

Public Document Pack



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To The Members of the Council

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Date 02 July 2013

AGENDA SUPPLEMENT

Dear Sir/Madam

COUNCIL - THURSDAY 4 JULY 2013

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

Item No	Report Title	Page Nos
5.	Cabinet Minutes Unconfirmed minutes of the Cabinet meeting held on 18 June 2013.	54 - 67
9.	Audit Minutes (b) Unconfirmed minutes of the meeting of the Audit Committee held on 28 June 2013	68 - 73

Yours faithfully

Julie Britton

Senior Committee Officer

BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 18 June 2013 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr J.W. Nunn (Chairman)
Mr M. A. Wassell (Vice-
Chairman)
Councillor E. Gould
Mrs L.S. Turner

Mr M.A. Kiddle-Morris
Mr I. Sherwood
Mr W.H.C. Smith

Also Present

Mr R.G. Kybird
Mr S.G. Bambridge
Councillor M. Chapman-Allen
Mr P.D. Claussen
Mr J.P. Cowen
Mr P.J. Duigan
Mr T. J. Jermy

Mrs S.M. Matthews
Mr M J Nairn
Mr W. R. J. Richmond
Mr M. S. Robinson
Mr F.J. Sharpe
Mr N.C. Wilkin

In Attendance

Dominic Chessum

Mark Stokes
Julie Britton
Mark Finch
David Spencer
Kevin Ward
Trevor Holden

- Joint Marketing & Communications Team Leader
- Deputy Chief Executive
- Senior Committee Officer
- Assistant Director of Finance
- Joint Deputy Planning Manager
- Growth Programme Manager
- Interim Chief Executive

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40/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 7 May 2013 were confirmed as a correct record and signed by the Chairman, subject to the following word being amended under the 6th paragraph at Minute No. 36/13 to read: 'premature' rather than 'prudent'.

41/13 APOLOGIES (AGENDA ITEM 2)

None.

42/13 DECLARATION OF INTERESTS (AGENDA ITEM 4)

Mr P Cowen declared an interest in item 9 of the agenda by virtue of his

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profession as an architect in practice.

**43/13 NON-MEMBERS WISHING TO ADDRESS THE MEETING
(AGENDA ITEM 5)**

Marion Chapman-Allen, Shirley Matthews, Gordon Bambridge, Paul Claussen, Philip Cowen, Phillip Duigan, Terry Jermy, Robert Kybird, Mike Nairn, William Richmond, Mark Robinson, Frank Sharpe and Nigel Wilkin.

**44/13 BRECKLAND COMMUNITY FUNDING APPLICATIONS
(STANDING ITEM) (AGENDA ITEM 7)**

The Executive Member for Localism, Community & Environmental Services presented the report that summarised the funding recommendations made by Officers and Executive Members under the new Sharepoint system process.

Councillor Chapman-Allen raised concerns about the funding conditions made by the Executive Members under section 3 of the report and highlighted the fact that East Harling Sports & Social Club already hosted outside events and would continue to do so. She also highlighted the fact that Harling was not used for many of the holiday activities, mentioned under paragraph 3.1 of the report and said that the Club would be more than happy to accommodate such activities to make more use of the hall. She asked if the word 'conditioned' under this section could be changed to 'reviewed' so not to tie the Club down too firmly.

The Executive Member for Localism, Community & Environmental Services said that the reason these conditions had been included was to ensure that these organisations contributed to their communities. Members were informed that the Club already did through hosting many regular activities. This funding would encourage more sports clubs/activities to use the improved facilities that East Harling Sports & Social Club had to offer.

Options

- (1) To approve the Match Funding for East Harling Sports & Social Club to the value of £12,892.00.
- (2) To approve a lesser amount of Match Funding.
- (3) To decline the Match Funding application.

Reasons

The Executive Members have recommended approval for East Harling Sports & Social Club subject to the following conditions:

- To agree some hosting of events/coaching during the next 12 months;
- The grant from East Harling Parish Council to be confirmed before payment was made; and

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- The hosting of children's holiday activities be conditioned.

RESOLVED that the Capital Match Funding application of £12,892.00 towards electrical, plumbing and heating work at East Harling Recreation Club be approved, subject to:

**Stephanie
Barnard**

- (1) confirmation that all other funding sources were in place prior to release of the funding;
- (2) a maximum sum of £12,892.00 or 19.96% of the cost of the project whichever was the lower; and
- (3) any other conditions that arose from Member comments from Sharepoint.

45/13 LOCALISM ACT 2011 (AGENDA ITEM 8)

The Executive Member for Assets & Strategic Development presented the report that updated Members on the work undertaken thus far that ensured the Council's full compliance with the Act. The report also sought Members' agreement to introduce a Community Asset Register in line with the aforementioned legislation.

The Localism Act introduced the Community Right to Bid. This allowed communities to nominate buildings and land that they considered of value to the community, to be included on a local authority maintained list - the Community Asset Register. If any of these assets were put up for sale, the community then had a window of opportunity to express an interest in purchasing the asset, and another window of opportunity to bid.

The Executive Member for Assets & Strategic Development said that it was quite a long process to go through and made reference to the Community Asset Register process attached at appendix 1 of the report. He then highlighted the recommendations, one of which was to establish a Community Assets Register and the other to agree a policy of no compensation payments. The reason for such a policy was explained and for clarification purposes he felt that paragraph 4.2 of the report should be included in the first recommendation.

Councillor Sharpe knew that the right of appeal by a landowner would be to Breckland Council but in the Act it stated that an appeal was linked to an individual tier tribunal. He asked when this process applied. In response, Members were informed that a tier tribunal was part of a two stage court process, the first being the appeal to the Council and the second being part of the court system. Councillor Sharpe asked if a community registered a building, was it the actual building they would be registering or the use. In terms of the regulations, the Joint Deputy Planning Manager explained that any land or buildings could be added to the register with exemptions. If it was a building or a piece of land that had community value and was, for example, changed from a public house to another use, it would still have to have the same community value; in other words, it was the use that was registered and not the building.

The Chairman asked if a change of use to a building was applied would it then trigger the community right to bid. The Joint Deputy Planning

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Manager explained that some change of use did not require planning permission but if a building had been included on a community register it would not preclude the planning process if a change of use was submitted but it would have to be taken into consideration.

The Executive Member for Internal Services stated that Breckland Council operated a policy against change of use over a period of time to allow such uses to be protected for the community. He gave an example of what was happening in Rocklands in relation to the White Hart Association that was intent in purchasing the White Hart Public House without going through the Community Right to Buy route. He also mentioned the Community Right to Build that was progressing in another of his Wards. He felt that communities were filling the gap where commercial enterprises were failing. The Executive Member for Internal Services agreed with the aforementioned suggestion in relation to paragraph 4.2 of the report being included in the recommendation. He also supported the second recommendation.

The Joint Deputy Planning Manager explained that the Community Right to Build process would be subject to a local referendum.

The Chairman of the Planning Committee pointed out that Planning had received a number of applications requesting public houses to be turned into dwellings.

The Chairman of the Overview & Scrutiny Commission felt that with all the changes afoot, it was important that Breckland Council kept these community pubs alive.

Referring to the additional wording under paragraph 4.2 being included in the first recommendation, it was agreed that paragraph 4.4 should also be incorporated.

It was noted that the Community's Asset Register was the final part of the Localism Act to be completed.

Options

- (1) Create a Community Asset Register adjudicated and administered by officers.
- (2) Create a Community Asset Register adjudicated by Members and administered by officers.
- (3) Agree a policy for the payment of compensation to the owners of assets included on the register.
- (4) Agree a policy of not providing compensation payments.

Reasons

- (1) By having the Community Asset Register adjudicated and administered by officers standard practices and procedures would be developed and followed but Members' local knowledge would likely not be utilised on a case-by-case basis.

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- (2) By adjudicating for the Community Asset Register, Members would be applying their local knowledge to their work for the Council and exercising the authority of their mandate (with the assistance of officers as required) - therefore promoting local democracy, which in turn further promoted the Localism Agenda.
- (3) By having a policy of compensation payment the Council exposes itself to financial risk. Without data over a sufficiently long period it was impossible to accurately predict the cost of a compensation policy. Central government had committed to paying any compensation in excess of £20,000 over the course of a financial year, which limited the range of costs, but this was up for review in 2015.
- (4) By having a policy of not paying compensation, the Council would avoid exposure to the risk of up to £20,000 per year until 2015 – and an unknown level of financial risk in following years.

RESOLVED that:

- (1) the activity already undertaken to ensure compliance with the Localism Act 2011, and the establishment of a Community Assets Register as outlined in the report (and in particular reference to paragraphs 4.2 (para. 2 above) and 4.4 (and para. 4 above) of the report) and in compliance with the Localism Act 2011 be noted; and
- (2) a policy of no compensation payments with regards to loss of income due to the moratorium on sale imposed by registration on the Community Assets Register (i.e. compensation for delay or failure to sell as a result of registration NOT loss of property value through the sale) be agreed.

Robert Walker

46/13 THETFORD TOWN CENTRE MASTERPLAN (AGENDA ITEM 9)

The Executive Member for Assets & Strategic Development presented the report that asked Members to consider the outcome of the Thetford Town Centre Masterplanning process and to agree that the Thetford Town Centre Masterplan be adopted as a Council document to coordinate investment and regeneration activity in Thetford town centre.

It was noted that Norfolk County Council had not part funded this Masterplan.

A presentation was provided by the Joint Deputy Planning Manager and the Growth Programme Manager.

The Thetford Town Centre Masterplan work followed a number of studies and plans commissioned and prepared in the last decade that had sought to promote developments within the town centre. Following a robust and transparent procurement process, Allies and Morrison – Urban Practitioners had been appointed as consultants for the Masterplan and the delivery framework. A key stakeholder consultation event had been held early on in the process attended by an array of representatives from

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Breckland Council, Norfolk County Council, Thetford Town Council, retailers, businesses and local groups. The Masterplan had responded to all the issues and opportunities that had been identified from the event.

In terms of the process, the Baseline report had identified that traditional methods of delivery would be unlikely to happen. Thetford was going to have to concentrate on changing the area from retail to leisure activities within the town centre.

Sections of the Masterplan on the supplementary agenda were highlighted.

The Growth Programme Manager gave a detailed explanation on the transport section.

Questions were then invited.

The Vice-Chairman referred to the Masterplan status and asked if the Masterplan document would hold any weight in the planning process. He also asked where the funding was coming from. In response to the first question, the Joint Deputy Planning Manager explained that the adopted Masterplan document would not hold full weight in the planning process unlike the Local Development Framework and the Thetford Area Action Plan (TAAP); however, it would be of material consideration in the planning process alongside the TAAP. In terms of the funding available, there were a number of legal agreements/S106 agreements through planning to deliver the Masterplan. The Executive Member for Assets & Strategic Development said that the document would have some weight as it would be used in pre-planning to assist the developers with the vision.

Councillor Kybird pointed out that the Stakeholders/Consultation part of the report was incorrect as he, as a Thetford Town Council Member, had only received a presentation and had not been suitably consulted on the document. He further pointed out a number of inaccuracies within the Masterplan itself that required urgent attention and suggested another loop of consultation including the Moving Thetford Forward Board.

The Chairman of the Planning Committee had issues with the lack of car parking provision within the document and felt that town centres should be provided with ample parking to attract more visitors. He gave Bury St Edmunds as an example of how a good shopping centre should be. The Growth Programme Manager advised that transport matters were Norfolk County Council's responsibility but assured Members that the visions could, over the life of this document, be subject to change.

On the whole, the Opposition Leader thought that the attention and focus this document had brought had been very worthwhile, and although he had a variety of questions, the transport aspect had caused the greatest concern within the community, and he concurred with the issues raised by the Chairman of the Planning Committee. The community buy-in to this Masterplan was crucial; the Town Council knew its people well and it needed a town that the Thetford people could be proud of. The Opposition Leader also mentioned the deliverability which, in his opinion, read like the many similar documents that he had seen before over the

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past few years.

The Overview & Scrutiny Commission Chairman was pleased that Members had seen sight of this document at long last. Many of his concerns had been voiced already but his main concern was that this document, in its first draft, should have been presented to an Overview & Scrutiny Commission meeting for debate. He felt that the residents of Thetford needed assurance that this Masterplan had full weight and again echoed the fundamental concerns raised in relation to parking. He stated that he would much rather travel the 8 miles to Thetford to do his shopping rather than having to pay a fortune in Norwich to park. Thetford was the jewel of Breckland that had constantly been scuffed and had been dumped on in the past. This Council now had a once in a lifetime opportunity to revitalise the town bearing in mind that it was the gateway to Norfolk. Thetford could become the hub for the whole of Breckland and needed to have full weight behind it therefore, the reduction in car parking spaces, in his opinion, was completely facile as people living in rural areas needed their cars. Additionally, Thetford was one of the most historic towns in the East of England and this document should be the fundamental *plank* in planning policy for Breckland. He implored Members to get it right and give it the full weight it deserved.

Councillor Claussen asked where the instruction on parking had come from. He also had concerns about the reduction in parking spaces and quoted a former Member's plea - to have a masterplan that included the hinterlands.

In relation to car parking issues, in terms of the instruction, the Joint Deputy Planning Manager advised that this had been considered at National Policy level and in terms of managing car use this would form part of the wider Transport Strategy. Members were further advised that the historic fabric of the town centre would inhibit the viability of parking and in terms of taking these issues forward, public transport would be increased as part of the TAAP. As far as consultation was concerned, taking the Masterplan to the Overview & Scrutiny Commission was an option.

The Executive Member for Internal Services said that there were many areas in Breckland that did not have public transport therefore the car was a necessity and a sensible policy on car parking changes would aid plans such as this.

The Executive Member for Asset & Strategic Development said that all market towns had been designed for horse and carts – what Members had in front of them was a best guess but all had compromises. If Members wanted weight to be added to this document it would have to be included in the Local Plan which, in turn, could then take a further 18 months.

The Chairman suggested a way forward on what he thought he had heard from the meeting. Firstly, the Masterplan had been accepted as a draft document; secondly, further consultation was needed in respect of Thetford Town Council and the Moving Thetford Forward Board and finally, the Council needed a document based on reality and action and timescales moving forward and be put through the planning structures and necessary committee processes as a piece of supplementary

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planning guidance.

The Executive Member for Assets & Strategic Development emphasised that Members needed to be clear what they wanted; this was one person's opinion that the Council had paid for and he did not want it changed beyond recognition.

The Joint Deputy Planning Manager advised that a supplementary planning document would require full public consultation in order to meet the necessary requirements of that process and would extend the timeline further. In response, the Chairman believed that the document had to have weight otherwise what was the point.

Councillor Kybird was not comfortable with the thought of extending the timeline and suggested that the document should be corrected of errors and be brought back into the loop when the TAAP was replaced by the first draft of the new Local Plan. In response, the Joint Deputy Planning Manager assured Members that the Masterplan as it stood would have some weight in the planning process as it would be used when pre-determining planning applications. He agreed that some elements of the document required correcting and concurred with Councillor Kybird's suggestion.

The Executive Member for Assets & Strategic Development stated that this document had been borne out of Policy TH1 and provided vision of what was possible rather than what could be done.

The Vice-Chairman felt that the document should be sent back to its creators as parts of it were not factually correct. Members were informed that the work had not, as yet, been paid for in full so there was scope to have these corrections incorporated.

The Executive Member for Internal Services thought that the Council had been inundated with Plans and hoped that this one would be the last.

Following further discussion, a revised recommendation was suggested which was accordingly proposed and seconded.

Option 1

Members consider the Thetford Town Centre Masterplan and agree that it be recommended to be adopted as a document of the Council to coordinate investment and regeneration in Thetford Town Centre.

Option 2

Members consider the Thetford Town Centre Masterplan and agree that it not be adopted as a document of the Council.

Reasons

It was recommended that Members endorse option 1 which would allow for the Masterplan to take effect in coordinating investment and regeneration activity in Thetford town centre. It was timely that the Council had a masterplan in place as it considered future options for its

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asset base. In the short term, despite challenging market conditions, there was funding available for Thetford Town Centre, and a Masterplan would enable those monies to be spent in an effective and synchronized way. The Masterplan would also be a consideration in the determination of planning applications when formally adopted.

Endorsing option 2 would have the impact of creating uncertainty for investment and facilitating piecemeal and adhoc developments that could cause harm and long term damage to the town centre whilst simultaneously preventing coordinated and comprehensive regeneration which would benefit the town over the longer term.

RESOLVED that the matter be referred back to Officers to undertake a wider consultation to include the Moving Thetford Forward Board, Thetford Town Council and the community following which a report be produced for Members consideration prior to Full Council on 5 September 2013.

**David
Spencer,
Kevin
Ward**

**47/13 STATEMENT OF COMMUNITY INVOLVEMENT (SCI) (AGENDA
ITEM 10)**

The Executive Member for Assets & Strategic Development presented the report that asked Members to consider and agree the revised Statement of Community Involvement and recommend the document to Council for adoption. It was noted that the Overview & Scrutiny Commission had been content with the document and had not recommended any changes.

Option 1

To approve the SCI at Appendix B of the report including the changes made as a result of the consultation.

Option 2

To approve the SCI at Appendix B of the report including the changes made as a result of the consultation and any additional changes from Council.

Option 3

Not to approve the SCI at Appendix B of the report and further amendments and reconsideration be requested.

Reasons

The SCI met the requirements of the regulations, and reflected existing practices as well as setting out clearly how the Council would engage with communities and stakeholders on development management decisions and planning policy. The SCI had been set out in a logical manner with the use of plain English to make it accessible.

Should Members approve one of the alternative options listed, this would result in the need for an alternative timetable for the adoption of this document.

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**Phil
Mileham,
Jamie
Smith**

RECOMMEND to Council that Option 1 of the report be endorsed and the Statement of Community Involvement (2013) including changes made as a result of the public consultation as a Council document be approved (this replaced the current SCI (2006) which would then be defunct).

48/13 QUARTER 4 PERFORMANCE REPORT (AGENDA ITEM 11)

The Executive Member for Performance and Business development presented the new style Performance report generated by the Performance Plus system. He felt that the overall performance of the Council had improved and was happy to take questions.

The Vice-Chairman had concerns in relation to some of the figures. The Deputy Chief Executive stated that the figures under indicator reference BC-AP-CI 03 on page 91 of the report should read: £2,000,000.00 and £2,245,000.00 and would be amended accordingly.

Councillor Claussen said that he had heard that the Performance Plus system was not generating the information required. Members were informed that the general feeling was that the information generated was not easy to understand and the Performance Team had acknowledged this concern and was trying to make it more user friendly. The Executive Member for Internal Services said that performance needed to be monitored as it was not currently working as Members would like. The Deputy Chief Executive advised that the functionalities of the Performance Plus system was being reviewed over the next six weeks and a revised report would be produced in terms of Members' requirements.

The Overview & Scrutiny Commission Chairman said that the information currently being generated was of a very serious concern to the Commission. It was no good finding out three months down the line that something had gone wrong three months ago. He mentioned the previous system that the Council used to have which was in a simpler format and was much easier to use. The Executive Member for Internal Services agreed that simple and easy to use were the key words.

Members were asked to note the report.

Options

- (1) To continue to report at the level provided in Appendix A.
- (2) Not to continue to report at the level provided in Appendix A.

Reasons

N/A.

The report was otherwise noted.

49/13 QUARTER 4 FINANCIAL PERFORMANCE REPORT (AGENDA ITEM 12)

The report provided information on the actual full year financial position of

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the Council as at 31 March 2013.

The Vice Chairman presented the report.

Referring to the Revenue Budget, Table 1 on page 95 of the agenda, it was noted that the Council had under spent £51,396 of an already optimised budget; this was after contributing £585,000 into a new Communities Reserve which would allow the Council to fund community based projects, and also make provision for future expenditure.

Table 2 on page 96 of the agenda - Members were asked to note that in 2012-13 the identified efficiencies in the budget were £748,380 but in fact the Council actually achieved an additional £515,693 worth of efficiencies making a total of over £1.14m; this was something that all Members and Officers should be proud of.

Table 4 on page 97 of the agenda noted some of the significant variances; one in particular was the Housing Benefit Grants of £364,066 much of which had been a subsidy from Central Government based on the accuracy of the claims process which was a credit to the staff at the Anglia Revenues Partnership. Members were also asked to note an under spend of over £105,400 for waste collection, and an additional income of £155,000 from the garden waste scheme. Despite some overspent items, it was noted that from the continuance of table 4 onto page 98 of the agenda, the total of the combination of additional income and under spend was £982,000. It should also be noted that it was expected that approximately £184,000 of this year's saving would continue into future years, thus reducing the pressure on forthcoming year's budgets. However, it was still emphasised that the Council would still need to make significant further efficiencies and increases in its income in order to prudently manage these future year budgets. Members were asked to recall that Breckland Council had a projected budget deficit by 2017-18 of £2.5 million which all were working hard to reduce and hopefully this deficit would be eliminated without being complacent.

The Reserves shown on table 5 on page 99 of the agenda showed the level of unallocated Reserves was prudent and commensurate with the level of risk that the Authority was required to mitigate. The level of Reserved Matched Funding Reserves would allow continued support for community projects. This authority had also been prudent in maintaining a healthy Organisational Development Reserve, which had been originally created as part of the Shared Management policy and the new Communities Reserve had been created as a result of the contributions made this year.

The Capital section of the report commencing on page 100 of the agenda, had been reported to Cabinet before but had been included for completeness, however, Members' attention was drawn to table 2 on page 101 of the agenda, the Capital Financing Requirement (CFR), where it was highlighted that in 2013-14 there was a figure of £7.39m against Property (Land and Buildings), of this, £6.20m related to the Riverside project and in 2014-2015 of the £1.493m, £450,000 related to Riverside. Members were also asked to note that the CFR was negative until 2014-15 indicating that the Council had no borrowing requirement,

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highlighting yet another indicator of the prudent financial management that this Council had undertaken both currently and in the past. From 2014–15; however, the Council had, what was in essence, an unfunded Capital Program, and as mentioned earlier, it was the availability of these Reserves going forward that gave the Council flexibility and choices. The Council could choose to convert some of the aforementioned Revenue Reserves to help fund the Capital Program or, it could choose to borrow the funds, or ultimately modify the Capital Program to change the funding requirements. What had happened in Local Government historically was that authorities had to look at funding on an annual basis what must be done now was to manage the budget in the Medium Term Plan and by having a healthy level of Reserves allowed the Council to do as such.

The Vice-Chairman concluded his précis of the report and said that he would gladly take any questions. He also drew Members' attention to the recommendations on page 93 of the agenda.

The Executive Member for Internal Services also drew attention to further savings made by the Anglia Revenue Partnership.

Option 1

To note the report and approve the virement detailed within table 3 of section 1 of the appendix and recommend to Full Council that:

- a) the £585,000.00 be contributed into a new Communities Reserve to allow the Council to fund communities based projects;
- b) the provisions totalling £346,000.00 (as detailed in table 4 of the appendix be approved; or

Option 2

To note the report but not approve the virements, reserve movements or provisions, leaving the balance in the General Fund.

Reasons

To provide timely information to Members on the overall finances of the Council and make the best use of resources available, anticipating future years expenditure.

RESOLVED that:

- (1) the report and appendix be noted; and
- (2) the virements detailed in Table 3 of Section 1 of the appendix be approved.

**Alison
Chubbock,
Mark
Finch**

RECOMMEND to Full Council that:

- (1) £585,000.00 be contributed into a new Communities Reserve to allow the Council to fund community based projects; and
- (2) the provisions totalling £346,000.00 (as detailed in table 4 of the

**Alison
Chubbock,
Mark
Finch**

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appendix) be approved.

**50/13 RECOMMENDATION FROM THE PLANNING COMMITTEE
(AGENDA ITEM 13)**

The Planning Committee at its meeting on 8 May 2013 had recommended to Cabinet that the Council's Policies on Gypsy and Travellers sites and facilitation of provision of suitable site(s) be brought forward for urgent resolution.

The Executive Member for Planning & Environmental Services stated that the Gypsy and Traveller Assessment had been on-going and would be discussed at the Local Plan Working Group in September 2013. She advised that Local Authorities no longer had to accept the pitch figures from Government and the Policies for the Travelling Community were currently being updated.

The Chairman asked by doing this piece of work would it help to address the issue in this particular application. Members were informed that it would.

The Joint Deputy Planning Manager advised that there was already a Policy within the Core Strategy that dealt with Gypsies and Travellers and general criteria within the Local Development Framework (LDF).

In response to a question about the type of work that was currently being undertaken, Members were informed that surveys were being carried out with the gypsy and traveller communities and discussions were on-going with Norfolk County Council, in relation to education to support such families, charities and liaison with neighbouring authorities. Councillor Sharpe asked if local and towns and parishes would be involved. In response, the Joint Deputy Planning Manager explained that all Members would be involved as part of this process.

Councillor Claussen said that he had never known a barrister to be involved in a planning application. He explained that locals required some kind of certainty of what they would end up with. He thought that community engagement was key but the residents of Mattishall had been ignored and were fearful of the end result which, in his opinion, was unacceptable.

The Chairman of the Planning Committee stated that he envisaged an escalation of gypsies and travellers on this particular site and as a planning committee, sites such as these were gradually popping up all over the place. A suitable solid policy was urgently required.

The Executive Member for Internal Services said that Breckland Council had to make sure that it had enough of these sites but not near to settled communities. He felt that Planning needed to establish exactly what the requirements were as there was not sufficient capacity through national routes.

The Chairman once again asked if this document would help prevent adhoc opportunistic developments, if not the Council's policies needed to be strengthened as there seemed to be some strange discrepancies

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between travellers and the settled communities.	
<u>Options</u>	
N/A	
<u>Reasons</u>	
N/A	
<u>RESOLVED</u> that the Council's policies on Gypsy and Traveller Sites and facilitation of provision of suitable site(s) be brought forward for urgent resolution.	David Spencer
51/13 <u>REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 14)</u>	
This item had been discussed under Minute No. 47/13 above.	
52/13 <u>NEXT MEETING (AGENDA ITEM 15)</u>	
The arrangements for the next meeting were noted.	

The meeting closed at 11.35 am

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

AUDIT COMMITTEE

**Held on Friday, 28 June 2013 at 10.00 am in
Norfolk Room, Conference Suite, Elizabeth House, Dereham**

PRESENT

- | | |
|--------------------------------|----------------------|
| Mr C.R. Jordan (Chairman) | Mr R.P. Childerhouse |
| Mr R.G. Kybird (Vice-Chairman) | Mrs E. M. Jolly |
| Mrs B Canham | Mr M J Nairn |

Also Present

- | | |
|--------------|---------------|
| Mr T. Ludlow | Mr K. Stevens |
|--------------|---------------|

In Attendance

- | | |
|---------------|---|
| Chris Brooks | - Governance and Performance Accountant |
| Mark Finch | - Assistant Director of Finance |
| Julie Britton | - Senior Committee Officer |
| Ruth Hassall | - HR Manager |
| Stephen James | - PFI Monitoring & Strategic Sports Officer |
| Julia Perry | - Training and Development Manager |
| Riana Rudland | - Community Development Manager |
| Mark Stokes | - Deputy Chief Executive |
| Rod Urquhart | - Operations Manager (Support and Fraud) |
| James Edwards | - Performance Risk Officer |

Action By

29/13 MINUTES (AGENDA ITEM 1)

Mr Ludlow and Mrs Jolly requested wording amendments for the sake of clarity in Minute No. 22/13 – Annual Review of the Effectiveness of Internal Audit for 2012-13 – to read as follows:

Second sentence of the last paragraph on page 7 of the agenda:
“Mr Ludlow also felt that the Audit Committee should be involved in reviewing the *effectiveness and governance of the existing Internal Audit contract*”

Also, in view of the above it was agreed that the resolution should be amended to read: “that the findings of the review and the evidence gathered in support of the effectiveness and implementation of the Internal Audit Service be monitored and be taken into consideration when receiving the Head of Internal Audit’s Annual Report and Opinion

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Subject to a further amendment at Minute No. 14/13(2) to read: "...instead of BC/SH-EH-OR 04", the Minutes as amended, were confirmed as a correct record and signed by the Chairman.

30/13 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Sandra King, Emma Patchett and Rob Murray, the Internal and External Auditors.

31/13 DECLARATION OF INTERESTS (AGENDA ITEM 4)

The Vice-Chairman declared an interest in agenda item 14 by virtue of his company having dealings on occasion with the sports centres and said that he would withdraw from the meeting when this item was discussed.

32/13 BRECKLAND TRAINING SERVICES (AGENDA ITEM 6)

Ruth Hassall, the new HR Manager provided Members with a verbal update.

Approval had been granted to increase the team by one member of staff to enable the design, delivery and marketing of workshops to outside organisations. The post was to be funded by the income generated from that work. To date £16,403 of income had been achieved and a further £29,442 worth of work had been confirmed for the future. By the end of October, it was anticipated that the Training Service would have exceeded its target of £45,000.

Key core clients of the service since the launch were South Holland District Council, Luton Borough Council, the UEA, North Norfolk District Council and the ARP.

The Breckland Training Service (BTS) biggest achievement had been an Apprentice-style challenge event hosted for the Local Government Association (LGA) which had since been featured in the MJ magazine; hopefully, this had generated good publicity for the BTS.

24 October 2013 would mark the first anniversary of the BTS and a full report would be presented to the Audit Committee setting out the future plans for the BTS, which would include looking into the creation of a trading arm.

Mr Ludlow asked what had been included in the £45,000. Members were informed that £45,000 included the salary cost, salary based on-costs and additional costs applied by finance to each post, such as internal equipment, the cost of office space etc. Marketing costs, for the first year came from a separate budget but were expected to be funded by the income generated in future. All costs would be highlighted in the annual report.

Action By

The Chairman thanked the HR Manager for her report.

33/13 QUARTER 4 GOVERNANCE REPORT RISKS (AGENDA ITEM 7)

The Governance & Performance Accountant presented the Quarter 4 Governance report and introduced James Edwards, the Performance Risk Officer from South Holland District Council who would be having more involvement in Breckland's risk work.

Pages 16 to 18 of the report highlighted the new risks; however, it was noted that the risk for ICT had since been closed.

The old risks for Environmental Services on page 17 of the report had been re-opened since the commencement of the review and the new risk identified under BC-HR- OR 08 under Human Resources on page 18 of the report was incorrect. The correct version could be seen on page 46 of the agenda under agenda item 8.

Page 21 to 26 covered the closed risks and page 28 onwards highlighted the strategic risks that were beyond the Council's control.

Referring to the closed risks, Mr Ludlow asked if there could be further detail behind these to explain what had been done to enable these risks to be closed. Also, referring to the second risk on page 32 of the report, the score in his opinion was incorrect. Members were informed that the score should be six overall. A further observation made was in regard to risk failures in relation to the Council's suppliers. The Governance & Performance Accountant advised that this type of strategic risk would be considered and would be discussed with the Corporate Management Team moving forward. The Performance Risk Officer stated that this was the opportune time for Members to add any risks they felt should be included on the risk register.

In response to an observation in relation to BC-SR 15, Members were informed that the Officer concerned would be leaving the Council next week but another person would be taking over who had extensive experience in this field of work.

In response to a concern in relation to new build properties under BC-SR 20, in terms of fast tracking planning applications, the Chairman advised that these would be part of the planning regulations and should not be classed as a risk. The Chairman did ask; however, if planning applications were monitored. The Deputy Chief Executive explained that planning applications were monitored within the performance management system both contractually and as a whole.

Action By

Mrs Jolly asked if the non-implementation of risks from Internal Audit would be picked up as areas of risk. The Assistant Director of Finance said that these were monitored through the performance system. Mrs Jolly further asked how the Council was addressing the non-implementation of high priority matters that had remained on the performance system for a number of years. Members were informed that these issues would be picked up within the new performance framework that had recently been put in place.

The report was otherwise noted.

34/13 SERVICE TEAM PLANS AND STRATEGIC RISK REGISTERS
(AGENDA ITEM 8)

The Governance & Performance Accountant presented the operational risk registers for 2013/14. The strategic risk register for 2013/14 had not, as yet, been finalised and would be reported to the next Audit Committee meeting.

It was noted that the risk reference BC-CD-OR 06 would be changed.

Mr Ludlow felt it would be of benefit to him if he could see sight of these risk registers prior to agenda issue.

The report was otherwise noted.

35/13 DRAFT ANNUAL GOVERNANCE STATEMENT FOR 2012/13
(AGENDA ITEM 9)

The Assistant Director of Finance presented the draft Annual Governance Statement (AGS) for 2012/13. If approved, the Statement would be presented to the Leader and Chief Executive for formal sign off and be submitted to External Audit, along with the Statement of Accounts.

The Assistant Director of Finance hoped that the report reflected what the Audit Committee had seen and considered throughout the year.

The Vice-Chairman raised concerns about the Code of Corporate Governance being in-line with the Council's Standing Orders particularly in relation to the Constitution and Responsibilities and the Code of Conduct which are in the process of being changed since the new guidelines had been issued. Members were informed that the Code of Corporate Governance would be amended accordingly to reflect these changes and a further report would be brought back to a future Committee meeting.

The following discrepancies/concerns were highlighted – all would

Action By

be amended accordingly.

- The date of the approval of the Whistle Blowing Policy should be shown as February not January.
- There was no mention of the new standards arrangements under the Audit Committee's responsibilities
- Under the heading Significant Governance Issues it was agreed that the wording needed to be made stronger to highlight the fact that a significant proportion of high recommendations remained outstanding.
- Under Risk Management, to make reference to the new quarterly risk monitoring arrangements
- That the certification section include a reference to the new performance monitoring arrangements

RESOLVED that subject to the aforementioned amendments, the draft Annual Governance Statement be approved.

36/13 ANNUAL REPORT OF THE AUDIT COMMITTEE (AGENDA ITEM 10)

The Assistant Director of Finance presented the report in the absence of the Internal Audit Consortium Manager.

The report summarised the work of the Audit Committee during 2012/13 and confirmed that it had operated in accordance with its terms of reference and had complied with best practice. The Committee had also demonstrated good attendance records and the new Members that had been appointed had received relevant training.

The Chairman thanked everyone involved and said that these Committee meetings had been a pleasure to Chair.

Mr Ludlow said that the report did not reflect the Standards arrangements that now came under the Audit Committee's remit.

RESOLVED that subject to the aforementioned point, the report be approved for submission to the next meeting of the Council.

37/13 WORK PROGRAMME (AGENDA ITEM 11)

It was agreed that the following items would be added to the work programme for future meetings:

- Breckland Training Services Annual Report
- Review of the effectiveness of the Internal Audit contract
- Strategic Risk Registers

Mrs Jolly asked if the feedback from the new quarterly risk management meetings would be reported back to the Audit

Action By

Committee. Members were informed that the timeline of the committee processes would have to be taken into account including the performance report that the Overview & Scrutiny Commission currently considered.

Mr Stevens felt that it was about providing confidence that these matters were being picked up at some stage in the process.

38/13 NEXT MEETING (AGENDA ITEM 12)

The arrangements for the next meeting on Friday, 20 September at 10.00am in the Norfolk Room were noted.

39/13 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 13)

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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act.

40/13 PFI BENCHMARKING (AGENDA ITEM 14)

The PFI Monitoring Officer drew Members' attention to the report and highlighted the recommendations.

The report had been split into two parts and a detailed overview of each part was provided.

Many significant issues had been highlighted throughout the process.

Members had great confidence in the Officer involved and he was congratulated for his excellent report and the research behind it.

RESOLVED to **RECOMMEND** to Council that the recommendations within the report be approved.

The meeting closed at 11.15 am

CHAIRMAN