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To The Members of the Council

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Date 03 December 2012

AGENDA SUPPLEMENT

Dear Sir/Madam

COUNCIL - THURSDAY 6 DECEMBER 2012

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

Item No	Report Title	Page Nos
6.	<u>Cabinet Minutes</u> Unconfirmed minutes of the Cabinet meeting held on 20 November 2012.	35 - 50
8.	<u>Planning Committee</u> Unconfirmed Minutes of the Planning Committee meeting held on 26 November 2012.	51 - 59
9.	<u>General Purposes Committee</u> Unconfirmed minutes of the General Purposes Committee meeting held on 22 November 2012.	60 - 64
10.	<u>Appeals Committee</u> Unconfirmed minutes of the Appeals Committee meeting held on 28 November 2012.	65 - 68

12. **Audit Committee**

69 - 79

Unconfirmed minutes of the Audit Committee meeting held on 23 November 2012.

Yours faithfully

Julie Britton

Senior Committee Officer

BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 20 November 2012 at 9.30 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr J.W. Nunn (Chairman)	Mr M.A. Kiddle-Morris
Mr M. A. Wassell (Vice-Chairman)	Mr I. Sherwood
Councillor E. Gould	Mr W.H.C. Smith
Mrs L.S. Turner	

Also Present

Mr S. Askew	Mr T. J. Jermy
Councillor C Bowes	Mrs E. M. Jolly
Mrs B Canham	Mrs L.H. Monument
Councillor M. Chapman-Allen	Mr M J Nairn
Mr J.P. Cowen	Mr W. R. J. Richmond

In Attendance

Dale Robinson	- Interim Environmental Services Manager
Mark Stanton	- Economic Development Manager
Terry Huggins	- Chief Executive
Vicky Thomson	- Assistant Director - Democratic Services
Mark Stokes	- Deputy Chief Executive
Julie Britton	- Senior Committee Officer
Kevin Ward	- Growth Programme Manager
Sarah Simpson	- Environmental Awareness Co-ordinator

Action By

121/12 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 9 October 2012 were confirmed as a correct record and signed by the Chairman.

122/12 APOLOGIES (AGENDA ITEM 2)

None.

123/12 URGENT BUSINESS (AGENDA ITEM 3)

The Chairman announced that a further item had been added since the publication of the main Cabinet agenda. This was not classed as an urgent item as copies of the supplementary agenda had been issued the previous day.

124/12 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None.

Action By

125/12 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mesdames M Chapman-Allen, B Canham, L Monument, E Jolly and C Bowes and Messrs W Richmond, T Jermy, M Nairn, P Cowen and S Askew.

126/12 LAND AT CASTELL ROAD, DEREHAM (AGENDA ITEM 7)

The Executive Member for Assets & Strategic Development presented the report which sought Members advice as to whether to formally object to an application made by Dereham Town Council for registration of Breckland Council-owned Slough Plantation and land at Castell Road as a new Town Green.

The land at Castell Road had previously been considered under the Active Land Management Programme where there had been strong opposition to this land being developed; however, the Active Land Management Programme had been put in place to ensure that the Council was gaining best possible use from the public land at its disposal in terms of value and use. This land had development value but would only be realised if planning permission could be gained.

The land known as the Slough Plantation was a large wooded area adjacent to Castell Road which was a facility that was used by the residents as an amenity area.

The Executive Member urged the Cabinet to object to the application for both areas of land on the grounds that Breckland Council owned the land. However, if the objection was unsuccessful, and the land in question qualified for registration as a Town Green, he recommended that Norfolk County Council, as the Commons Registration Authority, be asked to transfer all the land to Dereham Town Council at nil value for Town Green status. Dereham Town Council would then be responsible for maintenance and the upkeep of approximately 3.3 acres of land indefinitely as no alternative use could be obtained.

Mr Abrahams was allowed to speak on behalf of the residents from the area. He read out a number of letters who all used the land for dog walking, playing and school activities. He mentioned that an 85 year old resident had understood that the Slough copse had been left to the residents of Dereham by the developers.

Linda Monument was in attendance as a District Councillor a Town Councillor but mainly as the Ward Representative. She explained that Dereham Town Council had been asked to submit the application for Town Green status by her constituents. She pointed out that there were approximately 600 voters on this particular estate of which 10% of those had lived there for over 25 years. The land, as far as she was aware, had been given to the former Dereham Urban District Council by the developer as open space (the estate had been built a few years before Breckland Council had been formed). The land at Castell Road provided access to the Slough Plantation and would be difficult to manage if the access was lost; therefore to join the two areas would not be practical and

Action By

was obviously needed by the residents. There were many single storey dwellings on the estate that were owned by elderly residents and if Town Green status was not allowed Breckland Council would be putting at risk a facility that they had had since the dwellings had been built. On the other hand, if such status was allowed, and Norfolk County Council transferred the said land to Dereham Town Council as recommended, it would be a financial burden but it would be far more acceptable than passing the land over to the adjoining land owner of the swimming pool site.

The Executive Support Member for Planning & Environmental Services stated that the site was thoroughly utilised throughout the year including a cross country running route by the school. He felt that peoples' livelihoods should be considered it should not always be about the money.

The Executive Member for Internal Services thanked the local Members for a very strong and adequate case. He did take the point about it not just being about the money but the land should and must be used strategically to offer homes to those people who needed them.

The Executive Member for Assets & Strategic Development said that he had no objection to the Slough Plantation becoming a Town Green as it was structural to the embankment on the swimming pool side. The Executive Member for Internal Services believed that this was not the first time that Cabinet had been asked to make an exception on a piece of land and therefore acknowledged his support to the Executive Member's proposal.

The Opposition Leader stated that Breckland Council was happy to transfer play areas so this, in his opinion, seemed rather unfair. In response, the Executive Member for Internal Services highlighted the fact that the Cabinet was discussing an area that was already designated as open space and another that had strategic importance. The Chief Executive emphasised the point that Members were not being asked to decide the lands future use they were being asked whether it was appropriate to change the legal status.

Clarification of what was being recommended was provided to the Chairman of the Overview & Scrutiny Commission.

The Ward Representative felt that registering the land as a Town Green seemed appropriate but using part of it strategically to get the swimming pool site moving was not a good idea. Trying to interfere with it was unfair and trying to provide for every resident was what the Council was supposed to do. In response to a question, she explained that the reason the land had never been registered as a Town Green before was due to the fact that the land had been entrusted to the Council as open space 40 years ago.

The Executive Member for Performance & Business Development thought that this was a conundrum but very fair. He knew that this land was valued and used by the community but Breckland Councillors had a broader responsibility and reminded Members of what the Chief Executive had said – this was not a decision as to whether this land should be built

Action By

on it was about whether the land should become a Town Green.

The Chairman clarified that this was not a decision about whether the land should be sold or whether it should be built on – this was about protecting this asset as a Council. There would be further discussion on this matter in the future, whatever the outcome.

Option 1

To object to the application (see report).

Option 2

Not to object to the application (see report).

Reasons

As a landowner, it was imperative that Breckland Council protected the potential value of this asset although it was aware of the wider community issues.

Following a majority vote, it was

RESOLVED that an objection to an application made by Dereham Town Council to register Breckland Council owned land at the Slough Plantation and at Castell Road, Dereham as a Town Green be submitted to Norfolk County Council, as the Commons Registration Authority, on the basis that such designation would impede the future potential value of the site.

**127/12 SALE OF BRECKLAND COUNCIL-OWNED LAND AT ST GILES
LANE CAR PARK, THETFORD (AGENDA ITEM 8)**

The Executive Member for Assets & Strategic Development presented the report which sought approval for the transfer of Council-owned land at St Giles Lane Car Park in Thetford to Thetford Town Council.

The land in question consisted of one car parking space which would be removed and replaced with one tree. The tree would be a backdrop to the new bell tower which was being created and built in place of the existing brick archway between Kings Street and St Giles Street.

Option1

To dispose of the identified land by transfer to Thetford Town Council for nil consideration in furtherance of the Kings Street Enhancement Scheme, provided Breckland Council's legal transaction fees were paid for by Thetford Town Council and also the value of the Council's contribution of £1500.00 was attributed to the project but not received as consideration from the Project Manager/Project.

Option 2

Do not dispose of the land and retain the land and the ownership and maintenance liabilities which would be incurred in managing the tree in the future.

Action By

Reasons

- The land where the tree was being planted would then be owned by Thetford Town Council so it would therefore be responsible for future maintenance of the tree and its liabilities and associated costs.
- There would only be one car parking space lost.
- This would support the wider Moving Thetford Forward Programme and specifically the King Street Enhancement project.
- The difference in value from the market value of £1500.00 was minimal.
- It demonstrated further partnership working.

RESOLVED that the Council-owned land at St Giles Car Park in Thetford be transferred to Thetford Town Council at nil consideration in furtherance of the Kings Street Enhancement Scheme; subject to:

- 1) Thetford Town Council paying for Breckland Council's legal transaction fees; and
- 2) the value of the Council's contribution of £1500.00 be attributed to the project but not received as consideration from the Project Manager/Project.

128/12 Q2 PERFORMANCE REPORT (AGENDA ITEM 9)

The Executive Member for Performance & Business Development presented the Performance Report for Quarter 2 for Members to note.

The new style Quarterly Performance Report had been generated by the new Performance Management System 'Performance Plus'.

Performance Plus was web based which allowed greater access for all users including Portfolio Holders who were now able to receive and view a tailored overview of their services in a simple and easy to understand format.

The Executive Member for Localism, Community & Environmental Services had found the in-depth training she received on the performance Plus system extremely useful.

Option

That the Performance Team continued to report at the level at Appendix A of the report.

Reason

In future Overview & Scrutiny Commission would receive the report prior to Cabinet so that it can make appropriate recommendations.

RESOLVED that the report be noted.

Action By

**129/12 CORPORATE ASSET MANAGEMENT STRATEGY 2012-2020
(AGENDA ITEM 10)**

The Executive Member for Assets & Strategic Development presented the report which sought Members approval to recommend to Council the adoption of the new Corporate Asset Management Strategy 2012-2020.

This Strategy would be the document by which the Council's assets would be managed.

In response to a question as to how the document would be kept up to date, Members were informed that there was already a timetable in place which would be managed by the Corporate Asset Management Manager. Performance Indicators and Action Plans accompanied the document which would be overseen by the Portfolio Holder.

In response to a further question in relation to growth, the Executive Member for Assets & Strategic Development advised that there would be two Asset Plans that sat below this Strategy and the Strategy itself formed part of the Council's Corporate Plan.

Options

To adopt or not to adopt the Corporate Asset Management Strategy 2012-2020.

Reasons

The Strategy was required to ensure the Council had clear strategic governance regarding its decisions specifically in terms of acquisitions and disposals of property assets.

The Strategy would provide a policy for the Council to manage its property assets over the life cycle of the asset in a consistent and cost effective manner.

Adopting the Strategy would ensure the property assets were managed to meet the corporate priorities.

RECOMMEND to Council that the new Corporate Asset Management Strategy 2012-2020 be adopted.

**130/12 FINANCIAL PERFORMANCE QUARTER 2 2012-13 (AGENDA ITEM
11)**

The Executive Member for Finance & Democratic Services presented the report which provided information on the forecast full year financial position of the Council as at 30 September 2012.

It was noted that the virement requested from the General Fund was to take account of the cost of the By-Elections in 2012; other than that, this forecast just showed the prudent way the Council dealt with its finances.

Option 1

Action By

To note the report and approve the virements detailed within table 3 of Section 1 of the appendix.

Option 2

To note the report and not approve the virements detailed within table 3 of Section 1 of the appendix and not recommend to Full Council the funding of the By-Elections from the General Fund.

Reasons

To provide timely information to Members of the overall finances of the Council and to make the best use of resources available.

RESOLVED that the virements as detailed in Table 3 of Section 1 of the appendix be approved.

RECOMMEND to Council that the sum of £22,010 for the District By-Elections be funded from the General Fund in 2012-13.

**131/12 GRANT PANEL REPORT ROUND 3, 12TH SEPTEMBER 2012
(AGENDA ITEM 12)**

The Executive Member for Localism, Community & Environmental Services presented the report which highlighted the funding recommendations that had been made by the Grant Panel at its meeting on 12 September 2012 and made recommendations to Cabinet on the allocation of Match Funding.

The Grant Panel had taken a great deal of time and trouble over the Brisley application and had been satisfied with the answers received.

The Executive Member for Internal Services strongly supported the application as it fitted very well with the Council's manifesto commitment of supporting wildlife. He said that he would prefer to see more applications such as this as they protected the value of Breckland's wildlife.

It was noted that the three remaining applications were for information only as these had already been awarded under delegated powers.

Referring to the Icen Partnership decision, the Executive Member for Internal Services did not consider the over 60s to be vulnerable groups to warrant such a service as many people of that age group were still working or had to work due to the increase in retirement age. He asked if this 'Handyman Service' was a way of subsidising a direct labour organisation that would impact on existing small tradesman. The Executive Member for Localism, Community & Environmental Services stated that there was already a 'Handyman Service' operating in Norfolk but Swaffham wanted someone local. This funding was provided to assist with set up costs and was discussed as part of the Older People's Forum. The Grant Panel had already asked for a follow up report to come back to a future Forum.

The Executive Support Member for Planning & Environmental Services

Action By

thanked the Grant Panel for the funding for the Etling Green Mission Station.

Option 1

To approve the Match Funding for Brisley Woodland & Amenity Project up to the value of £12564.00.

Option 2

To approve a lesser amount of Match Funding towards Brisley Woodland & Amenity Project.

Option 3

To decline the Match Funding application.

Reasons

The Grant Panel had recommended approval for the Brisley Woodland & Amenity Project based on the following reasons:

- The project had been supported well locally during the consultation survey conducted on June 2011.
- Significant external funding was in place therefore representing good value for the Match Funding Reserve.
- A range of purposes and access opportunities would be available to the local community including the school, children, walkers, wildlife enthusiasts etc.
- The applicants provided further detailed information regarding the project when requested to do so by the Grant Panel, which then passed further Panel scrutiny.

RESOLVED that the Match Funding sum of up to £12,564.00 for Brisley Woodland & Amenity Project be approved; subject to:

- a) a maximum of £12,564.00 or 29% of the total project costs (excluding 15 year maintenance costs) whichever was the lower; and
- b) the balance of all other funding being confirmed.

132/12 BRECKLAND COLLECTIVE ENERGY SWITCHING SCHEME
(AGENDA ITEM 13)

The Executive Member for Localism, Community & Environmental Services presented the report which asked Members to consider the establishment of a collective energy scheme for Breckland for gas and electricity.

The soaring price of all fuels was causing anxiety to many residents in the area. Breckland Council was already in negotiations with an oil supplier which had stemmed from the Older People's Forum.

The Executive Member for Planning & Environmental Services pointed

Action By

out that the Government was already looking at tariffs and asked whether this would aid such a scheme. Members were informed that it would as the Council would have an opportunity to tender at auction twice a year.

The Chairman felt that enough volume would force the prices down.

The Executive Member for Performance & Business Development commended the Portfolio Holder for such an excellent idea and was pleased that oil was being looked at as well. Everyone knew how much the price of power had eaten into the public's personal income and wholeheartedly supported the scheme.

The Opposition Leader also felt it to be a good idea but asked to what extent Town and Parish Councils would be able to buy into the scheme. In response the Executive Member stated that talks with parishes were already being had with regard to the oil buying groups as there tended to be more consumers for oil in villages rather than gas.

The Executive Member for Internal Services asked about the management of the scheme particularly in relation to liabilities. The Chief Executive advised that any liability would remain with the power companies, Breckland Council would only be responsible for the auction therefore making the scheme cost neutral. He strongly supported this initiative.

The Executive Member for Planning & Environmental Services was aware that there were a number of energy buying groups already out there but hoped that this would make a big impact on energy prices. She was pleased to hear that parishes would be brought into the oil buying groups.

Referring to businesses, the Overview & Scrutiny Commission Chairman pointed out that business use fell into two categories and many small businesses, SMEs, fell into domestic tariffs. This scheme could score points for everyone. He stated that most of his constituents were reliant on oil but was very keen to understand how the Council was going to co-ordinate this scheme.

The Executive Member for Localism, Community & Environmental Services explained that the scheme would be advertised and the Team was already in negotiations.

The Chairman concluded by saying that this type of scheme already had the support from Norfolk Leaders who were in negotiations for acquiring a buyer's consortium for Norfolk.

Option 1 - Do nothing

Households in Breckland would not have the opportunity to participate in a collective energy switching scheme. They would continue to purchase energy on an individual basis, potentially at a higher price, increasing the chance of the household falling into fuel poverty. If other local authorities offer the scheme and we do not, residents may deem us to not be supporting our local communities.

Option 2 - To commission our own collective energy switching scheme

Action By

The Council would engage the services of a private sector switching specialist to manage a collective switching scheme for the Council.

Option 3 - To commence a collective switching process by joining the Peterborough led consortium.

The Council would engage with the consortium that would operate and manage the scheme on the Council's behalf.

Reasons

The recommendation was to commission Breckland's own collective energy switching scheme. Having direct management over the scheme would enable the Council to shape and develop the scheme and provide a positive message that the Council was helping and supporting its residents on a local level. Once established, the scheme would be relatively low cost to run, as it could be predominately web based, and the bulk of marketing material would be covered within the set up costs.

RESOLVED that a Breckland Council collective energy switching scheme be commissioned, and subject to successful discussions, authority be delegated to the Chief Executive or the Deputy Chief Executive to enter into a contract and deliver a collective switching energy scheme on behalf of Breckland residents.

133/12 REVIEW OF POLICY FOR CHARGING FOR THE PROVISION OF WHEELED BINS TO NEW PROPERTIES (AGENDA ITEM 14)

The Executive Member for Localism, Community & Environmental Services presented the report that advised Members of the result of the review of the Council's Wheeled Bin Provision Charging Policy and sought Members' approval for a revised Policy.

Members were informed that Full Council had previously approved a Policy for wheeled bins at new properties but it had been suspended as it was not robust. She emphasised that this revised Policy was for new properties only.

The Opposition Leader felt it had been a great shame that Scrutiny had not been able to scrutinise the Policy more thoroughly instead of rushing it through. The Executive Member apologised but assured the Opposition Leader that it had been re-written accordingly.

The Overview & Scrutiny Commission Chairman asked how this Policy sat with other local authorities and was Breckland Council on par with other schemes out there that were not able to be challenged. Members were informed that most had similar policies in place. The Interim Environmental Services Manager explained that most authorities had the same legal agreement; therefore, Breckland's was now on a much firmer legal footing.

The Executive Member for Internal Services had noticed that Section 46(3) of the Environmental Protection Act 1990 had been mentioned within the report several times. Members' attention was drawn to section

Action By

2.3 of the report under the heading 'General Powers' which highlighted that Section 46 had not been designed for discretionary services but Council's had the power to support such a Policy under certain sections within the Localism Act.

Option 1

To continue with the existing suspended Policy.

Option 2

To vary the proposed revised Policy

Option 3

To agree with the Policy as set out in the report.

Reasons

The revised Policy would enable cost recovery and therefore budgetary savings. In addition, the Policy was designed to ensure the numbers of collections were controlled; bins presented matched the Council's collection infrastructure; and it provided a fiscal driver to encourage reductions in residual waste presentation and increased recycling.

RESOLVED that the review of the Policy for charging for the provision of wheeled bins to new properties be approved as follows:

- 1) A delivery and administration charge per property be levied in accordance with Table 1 paragraph 2.2.1 (excluding VAT) of the report. The charge being irrespective of the number or size of bins delivered at any one time.
- 2) This charge covered the costs for the administration, procurement, storage, cleaning (if necessary) and delivery of the bins. The bins themselves would be provided free of charge to the occupier of the property for their use but remain in the ownership of the Authority and as such must remain at the property when occupiers move house.
- 3) Collections would only be made from Breckland District Council issued and/or approved wheeled bins.
- 4) To qualify for a free delivery, occupiers reporting a missing bin and requesting a replacement were required to make a written application together with signed declaration, prior to the bins being delivered, that they had undertaken all reasonable enquiries to locate their bin (s) and the bin was in fact missing/lost or stolen. Alternatively they could report the bin as stolen to the Police and obtain a crime number.
- 5) Residents who refuse to pay the delivery and administration charge do not receive the Council's bin provision service and in such cases the Council would invoke the powers under Section 46 (3) of the Environmental Protection Act 1990 by

**Dale
Robinson**

Action By

service of notice on the occupier.

- 6) For housing developments of five or more dwellings the Council, where the developer agrees, enters into a section 106 agreement for the payment and provision of bins to the development in line with the general charging policy.
- 7) Where a developer refuses to enter into a section 106 agreement for the payment and provision of bins then the charge be levied on the new occupiers of the development in question.

134/12 DELIVERY OF AFFORDABLE HOUSING ON COUNCIL OWNED LAND AT SNETTERTON NORTH END (AGENDA ITEM 15)

The Executive Member for Planning & Environmental Services presented the report. The report asked Members to consider a proposal to dispose of land at Snetterton North End for the provision of 10 units of affordable housing to meet housing needs.

The Executive Member for Planning & Environmental Services considered this to be a great step forward being able to provide further affordable housing in the district.

The site itself was outside the Settlement Boundary but was adjacent to a number of former council owned units that had been transferred to Flagship Housing Group some time ago. The 10 affordable units would be allocated for local need. An open space would also be provided for community use.

The new Planning Policy Framework did allow market housing to be considered on this site but the risk would be too great for the developer.

The viability study was explained.

Wellington Construction Ltd would be purchasing part of the land for the sum of £90,000. The District Valuer had valued the whole of the site for £155,000 which was below the District Valuer's valuation. Once built, the affordable housing would be sold to a Housing Association.

Mr Askew, the Ward Member for Snetterton, whole heartedly supported the recommendation but had concerns about the land that the children currently played on being lost and he hoped that there would be proper provision made for a play area elsewhere. The Chairman stated that it was the hope of the Council that the area of allocated open space would be gifted across to the community.

The Ward Member stated that Snetterton Parish Council would struggle to pay for the maintenance of such a play area. The Principal Housing Officer (Strategy & Enabling) advised that even if the developer installed the play equipment the maintenance responsibilities would still be the responsibility of the Parish Council.

The Executive Member for Internal Services mentioned risk and asked

Action By

what would happen if the developer did not transfer the housing to a Housing Association. Members were informed that there was already a Housing Association in place.

Option 1 - Dispose of the whole site at the District Valuers assessment of £155,000.

Option 2 - Offer the site for tender to try and obtain maximum value for the site.

Option 3 - Retain ownership of the site and until such time the land was either included within the development boundary or land values improved.

Option 4 - Approve the disposal of the whole site at a value less than the District Valuers assessment to bring forward the units of affordable housing and open space as per the proposal.

Option 5 - Approve the disposal of the area of land, Wellington Construction Ltd to require the units of housing at a sum of £90,000 and Breckland Council retain the area of land not required for open space.

Reasons

- Approving the disposal of the site at a value less than the District Valuers report would in effect be equivalent to the Council providing a subsidy to the delivery of affordable housing. It would be usual for the Council or the Homes and Communities agency to subsidise a development outside the development boundary through the capital programme or other grant funding.
- Further exploration with Wellington Construction Ltd has led to agreement from them to share any costs not used which can be accounted back to the land value. They would test the market again to see if any Housing Association would pay more for the units of housing but highlighted the risk that Saffron Housing Association may decide to fill their programme with other schemes if there are further delays to commitment to the project.
- The land which was not sold if retained by the Council could be developed at a later date which in turn could realise a further capital receipt.
- 10 units of housing would be delivered to meet local housing need.

RESOLVED that the disposal of land at a cost of £90,000.00 to Wellington Construction Ltd for the delivery of 10 units of affordable housing be approved.

**Darryl
Smith**

**135/12 THE ANCHOR HOTEL, THETFORD (AGENDA ITEM 15A) -
ADDITIONAL ITEM**

The Executive Member for Assets & Strategic Development presented the report which updated Members on the current position with the existing

Action By

buildings on the site of the former Anchor Hotel.

The majority of the hotel had been deemed as unsafe and therefore the demolition of all the buildings was the preferred option; this would align the Council for the reasons set out in section 4 of the report. If approved, temporary landscaping would be put in place.

The Executive Member for Internal Services agreed with the aforementioned option as demolishing part of the building would still leave the Council with a 100% of the liability. The agreement for temporary landscaping also needed to be emphasised.

Marion Chapman-Allen a Ward Member for the area stated that it would be a great relief for the Thetford Fire Service if all the building was pulled down.

The Opposition Leader, also a Ward Member for Thetford, stated that a great many people would be sad to see the hotel disappear and he was disappointed that it had been left in such disrepair. Thetford had not embraced its history enough and therefore any build should be sympathetic to what had been there before.

The Executive Member for Performance & Business Development agreed with the Opposition Leader's aforementioned views but it had been a long time since this building had been young and beautiful and looking at the pictures provided in the report the heritage had already gone and it was time for the building to be demolished.

The Opposition Leader said that one of the special features within the hotel was the oak beams and he urged the Cabinet that if the building was to be demolished that these be kept and re-used in the new build. The Executive Member for Assets & Strategic Development agreed with this request and said that he would mention this to the contractor.

Option 1

To release £32,000.00 to remove part of the Anchor Hotel, in accordance with the structural survey recommendations.

Option 2

To release £110,000.00 to enable the demolition of the existing buildings on the site of the former Anchor Hotel and undertake an interim landscaping scheme.

Option 3

Do nothing.

Reasons

Whilst the structural survey recommended part removal of the buildings, the Council had an opportunity to demolish the structure as a whole, to satisfy not only the requirements of the structural survey, but provide the opportunity to improve the area and provide the catalyst for the

Action By

regeneration of the Riverside area.

RECOMMEND to Council that £110,000.00 be released to enable the demolition of the existing buildings on the site of the former Anchor Hotel and an interim landscaping scheme be undertaken.

136/12 NEXT MEETING (AGENDA ITEM 16)

The arrangements for the next meeting on 8 January 2013 were noted.

137/12 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 17)

RESOLVED 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A to the Act.

138/12 ECONOMIC DEVELOPMENT SERVICE - NEW WAY OF WORKING (AGENDA ITEM 18)

The Executive Member for Assets & Strategic Development presented the report which set out a proposal for a new way of working for the Council's Economic Development Service.

This proposal was completely new but had been based on a model that the Council had already undertaken in the past. The Executive Member admitted that this was a complicated document to read but drew attention to the charts highlighted on pages 174 and 190 of the report that explained the new structure. He also highlighted the savings that could be made if Members were mindful to approve the recommendation.

The Overview & Scrutiny Commission Chairman, as a non-Cabinet Member, thought that this new way of working could do so much for the Council and its ratepayers and congratulated everyone involved. He did ask however, how long this funding would be in place. Members were informed of the process and how the Eastern Region Development Fund programme worked.

Options

See report.

Reasons

See report.

RECOMMEND to Council that the recommendations as set out in the report be approved.

139/12 LEGAL SERVICES REVIEW (AGENDA ITEM 19)

The Executive Member for Finance & Democratic Services presented the report that asked the Cabinet to approve the next stages of the Legal Services Review.

Action By

The report recommended fundamental changes to the Council's legal service, it moved away from in-house to a more out-source approach.

Marion Chapman-Allen completely understood the reasoning for such a change but was not so sure, given that over the years, there had been some dissatisfaction from Members about the outsourcing arrangements. She also had concerns about cost and was not convinced that savings would be made. South Holland District Council's decision not to join its legal services with Breckland Council was also mentioned.

The set up of the new proposed structure was explained.

A number of Members needed assurance that all legal work, if outsourced, would be carried out in a timely manner particularly in relation to leases etc. The Chairman explained that the new co-ordinators role would be to push work in the right direction to the right company. Members were reminded of the new Performance Plus system of which the Portfolio Holder would be able to monitor the said role's performance.

Marion Chapman-Allen agreed that the success of this new service would be in the hands of the co-ordinator performing well.

The Executive Support Member for Finance & Democratic Services asked what level of authority this person would have. In response, the Executive Member for Finance & Democratic Services stated that the new co-ordinator would report to the Assistant Director of Democratic Services and would be subject to the same performance standards as all officers of the Council.

Linda Monument felt that the Council had an enormous and very important task of identifying the right person for the job and suggested a meeting with another Council who had already employed such a person.

Options

See report.

Reasons

See report.

RECOMMEND to Council that:

- 1) the proposed structure for Legal Services as detailed in the report be approved; and
- 2) the Assistant Director of Democratic Services proceed with conducting a 30 day staff consultation on the proposed changes detailed within the report.

The meeting closed at 11.20 am

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE

**Held on Monday, 26 November 2012 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mrs S Armes
Mr S.G. Bambridge
Councillor C Bowes
Mr T R Carter
Mr P.D. Claussen
Mr T.J. Lamb

Mrs J A North (Vice-Chairman)
Mr W. R. J. Richmond
Mr M. S. Robinson
Mr F.J. Sharpe
Mrs P.A. Spencer
Mr N.C. Wilkin (Chairman)

Also Present

Mr M.A. Kiddle-Morris (Ward
Representative)
Mr R.P. Childerhouse (Ward
Representative)

Mrs L.S. Turner (Ward Representative)

In Attendance

Paul Jackson
Heather Burlingham
John Chinnery
Jane Osborne
Nick Moys
Mike Brennan
Martin Pendlebury
Darryl Smith

Planning Manager
Assistant Development Control Officer*
Solicitor & Standards Consultant
Committee Officer
Principal Planning Officer (Major Projects)*
Principal Planning Officer*
Director of Planning & Business Manager*
Principal Housing Officer (Strategy and
Enabling)

* Capita Symonds for Breckland Council

123/12 MINUTES

Subject to it be noted that Cllr E Jolly was present as a Ward Representative, the Minutes of the meeting held on 29 October were confirmed as a correct record and signed by the Chairman.

**124/12 DECLARATION OF INTEREST AND OF REPRESENTATIONS
RECEIVED**

As Ward Representative, Mr Childerhouse, declared under the Code of Conduct, with regard to Agenda Item 9, Schedule of Planning Applications Item No. 2 (Weeting), that whilst he was a member of the Parish Council and a relative of the landowner, he had no financial interest himself or was not the landowner.

Cllr Bambridge declared with regard to Agenda Item 9, Schedule of Planning Applications Item No. 1 (Sparham) that he had attended various meetings in Sparham where the matter was discussed.

Action By

125/12 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA

Item No. 6, of Agenda Item 9 Schedule of Planning Applications, Taylor Wimpey UK Ltd Attleborough, had been deferred prior to the meeting at the request of the Highways Consultant to allow further information to be obtained.

126/12 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)

The Adopted Breckland Policies and Proposals Maps were available for Members to collect from the Policy Team.

Members would be updated in due course on the outcome of the legal challenge with regard to the TAAP which was being heard on 26 and 27 November, 2012.

127/12 DEFERRED APPLICATIONS

Noted.

128/12 SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined as follows :

- (a) SPARHAM : Erection of five dwellings and access drive : Applicant : Mr David Sayer : Reference : 3PL/2012/0050/F

Cllr Bambridge declared he was the Ward Member for Sparham and had attended various meetings in the village where the matter had been discussed.

The application sought full planning permission for the erection of five dwellings and access drive and was outside the Settlement Boundary. Approval was recommended subject to conditions and a Section 106 Legal Agreement, ensuring that three of the dwellings were provided and retained as affordable units and to secure a financial contribution towards local recreation projects.

Mr Sayer, Applicant, stated that he would be the landlord of the affordable housing which would be at affordable rents. His preferred choice in lieu of a recreational contribution would be that he gave the half acre of land that adjoined the village hall and church to the Parish Hall Committee.

Cllr Bambridge advised that historically there was a declared basis for growth for Sparham. Housing needs had been declared in the village. The two open market houses would be used by people who worked in the village. The proposal had the support of the Parish Council and himself. The half acre of

Action By

land had been used by the village for decades.

RESOLVED, that the application be deferred and the Officers authorised to approve it as recommended, on completion of the legal agreement and to include either the proposal by the applicant of land being given to the Parish Council or a financial contribution towards local recreation projects.

- (b) WEETING : Change of use from agriculture to sports & recreation (D2e) : Applicant : Weeting Parish Council : Reference : 3PL/2012/0578/CU

Change of use was sought of 4.48 ha of agricultural land to sports and recreation outside the Settlement Boundary. The proposal would provide 2 full size football pitches, 1 three quarter size pitch and 3 five-a-side training/junior pitches.

An email had been received from Cllr Monson, local member for Weeting which was read out by the Principal Planning Officer, the contents of which covered the fact that it was very important that Weeting expanded its sports facility, with football being one of its popular sports. The proposed site would not have any access problems. He proposed that a TROD (hard surface path) ran alongside Lynn Road.

The Principal Planning Officer stated that it had not been adequately demonstrated that the recreational facilities were located in an appropriate sustainable location in the village in terms of sustainability and accessibility to non car users. Moreover the site was sub optimal in terms of the constraints the proximity to the SPA placed on the ability of the location to support future facilities. Conditions required by Natural England would prevent the erection of buildings and structures and lighting and thus would limit the benefit to the village, and the Application was therefore recommended for refusal.

Mr Childerhouse, Ward Representative, declared that he was a member of the Parish Council and was a relative of the landowner, but that he had no financial interest or was not the landowner himself. He stated that the application had the support of NCC and Elizabeth Truss MP. Local service centres such as Weeting should be supported. Weeting Football Club had an increasingly large following and players could not all use a single pitch. The facilities at Methwold High School and Brandon High School had been used in the past. The parish project was community lead, and grant funding was available for sports pitches. Whilst it was accepted that the site was at one end of the village, a considerable majority of people would live within a sustainable distance of the new site and would not have far to walk to the new facilities.

Action By

Mr Green, Agent and Secretary of Weeting Football Club explained that links with junior teams had been developed and the football club continued to grow with a dramatic rise in the number of players wanting to play in Weeting to include junior, veteran and women's teams. The FA were quite favourable to the proposal and would help them. The proposal represented the start of a process that would ensure success of a vibrant football club. Training sessions could be expanded and improved. There would be parking facilities for 50-80 cars. Most of those involved lived in the village, and football colours were worn with pride in the team, club and village.

Mr Nairn, as a member of the Applicant Council, said the existing site would be retained by the Parish Council.

Mr Childerhouse acknowledged that whilst it was disappointing that a building could not be accommodated as the entire village was engulfed by the Stone Curlew buffer zone, they would do the best they could to make it work. The site would be maintained as the current playing fields were.

Members were concerned that there were several disadvantages, that the new facility would be without a changing pavilion and toilet facilities, food and drink could not be supplied, and there was a lack of storage facilities for equipment.

Refused, as recommended, on the grounds that the application did not represent the most sustainable option to meet the identified need.

- (c) SHIPDHAM : Development of eight homes with care units including communal area : Applicant : Mr T Thompson : Reference : 3PL/2012/0770/F

Full planning permission was sought for the erection of eight residential units and a central communal area outside the Settlement Boundary. The application was recommended for refusal because it would represent an unsustainable form of residential development, without special justification, in an isolated rural location which would be detrimental to highway safety. It would have an unsatisfactory impact on landscape, an unacceptable loss of tree coverage, and the applicant had failed to adequately assess the impact on protected species.

The Tree & Countryside Consultant no longer objected subject to condition. NCC Highway's objected due to inadequate visibility splays and the site being remote from facilities. Strong concerns had been received from the Planning Policy Team as the units were not classed as affordable. The Applicant was willing to offer a Section 106 Agreement and would be happy to accept a local needs connection.

Action By

Members were asked to recognise the compounding element of additional buildings when added to the range of buildings at Wood Farm itself, which would create an urban environment with regard to landscape impact on the countryside.

Mr Took, Agent, explained that the proposal sought to provide a modest scheme of 8 units, avoiding any institutional feel, and there was a shortage of that type of accommodation. Traffic to the site, which was within walking distance to village facilities, would be limited.

Mr Thompson, Applicant, stated that carers would be in attendance and preliminary discussions had taken place with Manor Court Care.

Mrs L Turner, Ward Representative for Shipdham, strongly urged the Committee to approve the application as it met criteria for special justification. The Applicant would provide 8 small units for local people to rent which would allow them to stay close to friends and family. The location was peaceful and close to facilities. The link with the existing care home would ensure residents were part of a sustainable community which was in favour of the development and they valued the need for the unique proposal.

A Member felt that care in the community needed special consideration. Dementia sufferers needed a quiet and controlled environment.

Whilst the application was applauded by some Members, they had concerns that the proposed development was isolated, difficulties would be encountered by service vehicles and it was questioned whether the entrance/exit could be improved by Highways.

In answer to a question raised as to whether any other sites had been identified, Darryl Smith, Principal Housing Officer, Strategy & Enabling, stated that there was a very high need for housing with care and that given the reduction in funding, they were very supportive to an applicant who already owned land. The tranquillity was ideal for the type of application proposed.

The Planning Manager felt that given there were too many issues unanswered, Members might want to defer the application.

Issues were :

Who could occupy the units?
No draft legal agreement had been agreed

Action By

Could the entrance/exit be improved?
Impact on newts in the pond
Re-visit the layout of the two separate units

A recommendation was made to defer the application which was seconded.

RESOLVED, that contrary to the recommendation of Officers, the application be deferred to allow time for the concerns raised by Members to be answered and addressed.

- (d) BEESTON : Proposed 3 no. dwellings & garages : Applicant : Middleton Developments Ltd : Reference : 3PL/2012/0937/F

The application, recommended for approval, was for full planning permission to demolish part of an existing detached bungalow known as Brereton and to construct three detached two-storey dwellings and garages on garden land to the rear of Lazy Acre and Brereton.

Mr Farrall, Parish Council, advised that the Parish Council found no material differences between the current proposal to the previous one refused in December 2010. The development would affect near neighbours, was an inappropriate development of residential gardens, was not of good design, and no communication had been received from the developer. NCC's conclusion was unsatisfactory and he raised doubt about the noise calculations. Fuel tankers would have to park close to the school.

Mrs Pooley, Objector, questioned why villages should lose their peace and quiet. The scale and character of the proposal would be visibly intrusive. Road frontage sites should be developed before back gardens.

Mrs Drew, Objector, stated that the proposal was for inappropriate buildings in an inappropriate place and would be an eyesore which would directly overlook neighbours and impact on their lives. Beeston was a small pretty rural village where she had lived for over 10 years enjoying its peace and tranquillity and added that there were better suited places within the village.

Mr Smith, Agent, advised that the applicant had addressed the comments made by the Inspector. Tarmac would be used and a 1.8m closed boarded fence erected adjacent to the access which would provide sound attenuation within guidelines. Vehicles would drive slowly down the private driveway. Access width would be 3.7m.

Mr Kiddle-Morris, Ward Representative, stated that he did not

Action By

believe that the applicant's mitigation carried weight under the Planning Policy Framework. It was cynical to demolish part of a house to obtain access to back gardens and was a contravention of planning policy.

The applicant, Mr Middleton, confirmed that the proposed modifications would be carried out to Brereton before the development took place.

A Member asked whether sufficient turning space could be incorporated within the plot to allow delivery vehicles (e.g refuse) to turn round. The Principal Planning Officer stated that no objections had been received with regard to refuse, and he felt there would be sufficient scope for the storage of bins to be placed at the front of site prior to collection. He explained the policy decisions with regard to NPPF. Given that the proposed dwellings would consist of 3-4 bedrooms and only two spaces per dwelling had been allocated, a Member commented that the site would be constrained.

Approved, as recommended subject to conditions as detailed in the report with the additional conditions that alterations were to be carried out to Brereton before any other works commenced and relating to details of drainage.

- (e) HARLING : Residential development of 17 dwellings with associated roads and infrastructure : Applicant : Mr & Mrs P Burton : Reference : 3PL/2012/0946/F

Members had received communication on the item.

Full planning permission was sought to demolish an existing dwelling known as Cloverfields, and construct 17 dwellings and associated garages on land off Lopham Road, East Harling. Whilst part of the site was outside the Settlement Boundary for East Harling, the principle of residential development had been established through the granting of planning permission on the site in 2011. The proposal accorded with the relevant policies of the Breckland Core Strategy and the National Planning Policy Framework and was recommended for approval.

The Principal Planning Officer (Major Projects) advised that the current scheme differed from that previously approved in terms of the layout of the proposed dwellings and the creation of new additional vehicular access off Lopham Road. Since the publication of the Agenda, it was proposed that the majority of the belt of pine trees would be replaced by a more domestic scale planting scheme. Six affordable dwellings would be available, and not 9 as published in the Agenda.

Action By

Mr Taylor, Objector, believed that the Highways Authority had not objected as they had not taken into consideration the exits would have industrial use and explained that lorries blocked the visibility of a substantially dangerous junction. He would be happy to relinquish some open space, but would need a contribution. He felt that one of the proposed garage blocks would be better suited as parking as it would impact on the lighting with regard to some of his own development plots.

Mr Belton, Agent, advised that extensive consultation had been carried out with NCC Highways, and the residential amenity of each dwelling had been carefully designed. He confirmed that double and acoustic glazing would be included on plot 17. The proposal was an improvement on the previously approved scheme and would be immediately deliverable.

RESOLVED, that the application be deferred and the Officers authorised to approve it as recommended, on completion of the legal agreement.

- (f) ATTLEBOROUGH : Erection of 375 dwellings with assoc. parking, garages & landscaping (Full) & Outline for Employment Development (Re) : Applicant : Taylor Wimpey UK Ltd : Reference : 3PL/2012/0958/H

Deferred, prior to the meeting at the request of the Highways Consultant to obtain further information.

Notes to Schedule

Item No.	Speaker
1	Mr Sayer, Applicant
2	Mr Childerhouse, Ward Representative Mr Nairn, Applicant Mr Green, Agent
3	Mrs Turner, Ward Representative Mr Thompson, Applicant Mr Took, Agent
4	Mr Kiddle-Morris, Ward Representative Mr Farrell, Parish Council Mrs Drew, Objector Mr & Mrs Pooley, Objectors Mr Middleton, Applicant Mr Smith, Agent
5	Mr Taylor, Objector Mr Belton, Agent

Action By

Written Representations Taken Into Account

Reference No.	No. of Representations
3PL/2012/0050/F	1
3PL/2012/0578/CU	6
3PL/2012/0770/F	1
3PL/2012/0937/F	4
3PL/2012/0946/F	11
3PL/2012/0958/H	12

129/12 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING

Noted.

130/12 ENFORCEMENT ITEMS (FOR INFORMATION)

Noted.

131/12 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)

Noted.

132/12 APPEAL DECISIONS (FOR INFORMATION)

Noted.

The meeting closed at 12.45 pm

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

GENERAL PURPOSES COMMITTEE

**Held on Thursday, 22 November 2012 at 2.00 pm in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr P.J. Duigan (Chairman)	Mr B J Skull
Mr T R Carter (Vice-Chairman)	Mrs A.L. Steward
Mrs B Canham	Mr D.R. Williams JP
Councillor M. Chapman-Allen	Mrs E. M. Jolly (Substitute Member)

Also Present

Mr M. S. Robinson	Mr M. A. Wassell
Mrs L.S. Turner	

In Attendance

Lucy Hohnen	- Interim Head of Human Resources
Helen McAleer	- Senior Committee Officer
Riana Rudland	- Community Development Manager
Mark Stanton	- Economic Development Manager
Mark Stokes	- Deputy Chief Executive
Lindy Warmer	- Senior Economic Development Officer

Action By

63/12 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 19 September 2012 were confirmed as a correct record and signed by the Chairman.

64/12 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr G Bambridge, Mr C Clark, Mr S Green and Mrs S Matthews.

Mrs E Jolly was in attendance as a Substitute.

Apologies from Mr B Borrett, who had been unavoidably detained, were received immediately following the meeting.

65/12 DECLARATION OF INTERESTS (AGENDA ITEM 3)

For the sake of transparency Mrs A Steward declared an interest in the Economic Development item as a Cabinet Member of Norfolk

County Council.

66/12 URGENT BUSINESS (AGENDA ITEM 4)

None.

67/12 ADOPTION LEAVE POLICY (AGENDA ITEM 5)

The Interim Head of Human Resources presented the report which sought to bring the pay entitlements of the Adoption Leave Policy into line with the Maternity Leave Policy. There were no other changes to the policy. She noted that there had only been one claim for Adoption Leave in the last seven years.

Mr Williams (as Chairman of the Local Joint Consultative Committee) said that the LJCC had supported the recommendation and the report had been well received.

RESOLVED to approve the introduction of an additional Occupational Adoption Pay provision to mirror the Occupational Maternity Pay provision of 90% of a week's pay for week 1-6 and 50% of a week's pay for week 7-18 (plus statutory adoption pay).

68/12 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 6)

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 items of business on the grounds that they involve the disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act.

69/12 ECONOMIC DEVELOPMENT SERVICE - NEW WAY OF WORKING (AGENDA ITEM 7)

The Economic Development Manager presented the report which set out a new way of working designed to reduce the cost of the service over the next two years with the aim of becoming cost-neutral by 2015/16. The report had previously been presented to Cabinet to enable a funding bid which was time critical.

Mr Williams (as Chairman of LJCC) noted that they had been informed that the funding was aimed at business rather than communities.

Mrs Steward congratulated the Economic Development Team and then raised various questions and received the following responses:

- The relationship of Economic Development to the Thetford

Action By

- Growth Point team was clarified.
- There were five Local Enterprise Partnerships (LEPs) in the eastern region. Four of those would be involved in the new project and would help by identifying suitable businesses in their areas.
 - Although more people would be involved in the project there would be an actual reduction in the number of staff employed by Breckland Council.

Mrs Jolly asked how the project's progress would be monitored and was advised that a report would be made to the Audit Committee each year to check savings. It would also be monitored by Senior Management through the Performance System.

Mrs Jolly was concerned about the 'up-front' costs for the Council and the risks if the project did not progress.

It was explained that there was very little risk as even redundancy costs were claimable within the project.

In response to a further question by Mrs Steward regarding engagement with schools the Senior Economic Development Officer said that they were working as closely as they could with schools and other agencies which delivered into schools. They had tried to set up an apprentice scheme but that had failed. However, they were working with the CITB regarding future construction apprenticeships with local businesses and were also trying to work with Norwich City College.

RESOLVED to **RECOMMEND TO COUNCIL** that Option 1 of the report be approved.

70/12 COMMUNITY DEVELOPMENT SERVICE REVIEW (AGENDA ITEM 8)

The Deputy Chief Executive presented the report which followed on from the December 2011 restructure which had been through the LJCC and General Purposes Committees. There had been a number of changes since then to how the service was provided. These included changes to CCTV, Grants and the Pride Agenda. There was also a new Shared Service Manager in post.

Members had been very supportive of the work of the team and keen to receive a progress review. That provided an opportunity to review the structure.

Mr Williams (as Chairman of LJCC) said that they had supported the leaner structure.

Action By

Mrs Canham agreed that cuts had to be made and supported what the Council was trying to do, but she was concerned at the potential loss of skills.

The Community Development Manager advised that all the functions would still be covered and the changes to the structure would result in only one redundancy as opposed to two in the previous proposal.

The Chairman noted that some posts were not part of the review and it was explained that some forms and functions were not changing.

The Executive Member for Localism, Community and Environmental Services said that the responses from the Could We Should We consultation had been taken into account when considering the changes. The use of multi-skilled officers would enable delivery of a wider range of services.

Mrs Chapman-Allen asked various questions about the Community Safety team which the Community Development Manager answered.

RESOLVED to RECOMMEND TO COUNCIL that:

- (1) the revised structure at Appendix B be approved; and
- (2) formal consultation with staff should proceed.

As a result of concerns raised at the LJCC meeting Mr Williams asked that letters to affected staff be sent out promptly and the Deputy Chief Executive assured him that they would.

71/12 LEGAL SERVICES REVIEW (AGENDA ITEM 9)

The Executive Member for Finance and Democratic Services explained the background to the report. The initial review had been completed at the end of 2011 with a preferred option of a shared legal service with South Holland. That proposal had not been supported by South Holland.

The need to realise savings remained and further work had been completed. A fundamental change to the service was proposed.

Mr Williams noted that the report had not been presented to LJCC and the Deputy Chief Executive explained that that was because it affected less than five members of staff.

Mrs Chapman-Allen raised various concerns, many of which she had previously raised when the report was presented to Cabinet. She asked if Legal Services had been asked to make savings and it was confirmed that they had not.

Mr Carter was concerned about the risks if the new service was not

Action By

fit for purpose.

Mrs Jolly asked how the effectiveness of the change could be monitored and was advised that all projects were subject to the Performance Management procedures. The Assistant Director for Democratic Services would be ultimately accountable.

Mr Williams was concerned that quasi-judicial committees depended on good legal advice as members were liable for the decisions they made. The wrong advice could lead to increased costs. It would be of paramount importance to ensure that the person procuring that advice had the necessary qualities.

The Chairman thought that it would be very important to give clear guidance to all service managers on how to access legal services in future. He also asked who would monitor the service and was advised that it would be monitored by the scrutiny process and through the Performance Plus system.

Mr Williams requested that LJCC should also receive a monitoring report.

RESOLVED to **RECOMMEND TO COUNCIL** that:

- 1) the proposed structure for Legal Services as detailed in the report be approved; and
- 2) the Assistant Director of Democratic Services proceed with conducting a 30 day staff consultation on the proposed changes detailed within the report.

72/12 NEXT MEETING (AGENDA ITEM 10)

The arrangements for the next meeting on 9 January 2013 were noted.

The meeting closed at 3.30 pm

CHAIRMAN

At a Meeting of the

APPEALS COMMITTEE

Held on Wednesday, 28 November 2012 at 10.00 am in
Norfolk Rooms, The Conference Suite, Elizabeth House, Dereham

PRESENT

Mrs L.H. Monument (Chairman)	Mr S. Askew
Mr W. R. J. Richmond (Vice- Chairman)	Mr R.W. Duffield
Mrs S Armes	Mrs J A North

In Attendance

Mr Philip Mason	- Solicitor
Jane Osborne	- Committee Officer
Rowland Wilson	- Licensing Officer
Ejike Ndaji	- Trainee Solicitor

Action By

50/12 MINUTES

The Minutes of the meeting held on 17 October 2012 were confirmed as a correct record and signed by the Chairman.

51/12 NON-MEMBERS WISHING TO ADDRESS THE MEETING

Mr Ejike Ndaji, Trainee Solicitor, Overburys Solicitors was in attendance for training purpose only. A representative from the local Press was present.

52/12 HEARING PROCEDURES

The procedure was noted.

53/12 APPLICATION FOR CONSENT TO PLACE TABLES AND CHAIRS ON THE HIGHWAY

The Hearing was heard in accordance with the Council's agreed procedure, and took place in the presence of the applicant, J. D. Wetherspoons Ltd Area Manager and an Objector, along with the Licensing Officer and Mr P Mason, the Council's Solicitor.

The Chairman made introductions and explained the procedures to the applicant.

Rowland Wilson, Licensing Officer presented the report which was to determine an application by The Romany Rye, 1 Church Street,

Action By

Dereham, to place table and chairs on the Highway under S.115E Highways Act 1980.

Shashana Brackenbury, Area Manager, Wetherspoons, tabled photographs of furniture which showed where they would be located inline with the building which were shown to all Members. When asked what arrangements had been considered to offer protection to waiting staff with regard to pedestrians going past, she explained that in some of their other establishments temporary barrier systems were put in place, and she would be happy to incorporate the same system to the proposed application which would consist of non permanent portable barriers at The Romany Rye if the Committee wished.

Some Members of the Committee were concerned that there was a potential that members of the public could stop and talk to people sitting at the tables, which would make the pavement area narrow.

When asked why there was a need for tables and chairs on the pavement given that at the rear of The Romany Rye there was already an outside facility where no pedestrians walked past, Mr James, Manager of The Romany Rye explained that with their level of trade growing they saw it as being an opportunity to enhance and benefit The Romany Rye due to the increasing café style culture. The tables and chairs at the front of the premises would predominately be for food. As they were mindful of the public highway, drinks would be served in plastic glasses, and customers would be prevented from taking glasses out the front of the premises. In the summer season, the back garden was at its maximum capacity which consisted of around 40 covers where food was served (about 200 covers inside).

A Member felt that in the summer months, customers would move tables and chairs out of the sunshine and into a shaded area which could then impinge on the pavement. The Area Manager stated that customers would not be allowed to move them by appropriately trained staff.

A further concern was in regard to what consideration had been taken to enable disabled motorised vehicles and children's' double buggies to be accommodated on the pavement in the area from the perimeter of the street to a barrier, and whether there would be enough space for them individually to pass without going onto the road, as well as 'two-way traffic'. The Area Manager stated that the area would be six paving slabs wide.

The Area Manager stated that tables and chairs would be in place Sundays to Thursdays 8 a.m – 10 p.m and Fridays and Saturdays 8 a.m – 7.30 p.m but both the time of year and weather would dictate what time they were placed outside as well as when they would be brought back in. No lighting or canopy was planned. When questioned about smoking, she explained that signs would be

erected to prohibit anyone from smoking at the tables and chairs. Smoking was permitted in the back garden.

Richard Holliday, Objector, had resided in Crown Place, Church Street opposite The Romany Rye, for the past 3-4 years. He was present to speak on behalf of neighbours who had expressed concern, although his main concern was the disruption it would cause to the church. School children and those attending the church used the footpath and he believed there was not enough room to accommodate tables and chairs. The added noise would cause some nuisance too. There was already noise on Friday and Saturday nights and the following mornings due to late night revellers. On sunny days neighbours could hear noise from the area at the rear, and he felt that they had been tolerant of that. The proposal at the front of the premises would only be a few meters away from where he lived. Cars were able to park outside The Romany Rye due to there being no double yellow lines.

To summarise, the Area Manager confirmed that they would be happy to put barriers in place, were flexible on timings the tables and chairs would be placed outside and when it got dark they would bring them in as they would if the weather was bad. The facility would be well managed. The Romany Rye was a very dominant public house with regard to food as opposed to liquor with more coffee being sold. The proposal was to provide extra seating as the establishment was currently at full capacity. At other establishments they were launching community days, where members of the public/neighbours would be welcome to attend to discuss any problems they might have, and they would propose to do the same at The Romany Rye, as Wetherspoons were more than happy to deal with any concerns and overcome them, which the Objector welcomed. When the Objector asked if Church Street was an alcohol free zone, she said that the establishment could manage if it was and the tables and chairs would be for non alcoholic drinks.

Having heard all the evidence, the Applicant, Area Manager, Objector and Officer withdrew to allow the Committee to consider their options.

After the Committee had considered the matter, the Applicant, Area Manager, Objector and Officer returned.

The Solicitor advised that following all the evidence submitted and the management structure in place, it was :

RESOLVED that,

The Committee grant the table and chairs application as shown in the Agenda for a period of one year initially.

The reason for the decision was that the Committee were satisfied that the applicant could operate the licence subject to :

Action By

- (a) The Standard Conditions of Breckland Council as listed on page 8 of the Agenda
- (b) Items 1 -10 of the applicant's Pavement Café Proposed Operating Schedule as shown on page 13 of the Agenda, be imposed as additional conditions
- (c) In accordance with Breckland Council's Tables and Chairs Consent Standard Conditions No. 7, permission for the tables and chairs was granted from 8 a.m – 10 p.m Sundays to Thursdays inclusive, and from 8 a.m – 7.30 p.m Fridays and Saturdays
- (d) No smoking was to be permitted at the tables subject to the licence
- (e) The application would take effect from 1 January 2013

Cllrs Armes and Duffield were not supportive of the decision.

The Chair made the applicant aware that whilst Point No. 15 of Breckland Council's Tables and Chairs Consent Standard Conditions, as shown on page 8 of the agenda did allow barriers, the Committee had decided to temporarily exclude permission for any barriers due to the lack of information provided by the applicant. The applicant was advised that he would need to provide details to the Licensing Officer to resolve.

54/12 NEXT MEETING

It was noted that the next meeting would be held on Wednesday 16 January 2013 at 10.00 a.m in the Norfolk Room.

The meeting closed at 11.45 am

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

AUDIT COMMITTEE

**Held on Friday, 23 November 2012 at 10.00 am in
Norfolk Room, Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr C.R. Jordan (Chairman) Mrs E. M. Jolly
Mr R.G. Kybird (Vice-Chairman) Mr M J Nairn
Mr T. J. Jermy

Also Present

Mr T. Ludlow Mrs B Canham
Mr K. Stevens

In Attendance

Emma Patchett	- Audit Manager
Chris Brooks	- Governance and Performance Accountant
Mark Finch	- Assistant Director of Finance
Sandra C. King	- Head of Internal Audit
Alison Chubbock	- Accountancy Manager
Julie Britton	- Senior Committee Officer

60/12 MINUTES (AGENDA ITEM 1)

a) Breckland Training Services Proposal (Minute No. 55/12)

Mr Ludlow asked if the comments raised by the Audit Committee had been mentioned at the Full Council meeting on 25 October 2012. Members were informed that nothing had been said but the Chairman ensured the Committee that the performance of the training service would come back to the Audit Committee in due course and be added to the Work Programme accordingly.

b) Minutes

The Minutes of the meeting held on 28 September 2012 were confirmed as a correct record and signed by the Chairman.

61/12 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr R Childerhouse and Mr R Murray.

62/12 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None.

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<p>63/12 <u>MONITORING OF THE EXTERNAL AUDIT SITUATION (STANDING ITEM) (AGENDA ITEM 6)</u></p> <p>The Assistance Director of Finance introduced Emma Patchett as the Council's new external Auditor who now worked for Ernst & Young since the closure of the Audit Commission.</p> <p>Ms Patchett advised that the move to Ernst Young took place on 1 November 2012 as planned.</p> <p>It was agreed that the monitoring of the External Audit situation could be removed from the agenda. Mr Ludlow asked if this could be replaced with the draft local Audit Bill consultation, it was agreed that this could be added once something positive came forward.</p> <p><u>RESOLVED</u> that the Monitoring of the External Audit situation be removed from the agenda as it was no longer required.</p>	<p></p> <p>MF</p> <p>MF/JB</p>
<p>64/12 <u>ANNUAL AUDIT LETTER 2011/12 (AGENDA ITEM 7)</u></p> <p>The Annual Audit Letter that reflected the Audit Committee's work in 2011/12 was for information only.</p> <p>The Annual Audit Letter was noted.</p>	
<p>65/12 <u>QUARTER 2 GOVERNANCE REPORT RISKS (AGENDA ITEM 8)</u></p> <p>The Governance & Performance Accountant presented the Quarterly Risk Governance Report for Quarter 2 2012/13.</p> <p>There had been a number of new and revised risks identified during the quarter which could be seen from pages 10 to 12 of the agenda.</p> <p>Members' attention was drawn to the omission of two risks from Quarter 1 that had decreased but had not been included in this report.</p> <p>Mr Stevens asked what ATT stood for under risk ID No. BC-CD-OR 12, the Governance & Performance Accountant did not know what this stood for but informed Members that it was basically the company that would be taking over the school. Mr Stevens then asked what level of influence Breckland Council would have on this matter. In response, Members were informed that Breckland Council would have a strong level of influence. In response to a concern about the lack of a risk score for the Swaffham High School, the Governance & Performance Accountant said that he would look into this.</p> <p>Referring to page 12 of the agenda, Mr Stevens asked for clarification with regard to risk BC-IT-OR 07. The Governance & Performance Accountant explained that this risk related to the transfer of IT staff to Norfolk County Council. It was noted;</p>	<p>CB</p> <p>CB</p>

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however, that any potential issues would be escalated to Norfolk County Council.	
Page 18 of the agenda under R-SR 01 in relation to rental income, Mr Ludlow mentioned the fact that the Audit Committee had asked for the occupancy rate figure to be included in the chart. The Governance & Performance Accountant agreed to amend the chart accordingly for the next report.	CB
Referring to the aforementioned chart, Mr Stevens thought that the space currently let for the Dereham Business Centre was quite low. Members were informed that there was a low demand for office space at this time. The Vice-Chairman pointed out that Norfolk County Council's Children's Services closed its office in Thetford and had transferred to the Dereham Business Centre.	
In the light of the Government's relaxation on S106 Agreements Mr Ludlow asked if the risk under BC-SR 05 had been reviewed. The Vice-Chairman stated that he was aware of some on-going re-negotiations in relation to stalled contracts. The Assistant Director of Finance pointed out that the Council was mindful of the need to encourage affordable and market value housing. This query would be followed up with the Housing Manager.	MF
Referring to BC-SR 07, in relation to whether the cost of the advisory service provided by Norfolk County Council could increase, the Assistant Director of Finance stated that such costs would not be governed by this level of agreement. However, it was agreed that this question should be put to Norfolk County Council.	MF
The report was otherwise noted.	
66/12 <u>UPDATING OF STRATEGIC AND ANNUAL AUDIT PLANS FOR 2012/13 (AGENDA ITEM 9)</u>	
In a response to a request from the Corporate Management Team to revisit the computer audit needs assessment from 2010/11, the Head of Internal Audit confirmed that this work had now been completed and the strategic and annual audit plans updated in consequence. The new assessment had adopted a slightly revised approach. The auditable areas had been split into two separate analyses. The first analysis reviewed 36 potential discrete auditable areas, whilst the second focused on the authority's key applications and upcoming projects. Further to this, a new methodology for IT back up arrangements had been incorporated.	
In reference to the reviews for the cash receipting applications and the Revenues and Benefits Electronic Document Record Management System, there had been an acceptance that these reviews should still go ahead, but that the remaining 21 planned days should be allocated to a review of Network Infrastructure and Security. This work would commence in early March 2013.	

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The latest Computer Audit Needs Assessment covered the period 2012/13 to 2015/16 and this contained a suggested programme of work for two financial years - 2014/15 and 2015/16 which extended past the term of the Internal Audit Services Contract which expired in September 2014; therefore, future audits could change dependent on the service delivery model that the Council adopted from that point forward.

Mr Ludlow queried Table 1 under Section 6 of Appendix 1 (page 35 of the agenda) and asked why the Council had three very high risk items last audited in 2009 that were not going to be audited again until 2015/16. He was of the opinion that high risk items should be monitored every year. The Head of Internal Audit explained that Deloitte's cycle of review was such that very high risk items were earmarked for two yearly reviews, high risk systems should be subject to three year examination and medium risk areas warranted a four yearly scrutiny. Further to this, the assessment had been based on current risks and hence, when previously audited, the auditable areas might well have carried a different risk rating at that time, which explained why some of the intervals between reviews were longer than one might have expected. Computer audit coverage was also subject to financial constraints i.e. funding available to sanction delivery of the relevant audits put forward and this factor also played a key part in the scheduling of work. Mr Ludlow felt that the high risks should be swapped to the timeframe of the medium risks. Members were informed that the Director of Commissioning, the Assistant Director of Finance and the Head of Internal Audit had considered Deloitte's computer audit proposals and collectively agreed that they represented a reasonable balance of computer audits for completion in the next four years.

Mrs Jolly asked if these assessments would be affected by the move to Norfolk County Council. The Head of Internal Audit explained that the move had been taken into account when developing the coverage, and there had also been discussion with the Principal Audit Client Manager at Norfolk County Council regarding the scoping of Breckland audits to avoid any duplication of work.

In conclusion the Chairman was well aware of how shared services could affect the way that these assessments would be reported in future; in his opinion it was going to be much more difficult.

RESOLVED that:

- 1) the findings of the Computer Audits Needs Assessment be noted; and
- 2) the amended Strategic Audit Plan for 2012/13 to 2014/15, the reworked Annual Audit Plan for 2012/13 and the

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updated Summary of Internal Audit Coverage for 2012/13 be approved.

67/12 PROGRESS REPORT OF INTERNAL AUDIT ACTIVITY, 1 APRIL TO 5 NOVEMBER 2012 (AGENDA ITEM 10)

The report examined progress made between April and early November 2012 in relation to delivery of the Annual Audit Plan for 2012/13 and included abbreviated management summaries in respect of the audit reviews that had been finalised in the course of this period.

The Head of Internal Audit commented on the status of the Plan and provided further updates, e.g. a final audit report had now been issued for BRK/13/03 for Asset Management, a draft report had been generated for BRK/13/02, Procurement with management responses were awaited, the field work on BRK/13/04 for Payroll and Human Resources had since been completed and the fieldwork relating to BRK/13/05 Environmental Health had commenced.

Members' attention was also drawn to the outcomes of the audit of BRK/13/01, the Environmental Services Contract and the fact that a **Good** assurance had been given on the conclusion of the work.

The Vice-Chairman was aware that Environmental Health was undergoing a management structure change and asked if Internal Audit had taken this into consideration moving forward, particularly if new procedures and new ways of working were being developed. Members were informed that with all audits, the primary focus was on key controls and although operations spanning up to the previous 12 months might be evaluated, at the same time, current developments within the Service area and their impact on the internal control environment were also taken into account. Members of the Corporate Management Team were consulted over the timing of reviews before their sequencing was finalised, and wherever possible, internal developments in service areas would be recognised in the proposed Summary of Audit Coverage prepared each year in conjunction with new Audit Plans. Members were referred to page 61 of the agenda as to what aspects of Environmental Health had been suggested for inspection in 2012/13 and that when later setting the audit brief, the Environmental Health Manager had requested some changes to the original focus, hence senior management input was always taken into account before starting any audit.

Referring to the Document Imaging Process under BRK/13/12, Mr Ludlow drew attention to the weak compliance in relation to the three month retention rule for scanned hard copy documentation. He asked if any documentation was being kept after the three months or being destroyed before. The Head of Internal Audit explained the rationale for the recommendation which had been linked to the weak compliance and pointed out that management

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had now agreed to implement and document relevant procedures that would ensure full compliance with the Policy in the future.

In response to a question, Members were informed that daily exception reports were generated for cash receipting.

RESOLVED that the outcomes of the audits completed between April and the first week of November 2012, together with recent amendments made to the Annual Audit Plan for 2012/13 be noted.

68/12 REPORT OF THE STATUS OF AUDIT RECOMMENDATIONS DUE FOR IMPLEMENTATION BY 30 SEPTEMBER 2012 (AGENDA ITEM 11)

The purpose of the report was to inform Members of the progress made in implementing audit recommendations due between 1 April and 30 September 2012. The report thus provided a commentary on management updates provided during this period and the outcomes of recent audit verification work.

In the intervening period, the process used to monitor the implementation of audit recommendations had remained broadly similar, whilst the latest verification work had been carried out by the Deloitte Auditors during w/c 22 October 2012.

The table at 3.2.1 of the report crystallised the current and previously reported position showing the improvements that had been made in the first part 2011/12 compared to the latter; whilst there had been a sudden rise in the number of recommendations where it had not been possible to confirm their status in the first half of 2012/13. Additionally, it was noted that revised deadlines had been set for the two high priority recommendations arising from the 2010/11 Asset Management audit and progress with their implementation would continue to be monitored.

The audit follow up work had also highlighted that control weaknesses concerning procurement still remained unsolved of which there were five outstanding recommendations. A further review of this area was currently underway and a fuller update on the system of internal control operating over procurement would be brought back to the Committee in due course.

SK

Members were also made aware that where **limited** assurance had been given to Planning and Building Control in 2011/12; all eight recommendations had yet to be satisfactorily cleared although two had not as yet reached the deadline dates agreed for delivery.

Internal Audit had not been able to comment on the position with regard to the implementation of the 15 computer audit recommendations. Deloitte had been unable to carry out any validation work as no response had been provided by the relevant responsible Directors. No advice had been received from Deloitte

on any action being taken.

Members' attention was drawn to Appendix 1 of the report which listed the summary of agreed Internal Audit recommendations as at 30 September 2012.

Referring to the table at paragraph 3.2.1 of the report, Mr Jermy thought that it had previously been agreed that the Completed/Superceded recommendations would be shown separately. The Head of Internal Audit said that she would have to check with Deloitte if this could be done and once this information was to hand, she would update the report and provide a response for circulation to all Members of the Audit Committee.

Referring to paragraph 3.2.4, Mr Stevens was astonished about the lack of action from Management which he felt was a terrible indictment. There seemed to be a culture of non response and he felt that a strong message should be sent to the Chief Executive. In defence, the Assistant Director of Finance explained that the lack of updates was primarily due to the introduction of the new Performance Management System. Further updated reports from the Management had since been received and the next report to Committee would shed a different light on the matter. The message of concern would still be conveyed to the Managers and would also be included on the Corporate Management Team's agenda. The Chairman endorsed the concern and requested that an update be brought to the next meeting.

In reference to the summary of agreed internal audit recommendations on page 84 of the agenda and the detail behind these recommendations on pages 85 to 96, Mr Ludlow pointed out that in the summary, on page 84 for Computer Audit BRK/11/16, it stated that there was one medium risk in the column 'unable to confirm status' but in the detail on page 95 for BRK/11.16.09, it stated that that this was 'outstanding' and 'not able to confirm status,' this had been identified by a cross instead of a question mark in the second to last column. Then again in the summary on page 84 for Audit BRK/12/17, it stated that there were six medium risks in the column 'unable to confirm status', but again in the detail on page 96 for BRK/12.17.06 it stated that one of these was 'outstanding' and not 'unable to confirm status' – this had been identified once again by a cross instead of a question mark in the second to last column. The Head of Internal Audit was asked to find out whether the summary or the detail was correct.

Referring to page 89 of the agenda, it was agreed that a report should be produced to verify whether the data collected for changes to the Land Charges Register were being met.

In response to a question in relation to CCTV, Members were informed that there were arrangements in place with Kings Lynn &

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West Norfolk Council to continue the service.

Subject to the aforementioned concerns, the contents of the report were noted.

**69/12 AUDIT COMMITTEE SELF ASSESSMENT EXERCISE 2012/13
(AGENDA ITEM 12)**

The report sought to revisit CIPFA's Audit Committee Self-Assessment Checklist in accordance with the annual cycle set for reviewing operational arrangements, the outcomes of which could also feed into the annual review of the effectiveness of Internal Audit.

The last time that the Audit Committee worked through the Checklist was in September 2011 where upon completion, it had been recognised that there had been full compliance with the 66 aspects queried over the six fundamental areas as detailed in the report. The same fundamental areas applied this year; however, Members were made aware that there was currently a national move to introduce consolidated Public Sector Internal Audit Standards with effect from 2013/14. These standards would not be introduced until 1 April 2013 and it had been advised that the Audit Committee should continue to carry on mirroring best practice operational arrangements wherever possible whilst the service repositions itself to meet the obligations of the incoming amalgamated standards.

The checklist had been provided at Appendix 1 of the report.

No questions were asked; therefore, it was assumed that Members were accepting compliance unless they raised concerns in the meeting. One Member, being a new Member of the Committee, noted that she had not been provided with an appropriate induction. It was agreed that the Senior Committee Officer would liaise with the Head of Internal Audit to make arrangements for an induction session to take place for all the new Committee Members. Mr Ludlow also raised the point about whether the Terms of Reference set out the frequency of the meetings. The Chairman advised that the Audit Committee met as scheduled in the Calendar of Meetings that accorded with the Work Programme. Further to the above, and referring to checklist item 4.4 under Internal Audit, a Member asked whether the Committee should follow up with further action when advised that there had been issues with the implementation of audit recommendations. The Head of Internal Audit explained that regular reporting on audit recommendations was keeping the Committee appropriately informed.

SK/JB

The External Auditor asked if the Audit Committee held pre-meetings. The Assistant Director of Finance advised that the Audit Committee had two scheduled a year but could have more if it so

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<p>wished. The Vice-Chairman pointed out that the Auditors could be pro-active if they wanted a pre-meeting to take place.</p> <p>It was agreed that a standard item on training should be added to the agenda. The External Auditor said that she would be very happy to extend her knowledge on external audit to the Committee.</p> <p><u>RESOLVED</u> that full compliance to the Self Assessment Checklist be confirmed; subject to appropriate induction training being provided to the new Members of the Committee.</p>	<p>MF/JB</p>
<p>70/12 <u>DRAFT ESTIMATES 2013/14 AND MEDIUM TERM PLAN (AGENDA ITEM 13)</u></p> <p>A detailed presentation on the Draft Estimates 2013/14 and Medium Term Plan was provided.</p> <p>The presentation covered the overall revenue budget position, the capital budget, risks, sensitivity of major variables and the settlement dates.</p> <p>The Council had had to deal with a great deal of uncertainty this year as far as budgetary issues were concerned; even recent activity included a headline received from CIPFA that read: "Councils could bust their budgets" (a link to this headline would be sent via email to all Audit Committee Members).</p> <p>The Accountancy Manager highlighted the main areas within the presentation which included the efficiencies that needed to be found in 2013/14, Government Funding and how it was being reduced, the New Homes Bonus that had been based on estimates, benefits reduction, and one of the biggest risks, business rates. A chart showing the Business Rates trend against the New Homes Bonus was shown and explained.</p> <p>Mrs Jolly queried the net cost of services and asked if this budget was set in stone, if it was, how did the Council track the identified efficiencies of new decisions against this budget. The Assistant Director of Finance explained that the Council was legally required to set the budget for the Council Tax; once this had been done, quarterly reports then went through to Cabinet and then Council and the budget would then be adjusted accordingly. Mr Ludlow likened it to a forecast rather than a budget. Members were informed that a copy of the original budget was retained.</p> <p>As far as settlement dates were concerned, the settlement announcement was not expected until 19 December 2012 and the local Council Tax Scheme was not due to be put in place until the end of January 2013. Further to this the "Could We Should We" results had not been factored into the budget at this stage. The budget would not be approved until the February meetings of Cabinet and Council.</p>	<p>MF</p>

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This initial draft budget, if approved, would be put out to consultation on the website where hopefully comments would be received from council tax payers, business rate payers and key stakeholders. Mr Ludlow asked how much came out of the consultation process. The Assistant Director of Finance explained that the Council was obliged, under the regulations, to have Business Rate Payers' meetings; however, last year, in 2011, such a meeting did take place but only one person attended. Any feedback from the consultation process would be considered by Cabinet.

The draft Estimates 2013/14 and Medium Term Plan were noted.

71/12 TREASURY MANAGEMENT- MID YEAR REPORT (AGENDA ITEM 14)

The Assistant Director of Finance presented the mid-year report which had been structured to highlight the key changes to the Council's capital activity (the prudential indicators (PIs)), the economic outlook and the actual and proposed treasury management activity (borrowing and investment).

The key matter for Members to consider was in relation to the approach to counterparty selection either based on the current credit rating criteria, of which there were only two banks, or to adopt the colour coding methodology which would allow other UK banks (10 or more) to come back onto the Council's counterparty list.

The Vice-Chairman said that he would be content to have a broader base to work with. Mrs Jolly asked if this would come with any guarantees and if there would be any difference to the terms. In response, the Assistant Director of Finance advised that since the Icelandic crisis the Government would not now support local authorities. In terms of the latter question, the colour coding methodology would just allow more choice. Mrs Jolly further asked if there was anything in place if any of these banks happened to drop off the secure list. Members were informed that the Council would receive notification if this occurred.

The Prudential Indicators demonstrated that in 2012/13 there was no requirement to borrow.

Appendix B set out the figures against the Council's Investment Strategy. The Assistant Director of Finance advised that £7.9m of Icelandic monies had been received to date. Further to this, £89m Krona was being held in an Icelandic Escrow account – regulations to allow the Council access to this money was awaited. There was a great deal of uncertainty on the value of the monies when converted to sterling and the interest rate was unknown.

RESOLVED that the colour coding methodology be adopted and the Strategy and Policy be updated accordingly.

72/12 WORK PROGRAMME (AGENDA ITEM 15)

RESOLVED that the following items be added to the Work Programme:

- 1) External Audit report - since the change to Ernst & Young it was agreed that a report be brought to the next Audit Committee meeting in February 2013.
- 2) Audit Joint Working Protocol - it was agreed that a report would be brought to the next Audit Committee meeting in February 2013.
- 3) Breckland Training Services performance update – to be added to the Work Programme in September 2013.

It was noted that training on the new Standards regime would be arranged before a Hearing took place.

73/12 NEXT MEETING (AGENDA ITEM 16)

The arrangements for the next meeting on 15 February 2013 were noted.

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The meeting closed at 11.45 am

CHAIRMAN