy Officer (Capita Symonds for Breckland)
Mark Stokes	- Deputy Chief Executive

115/10 APOLOGIES AND SUBSTITUTES

Apologies were received from Mr Chapman-Allen, Mr Goreham and Mr Balaam. No substitutes were present.

116/10 URGENT BUSINESS

None.

117/10 DECLARATION OF INTEREST

Mr Kybird declared a personal interest in Agenda Item 5, Policy TH6 on page 44, as it referred to buildings regularly worked on by his business.

Mr Cowen declared a personal interest in Agenda Item 5 as an architect in practice in the District.

118/10 NON-MEMBERS WISHING TO ADDRESS THE MEETING

Mr Claussen and Mr Kiddle-Morris were in attendance.

119/10 THETFORD AREA ACTION PLAN (AGENDA ITEM 5)

The Principal Planning Policy Officer introduced Natalie Beal, Planning Policy Officer (Growth Point). Together they gave Members a

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presentation showing the evolution of the Thetford Area Action Plan (TAAP) and focussed on the key opportunities and issues for Thetford.

It was reaffirmed that the TAAP was a Breckland Council document which would leave a good legacy over the next 15-20 years.

The timeline of the document could be traced back to 2007 when studies were commissioned to identify the infrastructure needs. In 2008 the Issues and Options document was published and following the analysis of comments received, the Preferred Options document had been published for public consultation in 2009.

The responses received to the Preferred Options consultation were combined with further detailed evidence base to produce the Draft Final TAAP. The document had then been released, in bite-size pieces, to officers and stakeholders over the summer.

Turning to the Preferred Options map, it was pointed out that the majority of growth was proposed to the north of Thetford. The main change was the removal of the previously proposed Country Park. This change had been made due to the Stone Curlew issues and because of the town's proximity to Thetford Forest. Work could focus on improving access to those.

There had been considerable consultation already and there was also an enhanced understanding of what was technically deliverable. The Plan was still at the Preferred Options stage and another document would be produced for further public consultation before submission to an independent inspector.

The Geographic Information System (GIS) had been used to map layers of constraints to inform the proposals. These constraints included such things as landscape features, environmentally sensitive areas, stone curlews, etc. Due to these constraints, large areas were not available for development.

The main area for development was about 200 hectares (ha) in size of which about 120 to 135ha would be available for the residential development of 5,000 new homes. This would lead to an average density of 37.5 dwellings per hectare. Originally 6,000 dwellings had been proposed but this would have led to much denser development of 60 dwellings per hectare, which had been considered inappropriate.

The overarching vision of the document was to guide growth and regeneration of areas such as the railway station, town centre and existing residential areas.

The Government's support for the dualling of the A11 put Thetford in a strong position as a sustainable location with good economic prospects. One key issue was the Transport Study by Norfolk County Council. Details were due out later in the week.

From the evidence gathered it was clear that there was currently a significant reliance on the private car and for the plans to work there would need to be a modal shift. Ways to achieve that shift would include improving internal and external bus services and the promotion of walking and cycling. A cycling network of 'loops' was included within

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the document.

The five existing junctions on the A11 around Thetford would be improved and upgraded by providing larger roundabouts and introducing traffic light control. This overcame the need for flyovers which would have been a much more expensive option.

The internal road network would also be improved; particularly the two key routes of the Norwich Road and the Croxton Road which would link the new development to the town centre.

A variety of uses would be encouraged into the buildings at the railway station and a wider area of search would seek car parking and access improvements. It was also recommended that the train services through Thetford would need upgrading; some changes were due to be implemented in mid-December.

There were key opportunities for town centre improvements and the Policies in the document were predicated to maintaining viability and encouraging increased footfall in the High Street. Pedestrian areas could be enhanced and there would be additional signage provided.

The Inset Map for the town centre showed the generous boundary which was proposed to focus activity in the primary shopping area. This boundary included the new bus interchange and took advantage of the river frontage.

There was a raft of proposals for the Thetford Urban extension. These included:

- 5,000 dwellings
- 22ha of new employment land - this was in addition to the 18ha of land at the Thetford Enterprise Park (TEP).
- three new primary schools,
- expanded secondary education facilities
- additional playing fields and children's play areas
- maintenance and enhancement of existing landscape features
- a local centre and shopping parade
- allotments
- bus, walking and cycling networks.

The draft Masterplan indicated a broad mix of land uses. The blue line showed the primary bus network and included proposals for a crossing over the railway line. There was also the potential to set aside land for a possible future second railway station.

The proposed phasing of the development was explained and the officers concluded by indicating the timetable for the Plan which would go to the Moving Thetford Forward Board on 15 December 2010, Cabinet on 11 January 2011 then out for four weeks public consultation before formal submission in Spring/Summer 2011.

The Executive Member - Economic and Commercial noted that there had been some concern about the TEP but this was now progressing in a different way due to the loss of funding. He said it was an essential development for Thetford.

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The Chairman agreed, saying it was an integral part of the employment provision.

A Member asked if the delay in the receipt of the Transport Study was likely to affect the timetable and the Development Services Manager advised that they were confident that the Study would be received on Friday 10 December. Once its content was known they would be in a position to decide if the timetable needed amending. Some information had already been presented, concerning the junctions of the A11 and it now seemed that those issues had been overcome. He confirmed that the highway proposals were not reliant on the dualling of the A11.

A Member asked how many children could be expected from the 5,000 houses and how much money had been allocated for the school plots.

The Principal Planning Policy Officer said that they had been advised to plan for three, 420 place primary schools (each of about 2.4ha land). Between 3.5 and 9ha of land would be needed for the high school extensions.

The Chairman was concerned that only potential expansion of the high schools was mentioned. With all the additional primary school children expected he thought it was obvious that they would need to expand. It was noted that this was being reviewed by NCC Education Department and was dependant on the decision about the Academy.

The Development Services Manager explained that it was unclear whether money for education provision would be provided by Section 106s or Community Infrastructure Levy (CIL) or possibly a combination of both.

The Executive Member - Planning Health & Housing, advised that Norfolk County Council had provided input to the Thetford Learning Group who were informing the Moving Thetford Forward Board on these issues and that that information had been included in the TAAP.

A Member suggested that the bus service between Thetford, Attleborough and Norwich should be improved as currently the only timetabled bus was the airport service. Officers believed that with the growth in Thetford and Attleborough and the development of Snetterton, there was a case to reintroduce a bus service.

A Member considered that the Plan for improved roundabouts and junctions would provide excellent access points and was a 'brilliant scheme'.

Another Member said that the Plan was an amazing piece of work and congratulated all those who had put it together. He asked if there was a timetable for work to start and if any developers had expressed an interest.

The scheme was not likely to start until 2013 as there was still more infrastructure work to be done and a new electricity sub-station to be constructed. Some key intervention sites across the town centre might come forward earlier although a Masterplan could provide a comprehensive and holistic way forward.

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The Executive Member – Commercial and Economic was able to advise that there was a developer interested in taking on all 5,000 dwellings. Construction of the dwellings and infrastructure would be phased. He was also aware that Norfolk County Council was looking at a site for the single site academy which would cost about £32million to develop. The electricity sub-station would serve the Urban Extension and the TEP.

The Chairman asked if any developers were lined up for the employment land as both housing and commercial had to be developed together.

The Executive Member – Commercial and Economic said that Snetterton Heath, which was a prime area, was suffering in the economic climate, as was the TEP. £6.7million was needed to connect to the Grid. An application would be made for £10million growth funding for water and electricity infrastructure.

The Executive Member – Planning, Health & Housing noted that an advertisement for commercial development erected at the TEP had resulted in 27 enquiries in just 24 hours. To have such a show of interest, during the recession and before the A11 dualling had been announced, gave confidence that developers could be found.

A Member asked if the town centre Masterplan would be a further Policy document and it was confirmed that it could be a Supplementary Policy Document (SPD). He welcomed the proposals to improve access to Thetford Forest.

Another Member suggested that a small cottage hospital would be a worthwhile addition to the proposals, particularly for the elderly, to save them having to travel further afield for treatment.

The Principal Planning Policy Officer explained that NHS Norfolk had been consulted and they had felt that existing facilities at the Norfolk & Norwich and the West Suffolk Hospitals were sufficient.

The Chairman asked that the explanation of how the figure of 5,000 homes had been reached should be included in the document, as people might be confused as several different figures were mentioned.

David
Spencer

He was also concerned about the increase in retail provision proposed in the Urban Extension area and its effect on the town centre. He asked if the reduction in housing numbers would compromise the retail potential.

The Principal Planning Policy Officer explained that although the new allocation was for 5,000 homes, over the 25 year period of the Plan there would actually be about 6,500 homes delivered.

The recent Retail Study had been used to benchmark the amount of additional retail space required. The vast majority would be accommodated in the town centre. He agreed that careful planning would be needed to protect the long term health of the town centre.

A Member asked if the trend for on-line shopping had considered by the Retail Study and this was confirmed.

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With regard to Policy TH28 on page 78 of the agenda, Members were asked for their views on a potential second railway station in the Urban Extension area.

A Thetford Member said it would indeed require a modal shift as most people travelled out of the County by car. The existing railway service ceased at 9pm. Improved service connections would require lobbying to bring them about. Parking would still be an issue as people were only willing to walk short distances. He thought it would be a good idea to have a stop in the Urban Extension area.

Another Member suggested that the existing Station would need work as it was not a good place to be at night.

The Chairman, who was the Council's representative on the Strategic Rail Partnership supported and echoed the comments. There was currently no provision for disabled passengers. If there was an opportunity to improve the quality of the railway station it would need to include better crossing facilities.

The Development Services Manager suggested that Policy TH 28 needed enhancement at point C, but felt that the proposals were beyond the scope of the TAAP. Lobbying to support the document would help.

The Chairman agreed and said the problems were caused by restricted network capacity which was not within the scope of the TAAP. He supported the suggestion for lobbying at a higher level to introduce a Stansted link which would benefit both Norfolk and Breckland.

A Member noted that some Policies were missing in this version of the TAAP. He asked if they would be used in the town centre Masterplan. The Growth Point Officer confirmed this and said that they had tried to amalgamate nine Policies into one – TH23. She asked for Member's feedback on that.

The Chairman noted that there were a number of unresolved issues and items to follow. He asked how much had yet to be produced.

- the PPA Objectives were being worked on by ATLAS;
- consultation comments would be added to the Housing Topic Paper;
- the Monitoring Implementation Framework – Breckland's infrastructure requirements were being prioritised; and
- the Sustainability Appraisal (a legal requirement) was almost ready.

The Principal Planning Policy Officer was confident that everything would be ready to meet the timetable.

A Member pointed out that reference was made in the Plan to an extension to the Police Station, he questioned whether this was going to happen and the Growth Point Officer explained that she had met with the police and been told that they had a PFI scheme with Bury St Edmunds and probably had enough room on site to expand for their needs.

David
Spencer

A Thetford Member asked about design standards. He asked who would be the arbiter of such standards and was concerned that no reference was made to using local materials. He also did not want such a policy to preclude modern design.

The Growth Point Officer agreed to discuss that point with colleagues to try to strengthen the Policy.

The Chairman concluded the meeting by saying that the TAAP was a comprehensive and very good document. He urged Officers to meet the timeframe.

The report was noted.

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Natalie
Beal

The meeting closed at 3.00 pm

CHAIRMAN

BRECKLAND COUNCIL

At a Joint Meeting of the

GENERAL PURPOSES COMMITTEE & OVERVIEW & SCRUTINY COMMISSION

**Held on Monday, 6 December 2010 at 10.30 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr R.W. Duffield (Co-Chair)	Mr R.G. Kybird
Mr P.J. Duigan (Vice-Chairman)	Mr K.S. Gilbert
Mrs J. Ball	Mr A.P. Joel
Mrs S.M. Matthews	Mr B. Rose
Mrs L.S. Turner	Mr J.D. Rogers
Mr S. J. F. Rogers	Mr K. Martin
Mr R.F. Goreham (Vice-Chairman)	Mrs D.K.R. Irving
Mr J.P. Cowen (Co-Chair)	

Also Present

Mr S. Askew	Mr J.W. Nunn
Mr P.D. Claussen	Mr M.A. Kiddle-Morris
Lady Fisher	

In Attendance

Julie Britton	- Senior Committee Officer
John Chinnery	- Solicitor & Standards Consultant
Robert Leigh	- Assistant Director, Communications and Communities
Teresa Smith	- Member Services Support Officer
Kathryn Ralphs	- Human Resources Adviser
Roger Wilkin	- Interim Environmental Services Manager
Terry Huggins	- Chief Executive
Jane Osborne	- Committee Officer
Rory Ringer	- Elections and Scrutiny Manager

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39/10 APOLOGIES (AGENDA ITEM 1)

Apologies for absence were received from Messrs P Balaam, I Sherwood, D Williams, A Byrne and S Chapman-Allen and Mesdames M Chapman-Allen and K Millbank.

**40/10 LOCAL JOINT CONSULTATIVE COMMITTEE :6 DECEMBER 2010
(AGENDA ITEM 4)**

A Member provided the meeting with a verbal update from the Local Joint Consultative Committee. The Vice-Chairman and the Unison representatives had been satisfied with the explanation in relation to the proposed pay structure for the new management team and were happy that they would be consulted on the pay scheme when it eventually cascaded

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down to all staff.

The Vice-Chairman of the Overview & Scrutiny Commission was surprised that no-one from Unison was present for this meeting as he felt there should have been someone in attendance so that views from both sides could be debated. He said he would have liked to have seen a written opinion from the Union reps to ensure that all opinions were balanced.

The Chief Executive assured Members that Unison had been fully consulted throughout.

41/10 SHARED MANAGEMENT PROJECT (AGENDA ITEM 5)

The Chief Executive presented the report which advised Members of the detail and progress of the formal consultation process on the creation of a shared management team for Breckland Council and South Holland District Council.

A short presentation was also provided.

It was emphasised that this was about shared management and not shared services; the two councils would stay very much separate and governance arrangements would not be merged. There would be one management team that served the two authorities.

The key drivers were around finance and it was expected that the proposed structure would deliver a minimum 35% saving in overall management costs for 2011-12. The savings would also create space for Leaders and Executive Members to work within both authorities - training and development would take place for these particular Members.

This was the first step leading to shared management and it was stressed that not every department would be going through this process.

In the course of taking this vision forward, the two authorities were proposing to build a structure based on three core functions. The first was commissioning services. Local authorities provided a range of services either directly to their own citizens or internally to support their own business. They ranged from street cleaning to HR services. These could be delivered in a number of ways, direct service provision, partnerships, in-sourcing, outsourcing and so on. These services represented massive opportunity for joint management leading to joint commissioning with the realisation of efficiencies. Commissioning had a wide definition covering delivery options from outsourcing to in-house provision.

The second was organisational governance. Local authorities were led by Elected Members with special accountabilities to their communities and to Government and had to have a high degree of transparency and accountability. This required the management of Elections and serving and supporting the Elected Executive, scrutiny, audit, licensing and granting of planning permissions. Governance and accountability would need to be specific to each of the two authorities but there was opportunity to share management and expertise.

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The final function was local government of place, in other words place shaping. A term which was not universally liked but which none the less conveyed the most important function of local government to shape the social, environmental and economic well being of its area. This function needed to reflect the needs and nature of both Breckland and South Holland.

A diagram was shown of a revised structure (attached as structure B of the report). This structure had evolved from the consultation process and comments on this alternative proposal were sought to influence the development of the shared management proposals. This structure reduced the number of Deputy Chief Executives from two down to one shared role, reduced the Community Development Manager role from one in each Council down to a single shared manager and added an additional Assistant Director resource to the commissioning function.

A joint Project Team, consisting of officers from both councils, and led by an Independent Interim Manager, commenced the process of delivering proposals for a shared management structure in September 2010. The Project Team reported to a Project Board, the membership of which included the Leaders of both Councils, two senior members from each Council, along with the Joint Chief Executive and the Chairmen of the two Council's Overview & Scrutiny Commission. All were invited to attend meetings. The two senior Members for Breckland Council were Adrian Stasiak and William Smith.

On completion of the formal consultation process it had been proposed that the Project Team would formulate draft proposals for Shared Management to the Project Board for informal approval. However, due to the large amount of responses recently received, proposals could not be finalised in time for Project Board comments on 3rd December; therefore, there was an opportunity for the joint meeting to express their views which would then be relayed by the Interim Independent Manager to the re-arranged Project Board meeting on Tuesday, 7th December.

All project processes such as staff consultation, other stakeholder communications, committee meetings etc would be and had been carried out in parallel with both Councils as far as reasonably practicable in order to ensure equity and fairness. Both Councils had also consulted with trade unions, prior to, and throughout the consultation and subsequent restructuring process.

Members were informed of the timetable of completion, by which, assuming approval by both Councils, job descriptions, following job evaluations of posts, would be finalised and the final structure would be announced in January 2011.

Individual 1:1s with affected staff would commence at the beginning of January, posts would be advertised towards the end of January and interviews would be held between the 25 January and 18 February 2011. Appointments would be announced on 21 February, the redeployment/redundancy process would come into effect from 21 February onwards and the proposed implementation of the new structure would commence from 1 April 2011.

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A draft Memorandum of Agreement for joint governance, which had been kept as straightforward and as simple as possible, had been prepared. One simple mechanism that had already been agreed was to share the cost equally between authorities. If, in future, more services were to be merged, the sharing of such costs would be looked at again on a service by service basis.

An audit of the selection process had been carried out independently. The same independent process would also be carried out for the assessment of candidates.

The outcome of this joint meeting would be reported to the Project Board on 7 December and would influence what went forward in the Council report for the South Holland District Full Council meeting on 15th December and the Breckland Full Council meeting on 16th December 2010.

The indicative costings were highlighted. A gross and net saving of £0.7m for 2011/12 was predicted; however, there would be one-off transition costs for pension and redundancies and final figures would not be forthcoming until the new structure had been completed.

The Council report would contain the following documents:

- Final Management Structure
- Implementation process
- Core Competencies
- Memorandum of Agreement and Joint Management Board
- Joint Appointments Committee – with Elected Members from both authorities to select the managers - all would be scored against the new core competencies.

Referring to the revised structure (Structure B), Members were asked whether they felt there was a need for a Deputy Chief Executive. By removing this capacity would require both Councils to work differently and more effectively. Members' views on this matter were sought.

Another comment that had come forward through the consultation process was on the absence of a business case. The Chief Executive explained that this restructuring method had been based upon business sense, democratic leadership, sound principles and practices. It had also been based on the savings that the Government had urged local councils to make.

Other issues mentioned, if the new management structure was approved, were new ways of working that would be necessary such as video conferencing and common formatting of reports.

In response to a question concerning the consultation process, in relation to representations and responses, Members were informed that all feedback had been carefully considered and responded to. There could be a number of minor adjustments to what had been proposed once the Project Board had discussed the views received from the final consultation. The Interim Independent Manager pointed out that a further 110 pages of feedback had

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been received.

The Overview & Scrutiny Commission Chairman said that most comments were available on the Council's intranet which was being updated accordingly.

Referring to the Deputy Chief Executive's post, a Member felt there was a need for a deputy to be in control when and if the Chief Executive was ever incapacitated.

In response to a question with regard to job descriptions, the Chief Executive explained that whilst all job descriptions listed covered the nature of the post they did not cover employment conditions. However, terms and conditions would be harmonised across both authorities in the future.

Mentioning the £0.7m savings, a Member asked whether anyone had managed to work out the exact amount of redundancy costs. Members were informed that both authorities would be making a contribution to the Transition Budget as both had Organisation Development Reserves. The Leader of the Council, in attendance, pointed out that Breckland Council had the lowest redundancy scheme in Norfolk. A final salary scheme was still being debated by Government.

The Vice-Chairman of the Overview & Scrutiny Commission put forward the following points. Firstly, he concurred with the suggestion about the need for a Deputy Chief Executive to be in post. Secondly, he asked for it to be confirmed that both Councils would endorse the appointments made by the Joint Staff Appointments Panel. The third point related to the redundancy/redeployment process where he asked for compulsory redundancies to be kept to a minimum. The fourth point was in relation to the consultation responses displayed on the Council's website which he felt should have been conveyed to this meeting. The final point was in regard to the savings that were envisaged, and whether the Council would be looking at other partners if this shared management project was successful.

The aforementioned points were endorsed particularly in relation to the need for a Deputy Chief Executive and it was agreed that this proposal would be fed into the Project Board meeting. The Leader concurred with the above proposal and felt that a single Chief Executive and a single Deputy Chief Executive who would be accountable for both authorities were definitely required. As far as the latter point was concerned, the Chairman of the General Purposes Committee believed that Breckland Council and South Holland District Council should hold back on looking for other partners at this moment in time.

The Solicitor, in attendance, raised the point made about all appointments made by the Staff Appointments Panel being endorsed by both Councils and clarified that the Panel had been given delegated powers to appoint all Directors/Managers, except for the Head of Paid Service, without having to go through to Full Council.

Referring to the redundancy situation, the Chief Executive advised that redundancies were going to be difficult to avoid; some of them could be voluntary.

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A Member agreed with the principle of not producing a business case as it had saved the Council a great deal of money. The Chairman of the Overview & Scrutiny Commission endorsed the above comment but pointed out that a management structure did not warrant a business case as it followed work streams and service delivery.

The Interim Independent Manager highlighted the fact that both structures had formed part of the consultation and, as it had proved impossible to put forward all the recent feedback to this joint meeting, a final structure had not been forthcoming. The Solicitor advised that a full legal assessment and a full financial appraisal also needed to be taken into account when the proposals were discussed by Full Council.

Given the time frame, it was proposed that the recommendation be changed, and accordingly, it was resolved that:

- 1) the draft Implementation Strategy, as set out at Appendix 2 of the report, be recommended to Full Council for approval; and
- 2) the aforementioned views be reported to the Project Board meeting on 7 December 2010.

The meeting closed at 11.50 am

CHAIRMAN

Supplementary paper to the joint report To Breckland Council & South Holland District Council

South Holland District Council 15th December,2010

Breckland Council 16th December,2010

Proposal for joint management arrangements

Comment of the Deputy Monitoring Officer for South Holland District Council

"(1) I echo the comments of the Deputy Monitoring Officer for Breckland Council that South Holland DC have the power to enter into the Shared Management arrangements and that members should be fully informed of the legal, financial and HR implications of the proposals.

(2) On a specific point, I understand that the remit of the proposed Joint Executive Board which is referred to in the Memorandum of Agreement has not yet been finalised and as there may be other slight adjustments that are required to the Agreement, I suggest that recommendation (h) of the report is revised as follows:- The principles set out in the Memorandum of Agreement in Appendix F, covering the way in which the two Councils intend working with each other, be approved and that the Chief Executive be authorised to finalise the details of the Agreement.

(3) Consequential changes will need to be made to the constitution of South Holland District Council once the proposals are agreed."

Anne Heard

Legal Services Manager
Legal Services Lincolnshire