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AGENDA

MEETING VENUE:

Anglia Room, The Conference Suite, Elizabeth House, Dereham

Our Ref: HML.18

Contact: Helen McAleer
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Date: Thursday, 19 June 2008

Dear Sir/Madam,

I have to inform you that a Meeting of the **District Council** will be held at **10.30 am on MONDAY, 30TH JUNE, 2008** in the **Anglia Room, The Conference Suite, Elizabeth House, Dereham**

Yours faithfully

**PLEASE NOTE
DATE**

Member Services Manager

The Member Services Manager to call the roll of members

Members of the Council requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Council.

Note – *The Conservative Group meets in the Anglia Room and the Labour Group meets in Room 2 before Full Council at 9.30am.*

contactus@breckland.gov.uk

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	<u>Page(s)</u> <u>herewith</u>
1. <u>MINUTES</u> To confirm the minutes of the meeting held on 22 May 2008.	1 - 10
2. <u>APOLOGIES</u> To receive apologies for absence.	
3. <u>DECLARATION OF INTEREST</u> Members are asked at this stage to declare any interests they may have in any of the following items on the agenda. The Members' Code of Conduct requires that declarations include the nature of the interest and whether it is personal or prejudicial.	
4. <u>CHAIRMAN'S ANNOUNCEMENTS</u> (including the engagements of the Chairman and Vice-Chairman)	
5. <u>CABINET - 10 JUNE 2008</u> Unconfirmed minutes of the Cabinet meeting held on 10 June 2008.	11 - 26
6. <u>OVERVIEW AND SCRUTINY COMMISSION - 13 MAY 2008</u> Confirmed minutes of the meeting of the Overview and Scrutiny Commission held on 13 May 2008.	27 - 36
7. <u>OVERVIEW AND SCRUTINY COMMISSION - 29 MAY 2008</u> Unconfirmed minutes of the meeting of the Overview and Scrutiny Commission held on 29 May 2008.	37 - 43
8. <u>DEVELOPMENT CONTROL COMMITTEE - 19 MAY 2008</u> Confirmed minutes of the meeting of the Development Control Committee held on 19 May 2008.	44 - 59
9. <u>DEVELOPMENT CONTROL COMMITTEE - 9 JUNE 2008</u> Unconfirmed minutes of the meeting of the Development Control Committee held on 9 June 2008.	60 - 69
10. <u>GENERAL PURPOSES COMMITTEE - 4 JUNE 2008</u> Unconfirmed minutes of the meeting of the General Purposes Committee held on 4 June 2008.	70 - 73
11. <u>STANDARDS COMMITTEE - 27 MAY 2008</u> Unconfirmed minutes of the meeting of the Standards Committee held on 27 May 2008.	74 - 78

12. AUDIT COMMITTEE - 11 JUNE 2008

Unconfirmed minutes of the meeting of the Audit Committee held on 11 June 2008.

13. APPROVAL OF THE DRAFT STATEMENT OF ACCOUNTS

Report of the Chief Accountant.

14. STRATEGIC ALLIANCE (STANDING ITEM)

To receive a presentation from the Business Transformation Director.

15. NOMINATIONS FOR COMMITTEE AND OTHER SEATS

To appoint a replacement for Mrs P Quadling who has had to resign from the General Purposes Committee owing to other commitments.

To receive nominations for any other changes to Committee and other seats from political groups.

For Information

CHAIRMAN AND EXECUTIVE MEMBERS' SURGERY

At the end of the Council meeting, Chairmen of Committees and Executive Members will be available to members who wish to put forward specific questions, for example on ward issues.

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 22 May 2008 at 10.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr S. Askew	Mrs D.K.R. Irving
Mr G.P. Balaam	Mr A.P. Joel
Mrs J. Ball	Mr C.R. Jordan
Mr S.G. Bambridge	Mr R. Kemp
Mr W.P. Borrett	Mr M.A. Kiddle-Morris
Mr A.J. Byrne	Mr R.G. Kybird
Mrs M.P. Chapman-Allen	Mr J.P. Labouchere
Mr S.H. Chapman-Allen	Mr T.J. Lamb
Mr R.P. Childerhouse	Mr K. Martin
Mr P.D. Claussen	Mrs K. Millbank
Mr J.P. Cowen	Mr I.A.C. Monson
Mr P.J. Duigan	Mr D.S. Myers
Mr M. Fanthorpe	Mr J.W. Nunn
Lady Fisher	Mr J.D. Rogers
Mr P.S. Francis	Mr F.J. Sharpe
Mr K.S. Gilbert	Mr W.H.C. Smith
Mr R.F. Goreham	Mr M. Spencer
Councillor E. Gould	Mrs P.A. Spencer
Mr J.R. Gretton	Mr A.C. Stasiak
Mr M.J. Griffin	Mrs A.L. Steward
Mrs T. Hewett	Mrs L.S. Turner
Mrs S.R. Howard-Alpe	Mr N.C. Wilkin

ALSO PRESENT

Mrs J Jenkins Chairman – Standards Committee

In Attendance

Ralph Burton	- Economic Projects Officer
Paul Calkin	- Strategic Director (Transformation) (Breckland)
Phil Daines	- Development Services Manager
Mark Finch	- Chief Accountant
Trevor Holden	- Chief Executive
Ray Johnson	- Asset Manager
Andrea Long	- Environmental Planning Manager
Helen McAleer	- Member Services Officer
Mary Palmer	- Marketing & Communications Manager
Mark Stokes	- Strategic Director (Services)
Ian Vargeson	- Member Services Manager

48/08CHAIRMAN (AGENDA ITEM 1)

The Outgoing Chairman thanked everyone for their support particularly the Member Services Manager, the Marketing and Communications Manager and her team and his Secretary. He said he had enjoyed chairing the meetings and had enjoyed a busy year.

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Finally he congratulated Councillor Shirley Matthews on her third term as Mayor of Swaffham.

(a) After being duly moved and seconded, it was

RESOLVED that Mr J Labouchere be elected Chairman of the Council for the ensuing year.

(b) Mr Labouchere signed the Declaration of Acceptance of Office.

Mr Labouchere in the Chair.

49/08 VICE-CHAIRMAN (AGENDA ITEM 2)

(a) After being duly moved and seconded, it was

RESOLVED that Mr J Rogers be appointed Vice-Chairman of the Council for the ensuing year.

(b) Mr Rogers signed the Declaration of Acceptance of Office.

50/08 VOTE OF THANKS TO THE OUTGOING CHAIRMAN (AGENDA ITEM 3)

The new Chairman thanked Mr Francis for doing a fabulous job representing the Council and people throughout Norfolk. He had been impressed by the job he had done as Chairman.

A representative of the Labour Party commented that Mr Francis had been different to other Chairman and had brought outside people into the Council. He thanked him for a very good year.

An Independent Member said that as Mayor of Watton he had met the Chairman at various events and he had represented Breckland with great dignity and been a wonderful ambassador for the Council.

The Leader of the Council presented Mr Francis with a picture of himself with members of the armed forces taken at the Armed Forces Review. He also mentioned that over £4,000 had been raised for Quidenham Hospice during the previous year.

Finally the new Chairman presented Mr Francis with a 'Past Chairman of Breckland' medal.

51/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman told Members that there would be a short presentation on the LDF at the end of the meeting, followed by a photo shoot which he asked all to stay on for.

There was one Urgent Item. The report had been circulated and a copy tabled.

He then gave a short speech explaining how delighted he was to become Chairman and outlining the projects he hoped to support in

Action By

the ensuing year, including raising money for Riding for the Disabled, fighting the closure of post offices and supporting a plan for genuine Thetford to Wymondham A11 improvements.

He congratulated Councillor Lynda Turner on her election as Mayor of Dereham.

Finally he said he hoped he would not prove to be the penultimate Chairman of Breckland.

A list of engagements attended by the outgoing Chairman and former Vice Chairman was tabled, for the period 10 April to 21 May 2008, which included:

Date	Event	Host
10 th April, 2008	Presentation to the Light Dragoons and RAF Marham for duties in Afghanistan and Iraq	
14 th April, 2008	Launch of Swaffham Sports Forum	Swaffham Town Council & Breckland Council
18 th April, 2008	Mayor's Reception	Mayor of Swaffham, Councillor Shirley Matthews
25 th April, 2008	Watton Town Council Civic Reception	Mayor and Mayoress of Watton, Councillor Keith Gilbert and Ms. R. Lake
27 th April, 2008	Service of Thanksgiving for public services in the County	Chairman of Norfolk County Council, Michael Cartiss
7 th May, 2008	2008 RAF Marham Annual formal Reception	Commanding Officer and Officers of Royal Air Force Marham
10 th May, 2008	Opening reception of 2008 Dereham Festival	Dereham Festival
14 th May, 2008	End of Year Civic Reception	Lord Mayor Councillor Roy Blower and Lady Mayoress Beryl Blower, Sheriff Nick Williams and Sheriff's Lady Gill Wilson
16 th May, 2008	Celebration of completion of the B1077 Attleborough Norwich Road Puffin Crossing	Norfolk County Council, Planning and Transportation

The minutes of the meeting held on 10 April 2008 were confirmed as a correct record and signed by the Chairman.

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53/08 APOLOGIES (AGENDA ITEM 6)

Apologies for absence were received from Cllr C Bowes, Mr R Duffield, Mr P Hewett, Mrs S Matthews, Mrs L Monument, Mr D Mortimer, Mrs P Quadling, Mr B Rose, Mr I Sherwood and Mr D Williams.

54/08 DECLARATION OF INTEREST (AGENDA ITEM 7)

The following declarations of interest were noted:

- Lady K Fisher – Personal interest in any items concerning Thetford Growth Point and LDF by virtue of her family being landowners in the district.
- Mr S Askew – Personal interest in Minute No 57/08 of the Council Agenda by virtue of having land under consideration in the LDF.
- Mr R Childerhouse – Personal interest in any items concerning the LDF, by virtue of being a landowner in the district.
- Mr J Labouchere – Personal interest in any items concerning the LDF, by virtue of being a landowner in the district.
- Mr P Duigan – Personal interest in Cabinet Minute No 64/08 by virtue of being a member of Dereham Town Council.
- Mr R Kybird – Personal interest in O&SC Minute No 24/08 by virtue of work interests in relation to LDF matters.
- Mr F Sharpe – Personal and Prejudicial interest in Agenda Item 16 by virtue of him running a Post Office.

55/08 ANNUAL APPOINTMENT OF THE LEADER, DEPUTY LEADER, COMMITTEES, PANELS AND OTHER REPRESENTATIVES AND CHAIRMEN AND VICE-CHAIRMEN 2008-2009 (AGENDA ITEM 8)

The Member Services Manager explained that the attendance list attached for information would be withdrawn and replaced at a later date to avoid confusion as it ran from April 2007 and did not accurately reflect attendance details from the last Annual meeting to this one.

(a) Leader of the Council

Having been duly moved and seconded, Members

RESOLVED that Mr J W Nunn be re-appointed as Leader of the Council for the ensuing year.

Mr Nunn outlined the work that had been completed during the past, very successful year, and said that there were significant challenges in the coming year. He also thanked Mr Stasiak for his nine years service on Cabinet; he had stepped down from that role but would continue to serve on the Council.

The Leader of the Labour Party also congratulated Mr Stasiak for what he had done during his time on Cabinet.

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(b) Deputy Leader of the Council

Having been duly moved and seconded, Members

RESOLVED that Mr W H C Smith be re-appointed as Deputy Leader of the Council for the ensuing year.

(c) Executive Support Members

The Member Services Manager highlighted some minor corrections to terminology: Performance Portfolio should read People First and Economic and Commercial should read Housing and Economic.

(d) Committees

RESOLVED that the Committees and Panels, their Chairmen and Vice-Chairmen where appropriate and Joint Consultative Committee Member representation be re-appointed en bloc as detailed in the report, subject to the following changes:

Overview and Scrutiny Commission

Mrs T Hewett replaced by Mr A Stasiak.
Mr C Jordan replaced by Mr M Kiddle-Morris.

General Purposes Committee

Mr W Smith replaced by Mr A Stasiak.

Licensing Committee

Membership corrected to read Mrs M Chapman-Allen, not Mr S Chapman-Allen.

Audit Committee

Mr R Kybird noted as Vice-Chairman.

Policy Development and Review Panel 2

Mrs L Monument noted as Vice-Chairman.

Staff Appointments Panel

Mr A Stasiak replaced by Mrs T Hewett
Mr P Cowen replaced by Mr R Duffield.

Local Joint Consultative Committee

Mrs T Hewett replaced by Mr R Kybird.

56/08CABINET (AGENDA ITEM 9)

(a) Comprehensive Equality Policy 2008 - 2010

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RESOLVED that the revised Comprehensive Equality Policy and Action Plan 2008 - 2010 be adopted.

(b) Race Equality Scheme 2008 - 2010

RESOLVED that the revised Race Equality Scheme and Action Plan 2008 – 2010 be adopted and published.

(c) Environment Strategy for Breckland

A Member asked when the Council would insist on higher standards for house building. It was explained that Building Regulations standards were set nationally; however developers were encouraged to build to higher standards and documents were being prepared to enable the Council to support the Nottingham Declaration.

RESOLVED that the Environment Strategy 2008 – 2013 for Breckland Council and the delivery of the Year One Action Plan be approved, subject to quarterly reviews and the continued monitoring of feedback through the Environment Strategy Working Group established by the Overview and Scrutiny Commission.

(d) Transfer of Play Areas

A Member questioned the Council's policy of passing the responsibility for play areas down to Town and Parish Councils who lacked the resources to maintain them.

The Leader of the Council pointed out that the parishes had looked after their own play areas for years and that funding was being made available for the Council to inspect and maintain the play areas for the next 20 years.

(e) Review of Political Management Arrangements

The Leader of the Labour Party explained why Labour Members had voted against item 2 of the recommendation. He was concerned that only one Member and one officer could make decisions and that one officer could decide what items were contentious. He also asked why the Scrutiny Champion was to be an officer.

The Chief Executive explained that the aim was to allow simple reports to get to the decision stage more speedily and did not affect the delegation process.

It was also pointed out that the Scrutiny Champion officer would check on officers' standards, not Members.

RESOLVED that the following changes to the political management arrangements at Breckland Council be approved:

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1. Overview and Scrutiny Function

- a) The proposals as set out in paragraphs 3.2.11 to 3.2.19 inclusive of the report be adopted and the Member Development Team Leader develops an action plan by 29 May 2008 together with a timed programme of its delivery.
- b) The sum of £10,000 per annum to provide funding to support major Scrutiny reviews and assist research by the University of East Anglia be allocated.

2. Speed up the Decision Making Process

- a) The proposed new report clearance process, as shown in Appendix 1 of the report, be introduced with immediate effect subject to the provision for consultation with Ward Members on ward-specific matters and the Chairman of the Overview and Scrutiny Commission (on a suggested weekly-list basis or such other method as may be practicable).

3. Development of Councillors as Community Leaders

- a) Ward profiles and plans be developed to describe the character of each Ward (or cluster of wards), in consultation with relevant Members as detailed in paragraph 3.2.21(b) of the report.

The Labour Members voted against the recommendation and Mr Lamb and Mr Gilbert abstained.

(f) Appointments to Outside Bodies 2008/09

The Member Services Manager told Members that the Supporting People Members' Panel (page 41) had not been disbanded and suggested they might wish to appoint a representative.

Mrs Howard-Alpe asked for her address to be corrected at page 29.

Another Member pointed out that the Attleborough Area Partnership (page 28) no longer existed and that The Attleborough Town Hall Management Committee contact needed changing to Mrs H Elias.

RESOLVED that representatives be re-appointed en-bloc to Outside Bodies for 2008/09 in accordance with the Schedule, with the addition of Mrs D Irving as the Council's representative on the Supporting People Members' Panel.

(g) Adoption

RESOLVED that the unconfirmed minutes of the Cabinet meeting held on 28 April 2008 be adopted.

Julie Britton

Action By

57/08 OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 10)

RESOLVED that the unconfirmed minutes of the Overview and Scrutiny Commission meeting held on 17 April 2008 be adopted.

58/08 DEVELOPMENT CONTROL COMMITTEE (AGENDA ITEM 11)

RESOLVED that the confirmed minutes of the Development Control Committee meeting held on 28 April 2008 be adopted.

59/08 GENERAL PURPOSES COMMITTEE (AGENDA ITEM 12)

RESOLVED that the unconfirmed minutes of the General Purposes Committee meeting held on 23 April 2008 be adopted.

60/08 APPEALS COMMITTEE (AGENDA ITEM 13)

- (a) **RESOLVED** that the confirmed minutes of the Appeals Committee meeting held on 23 January 2008 be adopted.
- (b) **RESOLVED** that the unconfirmed minutes of the Appeals Committee meeting held on 16 April 2008 be adopted.

61/08 STANDARDS COMMITTEE (AGENDA ITEM 14)

Mrs J Jenkins Independent Chairman of the Standards Committee was in attendance to present the minutes.

- (a) **RESOLVED** that the confirmed minutes of the Standards Committee meeting held on 15 April 2008 be adopted.
- (b) **RESOLVED** that the revised version of the unconfirmed minutes of the Standards Committee meeting held on 6 May 2008, which had been tabled, be adopted.

62/08 STRATEGIC ALLIANCE (AGENDA ITEM 15)

Nothing to report.

63/08 POST OFFICE LTD NETWORK CHANGE PROGRAMME - BRECKLAND COUNCIL FORMAL RESPONSE (AGENDA ITEM 16)

A supplementary paper with additional comments suggested for inclusion in the Council's response had been circulated.

The Chairman of the Overview and Scrutiny Commission presented this report which was a culmination of work by the Commission and officers to prepare a paper to submit to Post Offices Limited.

A special meeting of the Overview and Scrutiny Commission had been held on 13 May 2008 and representatives of the Post Office had been present, along with a large number of members of the public.

The Post Office representatives had advised that the change programme was required by the Government. 2,500 post offices

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would be closed. Rural and urban areas were treated the same. If a nominated post office was found to be inappropriate, another would close in its place. In any event, 2,500 post offices would close.

It had become clear that the consultation process did not concern the process or principle, but only the facts. A number of these facts were incorrect. For example in Beeston Post Office Ltd said that people could walk to the post office – but did not take account of the dangerous road; in Old Buckenham it referred to a bus service, but failed to note it was for school children only.

The report responded objectively to the comments of Post Office Limited. The aim was to stop six post offices from being closed. These were considered vital otherwise communities would suffer. In the consultation document there was no reference to the elderly or to care homes in the vicinity.

The Chairman of the Commission concluded by saying that the Council had a duty to represent people's needs.

A Member asked if external letter boxes in post office buildings would also close if the post office did and was told that this was the case.

The Leader of the Labour Party described the Post Office Ltd report as a clumsy attempt to justify the unjustifiable. He said that a letter from the Labour Members had been sent to the Post Office urging restraint and pointing out that 50% of Breckland area was rural and reliant on social hub facilities. He hoped every effort would be made to spare as many as possible.

Finally he asked that the response from the Council raise the Council's concerns objectively, rather than being couched in an aggressive way.

RESOLVED to endorse the draft response to Post Office Ltd, with the suggested additional information as circulated, for submission as the Council's formal response to consultation on the proposed closure programme.

64/08 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 17)

None.

65/08 URGENT ITEM - APPOINTMENT OF REGISTRATION OFFICER AND RETURNING OFFICER (AGENDA ITEM 18)

The Member Services Manager explained that this item was a legal requirement to formalise the role of the Chief Executive as Registration Officer and Returning Officer for the Council.

RESOLVED to appoint Trevor Holden, Chief Executive as Electoral Registration Officer and Returning Officer.

The meeting closed at 12.00 pm

| **Action By**
CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 10 June 2008 at 9.30 am in
Norfolk Room, The Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr S. Askew

Mr P.D. Claussen

Lady Fisher

Mrs T. Hewett

Mr W.H.C. Smith

Mrs A.L. Steward

Also Present

Mr S.G. Bambridge

Councillor Claire Bowes

Mrs M.P. Chapman-Allen

Mr J.P. Cowen

Mr P.J. Duigan

Mr R.F. Goreham

Mrs D.K.R. Irving

In Attendance

Anita Brennan

Julie Britton

Ralph Burton

Paul Calkin

Peter Dinsmore

Zoe Footer

Ray Johnson

Richard Kay

Tim Leader

Mary Palmer

David Spencer

Mark Stokes

Ian Vargeson

Mike Wheatley

- Strategic Housing Manager
- Senior Member Services Officer
- Economic Projects Officer
- Strategic Director (Transformation)
(Breckland)
- Policy (Equalities) Officer
- Land Management Officer
- Asset Manager
- Principal Planning Officer (Growth Point)
- Deputy Chief Executive
- Marketing & Communications Manager
- Principal Planning Policy Officer
- Strategic Director (Services)
- Member Services Manager
- Environmental Health Manager

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73/08 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 29 April 2008 were confirmed as a correct record and signed by the Chairman.

74/08 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr J. W. Nunn and Mr T. Holden.

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75/08 URGENT BUSINESS - VACANT AND SURPLUS LAND - FOLLAND COURT, BAWDESWELL (AGENDA ITEM 3)

The Chairman had agreed to take this matter as an item of urgent business in order to avoid any further delays in the development otherwise the capital funding that had been secured by Peddars Way Housing Association from the Housing Corporation would be put at risk.

The Land Management Officer explained that Cabinet had previously resolved that the council-owned land at Folland Court, Bawdeswell be offered to Peddars Way Housing Association for an affordable housing development subject to a number of conditions, one of which included the Post Office being re-built on the land (Minute no. 195/05 refers). Since that time planning permission had been obtained for the developments in accordance with the plans that had previously been submitted.

Unfortunately, Peddars Way Housing Association had advised that no-one could be found to run the post-office if it was built.

The Ward Representative pointed out that following a number of various meetings, the Parish Council had concluded that, even though parishioners would be very keen to have a Post Office in the village, no Post Master could be found. Members were informed that the Parish Council had already met with Post Office Ltd and had a further meeting with them in July. During that time the Parish Council would still actively look for a Post Master. If, at the end of that time, a Post Master could be found, Peddars Way Housing Association had agreed that the Post Office would then be built. If not, the aforementioned condition could be removed from the original resolution.

The Economic Project Officer advised that he had been in touch with Post Office Ltd on the previous day and had been informed that although Bawdeswell was in the network change programme it was not up for closure. However, any service that would be taken on would be for two or three days a week. Alternatively, a sub Post Master would be found to run an outreach service.

The options available to Members were:

- 1) that Cabinet resolve that the Council-owned land at Folland Court, Bawdeswell be transferred to Peddars Way Housing Association, for affordable housing, at the District Valuer's valuation plus VAT, subject to:
 - i) Peddars Way Housing Association firstly obtaining planning permission for the developments in accordance with the revised plans submitted;
 - ii) approximately 65% of the front of the site being transferred to the Parish Council to be used as an amenity area and that a covenant be imposed on the land restricting the use to amenity only;
 - iii) retention of the existing footpath to the Street.

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- 2) that Cabinet adhere to its previous decision.

The reasons for the recommendation were that Peddars Way Housing Association had secured capital funding from the Housing Corporation for this proposed scheme, further delays in the development would put the funding at risk. The inability to deliver schemes which had secured funding had a detrimental effect on the Housing Association and the Council and could limit its ability to secure funding on other schemes.

RESOLVED that the Council-owned land at Folland Court, Bawdeswell be transferred to Peddars Way Housing Association, for affordable housing, at the District Valuer's valuation plus VAT, subject to

Zoe Footer

- i) Peddars Way Housing Association firstly obtaining planning permission for the developments in accordance with the revised plans submitted;
- ii) approximately 65% of the front of the site being transferred to the Parish Council to be used as an amenity area and that a covenant be imposed on the land restricting the use to amenity only; and
- iii) retention of the existing footpath on the Street.

76/08 DECLARATION OF INTEREST (AGENDA ITEM 4)

Lady K Fisher, Mrs A Steward, Mrs T Hewett, Mr S Askew, Mr P Claussen and Mr W Smith wished for it to be noted that personal and prejudicial interests would be declared if site specifics were discussed under Agenda item 9a.

Lady K Fisher declared a personal and prejudicial interest in Agenda item 9, Local Development Framework – Thetford Area Action Plan – Issues and Options.

77/08 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Messrs R. Goreham, P. Cowen, G. Bambridge, P. Duigan and Mesdames D. Irving, M. Chapman-Allen and C. Bowes.

78/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 6)

The Chairman welcomed Theresa Hewett, the Executive Member for People First, as a new Member of the Cabinet. He also congratulated Lady Fisher on her recent appointment as Deputy Lieutenant for Norfolk.

79/08 FOOD SAFETY AND HEALTH AND SAFETY SERVICE PLANS (AGENDA ITEM 7)

The Executive Member for the Planning and Environment Portfolio provided the Cabinet with information of how many food and health and safety inspections had been carried out in any one year and was pleased

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to announce that 90% of food complaints had been responded to within three working days.

The Executive Member conveyed her congratulations to the Environmental Team for its excellent hard work throughout the year.

The options available were either to approve or not to approve the Food Safety and Health and Safety Service Plans for 2008/09.

The reasons for the recommendation were:

- 1) to ensure that Breckland complied with the Food Standards Agency standard and to ensure safe food in Breckland;
- 2) to ensure that Breckland Council complied with Section 18 of the Health and Safety at Work etc Act 1974.

RESOLVED that the Food Safety and Health and Safety Service Plans for 2008/09 be approved to satisfy the requirements of the Food Standard Agency (FSA) and the Health and Safety Executive (HSE).

Richard Kirk

80/08 NORFOLK SUPPORTING PEOPLE STRATEGY 2008-2011 (AGENDA ITEM 8)

The Strategic Housing Manager presented the report which invited Members to consider and agree the Supporting People Strategy and recommend it to Council for approval.

The Opposition Leader asked if this Strategy would have an enhanced effect on people's lives. In response, the Strategic Housing Manager highlighted the priority groups which would benefit from this Strategy.

The Housing Team was congratulated for the constant improvement in housing services over the past few years.

The options available to Members were:

- 1) to agree to adopt the Norfolk Supporting People Strategy 2008-2013, demonstrating Breckland Council's commitment to its Commissioning Body Role, improving services for vulnerable residents and a commitment to delivering the Norfolk Local Area Agreement;
- 2) to not agree to adopt the Norfolk Supporting People Strategy 2008-2013, recognising the inherent risk for Breckland in failing to uphold the memorandum of understanding in existence between the Council and Norfolk County Council. To not agree to adopt the Norfolk Supporting People Strategy would also present difficulties to the Council in demonstrating partnership working against the independent living national indicators proposed under the Norfolk Local Area Agreement.

The reasons for the recommendation were that the Supporting People Programme was the predominant funding stream available to provide new

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supported housing services to Breckland's most vulnerable residents. Availability of services through the Supporting People Programme was a key driver for improvements to the Council's homelessness and housing advice, housing register and private sector housing services.

Norfolk was a pathfinder for the integration of the Supporting People Programme into the Local Area Agreement (LAA) structure and as a result from April 2008 the Programme Grant (£16.3m per annum) would be managed as if it was part of the new Area Based Grant. The actual merger of funding in April 2009 would depend on the outcome of the Norfolk and other pathfinders. In order to be able to influence the direction of travel and demonstrate the Council's clear commitment to the LAA process, it was recommended that the Council supported the priorities for the Supporting People Programme contained in the Strategy.

Of the indicators proposed for the Norfolk Local Area Agreement, NI141 (proposed as one of the 35 National Indicators) and NI142 (proposed as a local indicator) cover the Supporting Independent Living agenda. The Norfolk Supporting People Programme would be the main delivery vehicle for delivering outcomes against these measures, with the aim to provide better value and more integrated approaches to meeting service users' needs.

RECOMMEND to Council that the Norfolk Supporting People Strategy 2008-2013 be adopted.

**Anita
Brennan,
Helen
McAleer,
Ian
Vargeson**

81/08 LOCAL DEVELOPMENT FRAMEWORK - THETFORD AREA ACTION PLAN - ISSUE AND OPTIONS (AGENDA ITEM 9)

The Executive Member for the Business Transformation Portfolio explained that the Thetford Area Action Plan (TAAP) – Issues and Options was a consultation document not a decision document and it was up to Members to decide whether it went forward for a six week consultation period commencing 23rd June 2008.

The Principal Environmental Planning Officer advised that there would be further reports on site specifics later in the year.

The Principal Planning Officer (Thetford Growth Point) explained that the Issues and Options document was about setting the key issues and asking questions about options for Thetford. The aforementioned site specifics document would be for the whole of Breckland but would exclude Thetford. The preferred options stage for Thetford would be presented to Cabinet in January 2009 for a decision.

Members were asked to note that a considerable number of organisations had contributed to the document, including full debate and comments from the Moving Thetford Forward Officer Group on 1st May 2008 and the Moving Thetford Forward Board on 15th May 2008. The document had also been to the Policy Development and Review Panel 1 meeting on 3 June 2008 where it had been recommended to Cabinet without any further changes.

In addition to the consultation document as presented, a simpler leaflet

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version was also being prepared for distribution to every household in the town, which would set out the questions as contained in the main document.

The Overview and Scrutiny Commission Chairman observed that the plan did not include any mention of the railway in the town. He felt that this was a great shame as one of Thetford's big advantages was that it sat on a railway line. The Opposition Leader supported these comments and felt that this would be a great opportunity to remedy this matter. Another Member pointed out that she was not aware that there was anything in place for railway station improvements. In response to a suggestion about formulating a question in the leaflet around this issue, the Principal Planning Officer (Thetford Growth Point) advised that the Moving Thetford Forward Board had actual projects in mind for the train station and, in his opinion, there was not a question to ask as there were other mechanisms in place that he felt were much better than the TAAP document. The Executive Member for the Housing and Economic Portfolio felt that it was unfortunate that the document did not reflect the Board that he sat on and he reassured the Cabinet that dialogue of these matters were being discussed. The Overview and Scrutiny Commission Chairman was glad that there was support from other Groups but was disappointed that the railway was not mentioned in the TAAP document. Members were informed that this document would look very different in January particularly when it turned to specifics. The rail policy could be included at that stage.

On another matter, a Member emphasised the fact that Thetford Town Council was very keen to keep the town centre alive but had concerns about infrastructure particularly with regard to the amount of housing being constructed against the lack of school provision. The Cabinet was reassured that all these issues were being acknowledged by the Moving Thetford Forward Board.

The options available were:

- 1) approve the document and the preparation of a separate consultation leaflet, subject to final adjustments by the Growth Point Team, and issue for consultation in late June for six weeks;
- 2) as option 1, but with the addition/deletion of sections or amendments to the text or questions;
- 3) not approve the document, and ask for a revised version to be brought back to a future MTF Board meeting in due course.

The reasons for the recommendations were that it was important that the Thetford Area Action Plan progressed without delay. It was felt that the document had been soundly produced and had met all necessary regulations and planning advice. Any delay in publication could result in a lack of confidence in the process.

RESOLVED that

- 1) the Thetford Area Action Plan Issues and Options consultation

**Richard
Kay, David
Spencer**

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document be approved, subject to any final editing by the Growth Point Team;

- 2) the preparation of a 'slimmed down' consultation leaflet be approved; and
- 3) the publication of the Thetford Area Action Plan Issues and Options consultation document for a six week consultation period, commencing in week beginning 23 June and ending in the first week of August 2008, be approved.

82/08 BRECKLAND LOCAL DEVELOPMENT FRAMEWORK: SITE SPECIFICS POLICIES AND PROPOSALS DEVELOPMENT PLAN DOCUMENT: ISSUES AND OPTIONS CONSULTATION - SUMMER 2008 (AGENDA ITEM 9A)

Notes of the Policy Development and Review Panel 1 meeting were circulated for information.

The draft consultation on Site Specifics Issues and Options was the first key stage in the process of producing the Site Specifics Development Plan document which ultimately would be incorporated within the suite of other strategy and policy documents to form the Local Development Framework (LDF). Together with the associated Thetford Area Action Plan, the documents would identify the allocations of land needed to deliver the strategic growth for homes and employments and associated services and infrastructure in Breckland over the life of the LDF to 2026.

The Overview and Scrutiny Commission Chairman said that the notes circulated had reflected what had been discussed at the meeting and he felt that the Environmental Planning Policy Team had put together a very good document and should be congratulated.

The options available were:

- 1) approve the document, subject to final adjustments by the Planning Policy Team in liaison with the Executive Member, and issue for consultation in late June for 12 weeks;
- 2) as option 1, but with the addition/deletion of sections or amendments to the text or questions;
- 3) not approve the document and ask for a revised version to be brought back to a combination of future Panel 1 and Cabinet meetings in due course.

The reasons for the recommendation were that it was important that progress was made on the Site Specifics Document without delay. The document had been soundly produced and had met all necessary regulations and planning advice at this stage. Any delay in publication could result in a lack of confidence in the process from key stakeholders and reduce the potential to significantly progress this area of work in advance of the Local Government Review in Norfolk.

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**Richard
Kay, David
Spencer**

RESOLVED that the Breckland Local Development Framework: Site Specifics Policies and Proposals Development Plan Document: Issues and Options Consultation – Summer 2008 be approved, subject to the recommended amendments as endorsed by the Policy Development and Review Panel 1 and subject to any final minor editing by the Planning Policy Team in liaison with the Executive Member.

83/08 YEAR 1 REVIEW OF DISABILITY EQUALITY SCHEME AND ACTION PLAN (AGENDA ITEM 10)

The Policy Officer (Equalities) presented the report and explained the background to the Year One review of the Breckland Disability Equality Scheme Action Plan covering the period December 2006 – December 2009. The Cabinet's views were sought prior to the publication of this document on the Council's website.

The Overview and Scrutiny Commission had considered the report at its meeting on 29 May 2008 and their comments were highlighted at item 16 of the Agenda (reference from the Overview and Scrutiny Commission).

Regarding the O&SC reference concerning wheelchair bungalow provision, the Executive Member for the Business Transformation Portfolio asked what percentage of demand there was for this facility. The Strategic Housing Manager explained that it was more costly to deliver such bungalows on sites but these types of residence were in acute shortage. Members were informed, however, that the "Life Long Home Standard" would be adopted through the Local Development Framework (LDF) which looked to adapt properties throughout a disabled person's lifetime. The Executive Member for the Business Transformation Portfolio asked if these types of dwellings were being built in the right places. In response, the Strategic Housing Manager advised that she would be working very closely with Planning Officers when appropriate sites came forward. Another question related to current practice with regard to wheelchair bungalows being built on all sites over 25 homes. Members were informed that this figure had been an optimistic target but it reflected nothing more than the planning policy at the time.

Referring to the Action Plan attached to the report, Members requested that the wording in the third row on page 160 of the Agenda be removed and be replaced with the following:

<p>Action: Breckland Council will promote the 'Life long home standard' – designs that are intended to be suitable for the life time of the tenants through health and sickness</p>	<p>January 2007 onwards</p>	<p>Progress: Proposals for the affordable housing policies to be contained in the Local Development Framework are in development</p>
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<p>Purpose: Increased accessible affordable housing for disabled people</p>		
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The options available to Members were:

- 1) to note the report and approve the publication of the Progress Report of the Disability Equality Scheme Action Plan on to the Breckland Council Website to fulfil its statutory obligations of the specific duties within the Disability Discrimination Act 2005;
- 2) to note the report and if **not** approved the publication of the Progress Report of the Disability Equality Scheme's Action Plan 2006 – 2009 on to the Breckland Council Website, the Council would be at risk of breaching the statutory obligation of the specific duties within the Disability Discrimination Act 2005 and being subject to enforcement action as outlined in the 'Legal Implications' (Section 5).

The reason for the recommendation was that it was a statutory requirement of the Disability Discrimination Act 2005. Failure to meet the requirements within the Specific Duty could result in the service of a 'Compliance Notice' under Chapter 13 section 49e/f of the DDA by the Equalities and Human Rights Commission (EHRC). Failing a response from the authority to comply with the notice, the EHRC could apply for a court order requiring the authority to comply or risk being in contempt of court.

RESOLVED that the Year 1 review of the Breckland Disability Equality Action Plan December 2006 – November 2009 be approved for publication on the Breckland Website subject to the Overview and Scrutiny Commission's views being taken into account regarding the need to review the definition of the Action on affordable housing for disabled people (see Cabinet Minute No. 83/08) and the Action Plan being amended as indicated above.

**Peter
Dinsmore**

84/08 PRIDE IN BRECKLAND (AGENDA ITEM 11)

The report was introduced by the Executive Member (Communities) and presented by the Strategic Director for Services.

The Council had received additional funding for financial years 08/09 to 10/11, in the form of an Area Based Grant. Although not ring fenced, this grant had been allocated by Government Office to enable the Council to build stronger communities.

The Pride in Breckland campaign was intended to act as a catalyst for a variety of community and partnership based projects or initiatives which directly supported the Breckland Local Strategic Partnership (LSP) and the Council's priorities as part of the Sustainable Community Strategy.

The Council was under no obligation to develop a Community Pride Project; however, the Area Based Grant, albeit not ring fenced had been

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allocated by Government Office to assist the Council in building stronger communities. An opportunity existed to work with Local Strategic Partners to develop stronger initiatives into a District wide Pride Campaign, which would support the delivery of the County Local Area Agreement targets and the Breckland Community Strategy.

The reason for the recommendation was that the Pride Campaign supported the Councils priorities promoting cohesive and inclusive communities across the District.

RESOLVED that

- 1) a pride in Breckland campaign as detailed in the Project Brief (as attached as Appendix 1 of the report) be approved.
- 2) the amount of £200,000 of revenue funding to support the Pride Project, be allocated as follows:

Year 1: £75,000
Year 2: £75,000
Year 3: £75,000
- 3) the recruitment of a Pride Co-ordinator, as a full time post at grade funded for years 1-3, from the project allocation at (2) above be approved.

**Mark
Stokes**

85/08 BARNHAM CROSS - PEDDARS WAY (LAND AT ASH CLOSE, THETFORD) (AGENDA ITEM 12)

The Land Management Officer presented the report which concerned the approval for the transfer of Council-owned land at Ash Close, Thetford on the Barnham Cross Estate to Peddars Way Housing Association at nil consideration. Breckland Council and Peddars Way Housing Association were currently working in partnership to regenerate and enhance the estate, maximising the use of the garage blocks, garage forecourts, off street parking areas and amenity areas and the land adjacent to the houses.

The Executive Member for the Housing and Commercial Portfolio said that the Council had a very good working relationship with Peddars Way and there was now cohesion between the Moving Thetford Forward Board and the housing estates in Thetford. He asked for it to be noted that although the Council was transferring the land at nil consideration the land was actually worth £56k. He asked for this to be shown in these and all future Minutes relating to similar matters. The Asset Manager said that this amount should have been quoted on the Proforma B but would be included in the future.

A Member felt that this was an excellent result of partnership working.

The options available to Members were:

- that the land shown edged in red on the plan be transferred, at nil

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consideration, to Peddars Way Housing Association to allow redevelopment of the land and the adjacent garage block/forecourt;

- that the land shown edged in red on the plan be transferred, at the District Valuer's valuation to Peddars Way Housing Association to allow redevelopment of this land and the adjacent garage block/forecourt;
- that the land shown edged in red on the plan to remain within Breckland Council's ownership.

The reasons for the recommendation were:

- a) the Council would lose responsibility for this area of land at Ash Close, Thetford;
- b) to support the regeneration and enhancement of the Barnham Cross Estate in Thetford and reduce anti-social behaviour;
- c) the redevelopment of these areas would support the Council's number one priority;
- d) to reduce off-street parking and illegal parking on open space.

RESOLVED that

- 1) the Council-owned land at Ash Close, Thetford be transferred, at nil consideration, to Peddars Way Housing Association to allow this land and the adjacent garage block/forecourts to be redeveloped; and
- 2) the equivalent capital receipts to develop the land at Ash Close, Thetford at the District Valuer's valuation of £56,000 be ring fenced by the Housing Association for the overall regeneration scheme on the Barnham Cross Estate.

Zoe Footer

86/08 CROXTON ROAD ESTATE - PEDDARS WAY (LAND AT ANNE BARTHOLOMEW ROAD, THETFORD) (AGENDA ITEM 13)

The Land Manager Officer introduced the report which sought the Cabinet's approval to transfer Council-owned land at Anne Bartholomew Road, Thetford on the Croxton Road Estate to Peddars Way Housing Association at nil consideration.

The planning application previously submitted by Peddars Way Housing Association (PWA) for the demolition of the existing garages and for the construction of four dwellings and associated parking areas had been withdrawn. The Council had asked PWA to have a comprehensive consultation with the community before re-submitting the applications

The options available to Members were:

- that these areas of Council-owned land as shown edged in red on the plan attached to the report at Anne Bartholomew Road, Thetford be

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transferred, at nil consideration to Peddars Way Housing Association to allow redevelopment of the land and the adjacent garage block/forecourt;

- that these areas be transferred, at the District Valuer's valuation, to Peddars Way Housing Association to allow redevelopment;
- that these areas of land remain within Breckland Council's ownership.

The reasons for the recommendation were:

- a) the Council would lose responsibility for these areas of land at Anne Bartholomew Road, Thetford;
- b) to support the regeneration and enhancement of the Croxton Road Estate in Thetford and reduce anti-social behaviour;
- c) the redevelopment of these areas would support the Council's number one priority;
- d) to reduce off-street parking and illegal parking on open space.

RESOLVED that

- 1) the areas of Council-owned land at Anne Bartolomew Road, Thetford be transferred, at nil consideration to Peddars Way Housing Association to allow these areas of land and the adjacent garage/forecourts to be redeveloped, subject to Peddars Way Housing Association undertaking community consultation; and
- 2) the equivalent capital receipts to develop the land at Anne Bartolomew Road, Thetford at the District Valuer's valuation of £56,000, be ring fenced by the Housing Association for the overall regeneration scheme on the Croxton Road Estate.

Zoe Footer

87/08 CROXTON ROAD ESTATE - PEDDARS WAY (LAND AT MOTHER JULIAN CLOSE, THETFORD) (AGENDA ITEM 14)

The Land Management Officer introduced the report which sought Cabinet's approval for the transfer of Council-owned land at Mother Julian Close, Thetford, on the Croxton Road Estate to Peddars Way Housing Association at nil consideration.

The options available to Members were:

- that these areas of Council-owned land (as shown edged in red on the plan attached to the report) at Mother Julian Close, Thetford be transferred, at nil consideration to Peddars Way Housing Association to allow redevelopment of these areas of land and the adjacent garage block/forecourt;
- that the land be transferred, at the District Valuer's valuation to Peddars Way Housing Association to allow redevelopment;

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- that the land remain within Breckland Council's ownership.

The reasons for the recommendation were:

- a) the Council would lose responsibility for these areas of land at Mother Julian Close, Thetford;
- b) to support the regeneration and enhancement of the Croxton Road Estate in Thetford and reduce anti-social behaviour;
- c) the redevelopment of these areas would support the Council's number one priority;
- d) to reduce off-street parking and illegal parking on open space.

RESOLVED that

- 1) the areas of Council-owned land at Mother Julian Close, Thetford be transferred, at nil consideration to Peddars Way Housing Association to allow these areas of land and the adjacent garage block/forecourts to be redeveloped subject to Peddars Way Housing Association undertaking community consultation; and
- 2) the equivalent capital receipts of developing the land at Mother Julian Close, Thetford, to the District Valuer's valuation of £56,000, be ring-fenced by the Housing Association for the overall regeneration scheme on the Croxton Road Estate.

Zoe Footer

88/08 REQUEST TO TRANSFER COUNCIL-OWNED LAND AT NORWICH ROAD, BESTHORPE AND RELEASE OF RESTRICTIVE COVENANT(S) (AGENDA ITEM 15)

The Land Management Officer presented the report which concerned Cabinet's approval for the transfer of Council-owned land and Norwich Road, Besthorpe, to Peddars Way Housing Association at nil consideration and the release of a restrictive covenant affecting the garage forecourt at Norwich Road, Besthorpe at nil consideration, to enable the redevelopment of the site to accommodate a two storey three bed house with integral garage. Peddars Way Housing Association had advised that, if approved, the proceeds of the sale would be recycled on development of social housing or associated facilities within the Breckland District.

A planning application had recently been submitted for the scheme.

The Asset Manager informed Members that the Council had been working closely with all concerned and was getting the best results for Breckland's communities.

The options available were:

- (i) that the Council-owned land (as shown edged in red on the plan attached to the report) at Norwich Road, Besthorpe be transferred, at nil consideration, to Peddars Way Housing

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Association to allow this land and the adjacent garage forecourt to be redeveloped;

- (ii) that the restrictive covenant on the Peddars Way Housing Association's title (transfer dated March 1993), in favour of Breckland District Council stating that "subject to Clause 7, in respect of any part of the Property described in Parts III, IV, V and VI of Schedule A (garages, garage forecourts, off street parking areas and amenity areas) not to develop or redevelop that part of the Property and not to permit the same to be used as other than garages, parking area, amenity areas, respectively, serving residential dwellings", be released, at nil consideration; and
- (iii) that rights of access over the adjacent Council-owned track be granted for a successor in title.
- (i) that the land be transferred, at or above the District Valuer's valuation to Peddars Way Housing Association to allow redevelopment;
- (ii) that the restrictive covenant on the Peddars Way Housing Association's title (transfer dated March 1993), in favour of Breckland District Council stating that "subject to Clause 7, in respect of any part of the Property described in Parts III, IV, V and VI of Schedule A (garages, garage forecourts, off street parking areas and amenity areas) not to develop or redevelop that part of the Property and not to permit the same to be used as other than garages, parking area, amenity areas, respectively, serving residential dwellings", be released, at or above the District Valuer's valuation; and
- (iii) that rights of access over the adjacent Council-owned track be granted for a successor in title.
- (i) that the land remain within Breckland's ownership;
- (ii) that the restrictive covenant not be released; and
- (iii) that rights of access over the adjacent Council-owned track not be granted.

The reasons for the recommendation were:

- a) the Council would lose responsibility for this area of land at Norwich Road, Besthorpe;
- b) the redevelopment of these areas would support the Council's number one priority.

RESOLVED that

- 1) the Council-owned land at Norwich Road, Besthorpe be transferred, at nil consideration to Peddars Way Housing Association to allow

Zoe Footer

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this land and the adjacent garage forecourt to be redeveloped, subject to Peddars Way Housing Association undertaking community consultation.

- 2) the restrictive covenant affecting the garage forecourt at Norwich Road, Besthorpe be released, at nil consideration.
- 3) the rights of access over the adjacent Council-owned track be granted for a successor in title.
- 4) the equivalent capital receipt of developing the land at Norwich Road, Besthorpe, to the District Valuer's valuation of £34,000, be recycled by the Housing Association in development of social housing or associated facilities within the Breckland district.

89/08 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 16)

This item had been discussed under Minute No. 83/08 above.

90/08 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 17)

The Minutes of the meeting of the Anglia Revenues and Benefits Partnership held on 21 May 2008 were noted and the following recommendation was agreed.

Funding for Introduction of Employment Support Allowance (ESA) (Minute No. 18/08)

RESOLVED that

- (1) approval be given for the release of the respective funds provided by DWP to allow the project to commence as follows:
 - Forest Heath District Council - £15,000
 - Breckland Council - £35,149
 - East Cambridgeshire District Council - £17,024
- (2) the funding received by East Cambridgeshire and Forest Heath District Councils to be paid into the Partnership budgets held by Breckland; and
- (3) the Partnership budgets held by Breckland be increased by £67,173 to allow for the necessary changes to be made for the introduction of ESA.

**Steve
Knights**

91/08 NEXT MEETING (AGENDA ITEM 18)

The next meeting of the Cabinet would be held on Tuesday, 22nd July 2008 at 9.30am in the Norfolk Room.

All to Note

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The meeting closed at 10.50 am

CHAIRMAN

BRECKLAND COUNCIL**At a Meeting of the****OVERVIEW AND SCRUTINY COMMISSION**

**Held on Tuesday, 13 May 2008 at 2.15 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

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

Also Present

Mr G.P. Balaam	Mr I.A.C. Monson
Mrs J. Ball	Mr M.A. Kiddle-Morris
Mr P.S. Francis	Mrs L.S. Turner

In Attendance

Mark Broughton	- Scrutiny Officer
Ralph Burton	- Economic Projects Officer
Mark Stokes	- Strategic Director (Services)
Elaine Wilkes	- Senior Committee Officer

35/08 MINUTES

This item was deferred to the next ordinary meeting of the Committee.

36/08 APOLOGIES

Apologies for absence were received from Messrs. R.F. Goreham, C.R. Jordan, R.G. Kybird, K. Martin and Mrs. T. Hewett.

37/08 DECLARATION OF INTEREST

The following declarations were made:

- Mr. K.S. Gilbert – Personal interest as an employee of Royal Mail based at a Post Office (not earmarked for closure).
- Mr. J. Joyce (Public speaker) – Personal interest as a Substitute Member of Norfolk Police Authority, as Sub-postmaster at Wood Dalling Village Post Office (not earmarked for closure) and also as Vice-Chairman of the Norwich Branch of Sub-postmasters.

38/08 NON-MEMBERS WISHING TO ADDRESS THE MEETING

The following persons were in attendance for agenda item 6:

Breckland Members:

- Mrs J. Ball
- Mr. P. Balaam
- Mr. P. Francis
- Mr. M. Kiddle-Morris

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- Mr. I.A.C. Monson
- Mrs. L. Turner

Public Speakers:

- Mr. Gary Grange, Senior External Relations Manager, Post Office Ltd
- Ms. Laura Tarling, Network Development Manager, Post Office Ltd
- Ms. Jacqui Gissane, Field Change Adviser, Post Office Ltd
- Mr. Kevin Andrew, Deputy Chairman, Postwatch
- Mr. Martin Hickey, Icen Partnership
- Mr. Peter Smith, Norfolk Rural Community Council
- Mr. James Joyce, Substitute Member Norfolk Police Authority, Vice-Chairman Norwich Branch of Subpostmasters and Subpostmaster Wood Dalling Village Post Office
- Mr. Arthur Mobbs, North Tuddenham Post Office
- Mrs. Christine Mobbs, North Tuddenham Post Office
- Mr. Lew Pearson, Longham Post Office
- Ms. Violet Highton, New Buckenham Parish Council
- Mr. Ken Gee, New Buckenham Parish Council
- Mrs. Gloria Fowler, Chairman, Beeston with Bittering Parish Council
- Major Simon Salter, Clint Green Post Office
- Mr. David Myhill, Yaxham Parish Council
- Mrs. Nokes, Beeston Post Office
- Mrs. Powell, Clerk to Beachamwell Parish Council
- Mr. Powell, Beachamwell Parish Council
- Mr. K. Allen, Beeston Post Office
- Mrs. Jan Godfrey, Member Breckland Local Strategic Partnership
- Mr. C. Beane, Bawdeswell Parish Council

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39/08 POST OFFICE NETWORK CHANGE PROGRAMME
(AGENDA ITEM 6)

This meeting had been convened as an additional single issue meeting to debate the implications of the current consultation for the Norfolk and West Suffolk Area Plan of the Post Office Network Change Programme which was due to conclude on 2 June 2008. Representatives from Post Office Ltd (POL) and Postwatch had been invited to attend to answer questions.

The Chairman opened by explaining the proposed order for the debate and stated that the issue was specific to Breckland in various ways and had been taken very seriously at both elected member and officer level. The Overview and Scrutiny Commission had established a Post Office Working Group to look into the matter.

The Chairman of the working group, Mrs. S.M. Matthews, explained that the working group had looked closely at POL's proposals. There were three key questions on which POL was asked to respond (which had been notified to POL in advance of the meeting) in regard to the inappropriateness in a very rural area of a "one size fits all" approach, the limited period allowed for consultation and the high percentage of closures proposed in the district compared to neighbouring areas.

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The POL representatives were then invited to respond to these three over-arching strategic questions in turn, followed by Members' and public questions.

Question 1: A one size fits all policy does not work in a rural area – what guarantee can POL provide that the significance of the rural nature of Breckland has been taken into consideration in the proposals?

Mr. Grange explained that POL's plans were based on 47 regional areas nationally and that constituency and area plans covering these areas were taken into account. National criteria were applied to rural and urban areas alike. Government guidelines on access criteria did not specify that a post office attached to a shop should not be considered for closure.

POL did walk the ground when assessing potential post office closures and did take account of significant issues such as transport.

The Chairman, while appreciating what was said, strongly disputed the sense of it and questioned whether it was Government policy or that of POL to carry out closures.

Ms. Tarling replied that it was the Government that required POL to close 2,500 outlets and that there should be equality between the numbers of rural and urban closures. She assured Members that POL did consider issues of distance and access but the assessment criteria was set by the Government (i.e. that 95% of the rural population must be within three miles of a post office). Under the criteria set by the Government, it was not possible to make distinctions between differing rural areas. The same assessment process was followed in each case.

A member questioned the validity of constituency size and asked how this could be equated when looking at differing areas. Mr. Grange stated that the breakdown was applied through the criteria for distance and access between post offices as set by Government.

Another member then made reference to the historical value of post offices to community life which he felt had not diminished over time. Ms. Tarling responded that modern circumstances made the picture very different. POL faced significant competition for the provision of all the services it offered (with the exception of postal orders) and was losing trade as a consequence. Hence the Government had tasked POL to make closures. The closure programme was not something POL took lightly or would want to do but POL was trying to minimise disruption as much as possible.

In answer to a further question, it was explained that the definition of an urban area was a community of 10,000 or more inhabitants.

Mr. Joyce drew attention to a recent House of Commons Committee report on local economies which said that the impact of the proposals on rural communities had not been properly considered and which recommended that there should be a presumption against closure where a post office was attached to the last shop in a village or in a deprived area.

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Mr. Grange reiterated that POL was required to meet the Government's target and under the criteria POL was required to ensure that the impact on an urban area should not be any greater than that on a rural area and vice-versa. Given the criteria laid down by Government, it was not possible therefore to say that a post office could not close.

Mr. Joyce countered that the closures therefore had nothing to do with social aspect or profitability but were solely related to the access criteria.

Mr. Grange answered that was not the case. POL was required to make considerable savings but would not close any commercially viable units. But it was not a purely commercial issue and POL had to take account of the Government's criteria.

The proposed programme covered the period to 2011, when the Government's current Social Network Payment expired, and there was no further closure programme beyond that period. It was to be hoped that the present programme would enable a sustainable outcome to be achieved for the future.

The question of alternative outreach and mobile post office provision was then discussed.

It was confirmed that an outreach service related to a service in fixed premises. There was a single outreach proposed in Breckland (at Beachamwell) under the present proposals. Consideration could be given to mobile services in the future as part of any further network proposals if they were warranted dependent on the size of the community and level of demand.

A member questioned the equality of access between rural and urban areas. Many rural areas had no access to transport, which was not the case in urban areas. In reply, it was reiterated that the criteria as laid down by the Government provided that no one such area should be disadvantaged against the other and that density figures would apply. The existing mix of provision between urban and rural areas would remain. It was not feasible to close 2,000 offices in just urban areas,

The case of Beachamwell was highlighted in relation to outreach provision. The village was situated in one of the most sparsely populated wards in the district and there were no suitable premises for the proposed outreach service in the village. The nearest other post office was eight miles away. From information available it was understood that POL payments to outreach service applicants would fall far short of the costs of running fixed premises, making such service unviable.

It was explained that POL was currently consulting on the proposal for Beachamwell. The introduction of outreach services was being carried out in line with Government policy. Of the 2000 required closures, some 500 of these were changing to alternative delivery solutions – e.g. in village halls, public houses, mobile vans etc. POL hoped it would be able to overcome the issues referred to in the case of Beachamwell.

A member proposed a model based upon the County Council's mobile library service as a possible solution to provision of mobile/outreach

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services. Ms. Tarling concurred that joint working could give options but was not always compatible for various practical reasons. However, POL was committed to continued working with local authorities for the future, although the timescale available to it under the present programme did not allow the sufficient time that would be necessary to work up any joint solutions.

Mr. Andrew of Postwatch responded that he believed there were opportunities for all agencies to work better together but he acknowledged there would be difficulties for POL in adopting a solution as proposed above. He felt it was important for local authorities to engage in lobbying their Members of Parliament, the Local Government Association and other influential bodies to make clear their dissatisfaction over the proposed closure programme. However, in fairness to POL, Mr. Andrew acknowledged that POL had acceded to recommendations from Postwatch for changes but he felt that more needed to be done to ensure there was a co-ordinated lobby of the Government.

Ms. Tarling repeated that POL would continue to look for outreach services and, if necessary, find alternative solutions.

Question 2: Breckland was being asked by the Government to build 19,500 new homes in the period 2005-2026. Breckland has the highest proportion of new homes to build in Norfolk, yet there are significantly more closures in Breckland than anywhere else in Norfolk – please explain why.

Ms. Tarling explained that POL had met with the Council at the pre-planning stage of the programme and had received information about future development proposals for the towns and villages, which had been taken into account. However, information was still needed on proposed development timescales. To generate footfall, POL needed to know specific locations and types of population.

The Chairman highlighted the problem with the fact that the Local Development Framework governing future development plans was as yet still a working document and not an adopted plan. However, he felt POL should rather be looking for positive opportunities to expand their business given the level of development being proposed for the area. It seemed as if the present programme appeared to be building a case for not providing services.

In response, Ms. Tarling stated that POL was using the information provided to overlay it in their proposals. As a result, for instance, only one closure was proposed in Thetford. However, information on location of development in relation to the existing situation and the timing of development was a relevant factor. If development was not taking place now or in the next couple of years, it could not affect the current proposals.

The case of the proposed closure of the Nuns Bridges post office at Thetford was then discussed. The case against its closure was put by Mr. Balaam, who drew attention to the increased elderly population and development in the area, the hardship that would be caused to elderly and people with disabilities to access the main town post office which

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was some two miles distant, the fact that three schools in the location used the facility, issues of transport into the town centre from this area and the fact that the main post office would not cope with the level of migration, particularly given existing problems with queuing times at that office.

The assessment criteria used by POL was explained, which took into account comparative existing footfall levels, distance to other post offices and the cost of the service to POL. Added to those were the issues of accessibility, housing development etc, all of which were taken into account and these were some of the reasons for the selection of this post office for closure. Mr. Grange also explained that in looking at the receiving post offices, Postwatch's views were taken into account in respect of the existing operating situation and any existing problems that might need to be addressed. An assurance was given that POL did take account of all demographic issues – hence it was important that they were made known of any changes in circumstances such as an increase in the elderly population. The Chairman highlighted this as an example of where the Council could provide relevant information.

On the question of receiving post offices, the Economic Projects Officer drew attention to POL's branch access report in respect of the proposed Beeston closure which showed Litcham and Mileham respectively as 1st and 2nd alternative receiving offices. While these were geographically the closest alternative branches, it was more likely that customers would go to Dereham as there was public transport from the village to the town but not to Litcham or Mileham. This would appear to skew the impact on other post offices compared to the POL plan.

The point was accepted by Ms. Tarling who explained that while POL did use the nearest other branches as alternatives in the access plan, it was acknowledged that customers would use other locations. So far as the issue of migration was concerned, POL looked at the area plan as a whole and used a forecast modelling process which had been agreed with Postwatch.

The Chairman considered it was a fundamental error to assume that people in a rural area would use the nearest alternative for the simple reason that the lack of public transport made such options impossible. In some cases, while it might be possible to take an outward journey, there was no return journey available on the same day. The Chairman felt that there was a clear refusal by POL to understand this critical rural issue. Another member endorsed this point, adding that 16% of the population in Breckland did not have access to a car and public transport was very lacking. In addition, roads were often very poor/single track lacking pavements or even verges, were lorry routes, and consequently were very dangerous for pedestrians. In one case, even the Highways Agency had deemed a route too dangerous for school children to walk that a school bus had had to be laid on. Beeston was a case in point and it was asked if POL walked the routes.

Ms. Gissane confirmed she had driven this route and information had been included in the access report. However, at the time it was understood that Beeston had a bus service but from what was now being said, she understood that this was a school bus only. The purpose of the consultation process was to obtain precisely this sort of information so that such issues of access and transport could be taken

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into account. Mr. Andrew asked for any such feedback sent to POL to be copied to Postwatch.

Another member raised the case of Bawdeswell where the village post office had closed and where the village was finding it very difficult to get a response from POL on the future of this post office. Ms. Tarling undertook to liaise with the Member after the meeting for information on this branch and to investigate the position.

A concern was then raised by a member about what would happen after 2010 when the current post office card facility came to an end. She referred to a recent press report which claimed that there would be a further programme of some 3,000 closures. On this point, it was explained that the post office card facility was to be put out for re-tendering by the Government. POL was likely to submit a bid but it was not possible to say that it would win the tender. So far as any future closure programming was concerned, it was reiterated that the current programme required the closure of 2,500 branches by the end of this year and that the Government's Social Network Payment to POL expired in 2011. The situation beyond that was unknown. It was not known where the press information about future closures had come from.

So far as the consultation process was concerned, Mr. Grange assured the meeting that POL did consider all questions of need (including those of the elderly and infirm, young mothers with children etc) and the point of the consultation process was to establish the issues affecting the greater community than the information to date indicated. If feedback showed a greater impact from a closure than anticipated, this would be taken into account in making any final decisions.

In answer to a subsequent question on the issue of provision of facilities for the disabled, it was explained that POL took into account resources and facilities, including Disability Discrimination Act (DDA) requirements, in the light of its customer use projections and where significant customer migration was likely to impact on a branch. However, POL only had an element of control under the DDA in relation to its Crown Post Offices. In the case of sub-post offices, POL could only encourage sub-postmasters in this regard but any requirements had to be reasonable and changes to premises were subject to planning control.

The level of research undertaken by POL in regard to bus services was criticised as being inadequate and resulting in incorrect information. The situation at New Buckenham was cited as an example where residents would not be able to travel to and back from the proposed alternatives at Banham and Old Buckenham on the same day. It was asked if POL had researched bus timetables etc. In response, it was explained that POL consulted at the pre-planning stage and information was obtained wherever possible but in some cases available information had proved to be inaccurate. Proposals were put forward where disruption could be minimised in various ways and not solely related to bus services.

Attention was drawn by a member to a further case of existing problems from queuing at Dereham Crown Post Office and Mr. Grange undertook to investigate the situation at that branch.

Action By

Question 3: *Why has POL only provided six weeks for the consultation? It is not a meaningful time period in which to allow local communities to obtain information and present a valid case.*

It was explained that the Government had decided the length of the public consultation period following a prior national consultation of 12 weeks of key stakeholders. However, in this area the period had been extended to nine weeks. The Federation of Sub-postmasters had agreed to the timescales. There had also been a significant pre-consultation period with local authorities, other agencies and stakeholders.

The Chairman raised a criticism that POL had failed to accept an offer from the authority to work with it to develop a plan that could have gained public support. Mr. Grange refuted this and explained that POL had been and was willing to work with the authority but was prevented from sharing information in advance of the proposals being made public. Furthermore, POL had not refused to meet with the authority but had said it could not do so until after 2nd May after the local elections.

A member asked whether POL had investigated options for a branch wishing to remain open to take over from a branch where a sub-postmaster wished to retire. It was explained that sub-postmaster preferences was not something that was included within the Government's criteria. A previous POL restructuring programme had included sub-postmaster preferences but this had given rise to the creation of gaps in service and from that experience, this option had not been looked at under the present change programme. However, in some instances where the criteria could be shown to be almost identical, then it might be possible to look at a preference but this was not part of the main assessment criteria.

The Chairman questioned the fact that, given POL's basis of assessments based on its area plans and constituency criteria, it seemed anomalous that 13 branches were proposed for closure in Breckland compared with much lower numbers in the neighbouring authority areas. Mr. Grange replied that existing provision was relevant and in the case of Breckland, the district was covered by two constituency areas. Given the percentage of closures in Breckland (16%) compared to the average (18%), Breckland was not considered to be significantly affected any more than another.

An argument was again put that there could be significant differences between areas and the impact in one need not be the same as in another. Many of Breckland's post offices were significantly further apart than the three mile distance criteria – an example being East Wretham, which if closed would mean people having to travel to Thetford for post office services as there was no public transport link. It was maintained that the proximity criteria was not sensible.

The Chairman stated that while the Council understood that POL had targets it was required to meet and that it recognised that a number of the proposed closures were difficult to oppose (either due to lack of community support or where a sub-postmaster wished to close), it was felt that some of the proposed closures needed to be closely reviewed.

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The Chairman explained that a draft formal response by the Council had been prepared which would identify where it believed there were factual inaccuracies and errors contained in POL's proposals. But in summary, the Council would be asking POL to look again at the following cases:

- Beachamwell
- Beeston
- Clint Green, Yaxham
- Longham
- New Buckenham
- London Street, Swaffham

However, if the Council's arguments to sustain these branches were successful, it did not wish to see them replaced by other closures and this was something that needed to be considered carefully.

The draft consultation response would be considered by the Council for approval at its meeting on 22nd May 2008.

Public questions were then taken, from which the following points and issues were noted:

- Referring to the proposed outreach for Beachamwell, it was asked if it was the case that an outreach provision had to cost less than the previous or current service. The answer was yes, as outreach proposals were considered by POL to be more cost-effective.
- In the case of Beeston, it was asked why the branch had been sent two shredding machines and received a notice to close the post box in advance of a decision on the proposed closure of this branch. It was explained that the supply of shredders was part of the national plan process. However, closure of post boxes did not form part of that process and POL would investigate the circumstances with Royal Mail.
- There was no appeal process against a closure decision.
- The question of withdrawal or replacement of closure proposals would be made at the time of final decision. POL had discretion to make replacement closures, though this was not always the case. If, however, a replacement closure was proposed it would be subject to a separate consultation process.
- The deadline for consultation responses was confirmed as 2nd June 2008.
- In the case of Longham, it was explained that this branch had previously been attached to a shop but was subsequently run on a part time basis after the shop closed. A key issue for the village was the significant number of residents without access to transport, particularly those elderly or infirm residents. It was asked if Breckland would consider extending the community car scheme to enable residents to access post office services at a reduced charge. The Chairman acknowledged this was a valid

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point and was one of the issues which the Council had wished to discuss with POL at the outset.

- The difficulties for village halls being used as outreach premises were highlighted. The costs to a village hall of registering for change of use, incurring increased insurance costs and the overhead costs incurred by a sub-postmaster in providing the service appeared to make it impossible for an outreach service to be operated at less cost than an existing provision. It was asked, therefore, how POL could propose the outreach solution as a more economic alternative. It was stated that the various cost elements were compared by POL and built into a pay model, on the basis of which POL considered outreach to be a more cost-effective solution.
- It was remarked that, taking account of the overall proposals, there were just two instances of branches currently closed where it was known that active steps were being taken to re-open them. This meant that there were another four or five existing closed branches which were unlikely to re-open. It was suggested, therefore, that the list of replacement closures could increase by some 10% or more if those sub-post offices which wished to close were added.

This concluded the questions from the floor, following which a closing statement was made by Mr. Grange who thanked all those present for their comments which would be taken into account. It was appreciated that this was an emotive issue and POL was concerned to ensure that the right decisions were taken.

The Chairman closed the meeting by thanking everyone for their attendance and contributions to this important debate. He reinforced the Council's concern for the communities it served and how they could continue to grow and develop. He felt, however, that POL was missing opportunities and asked POL to consider options for growth as part of its forward plan rather than network change for closures.

40/08 NEXT MEETING

The arrangements for the next meeting on 29 May 2008 were noted.

The meeting closed at 4.20 pm

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 29 May 2008 at 2.15 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr S.G. Bambridge	Mrs D.K.R. Irving
Mr A.J. Byrne	Mr A.P. Joel
Mr J.P. Cowen (Chairman)	Mr M.A. Kiddle-Morris
Mr K.S. Gilbert	Mr R.G. Kybird
Mr R.F. Goreham (Vice-Chairman)	Mrs S.M. Matthews
Mrs S.R. Howard-Alpe	Mr J.D. Rogers

In Attendance

Mark Broughton	- Scrutiny Officer
Elaine Wilkes	- Senior Member Services Officer

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41/08 MINUTES

(a) 17 April 2008

The minutes of the meeting held on 17 April 2008 were confirmed as a correct record and signed by the Chairman.

(b) 13 May 2008

A correction was made to the first line of the final paragraph on page 15 in minute 39/08 changing the word “walked” to “driven”. Subject to this correction, the minutes of the meeting held on 13 May 2008 were confirmed as a correct record and signed by the Chairman.

42/08 APOLOGIES

Apologies for absence were received from Messrs. K. Martin and B. Rose.

43/08 DECLARATION OF INTEREST

The following declarations were made:

- Mr. J.D. Rogers – Personal and prejudicial interest in relation to LDF matters affecting Carbrooke generally and as he had submitted an application to include land in his ownership in the LDF in connection with the minutes of Panel 1 under agenda item 8.
- Mr. R.G. Kybird – Personal interest by virtue of his profession as a builder in relation to LDF matters in connection with the minutes of the meeting of Panel 1 under agenda item 8.
- Mr. M. Kiddle-Morris – Personal interest as recorded under minute 21/08 of the meeting of Policy Development and Review Panel 1 held on 6 May 2008.
- Mr. A.P. Joel – Personal interest as member of Old Buckenham Parish Council in relation to minute 26/08 of the last meeting, as

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the village had a post office listed for closure.

- Mr. S.G. Bambridge – Personal interest by virtue of his profession in relation to LDF matters under the minutes of Panel 1 under agenda item 8 and in regard to agenda item 6 as his village had a payphone box listed for removal.
- Mr. P. Cowen – Personal interest by virtue of his profession as an architect in practice in relation to LDF matters in connection with the minutes of Panel 1 under agenda item 8.

44/08 NON-MEMBERS WISHING TO ADDRESS THE MEETING

Member of the public from Necton in regard to agenda item 6.

45/08 BT PUBLIC PAYPHONES RATIONALISATION PROPOSALS IN BRECKLAND (AGENDA ITEM 6)

Mr. Derek Seaton and Mr. Martin John of BT were in attendance to speak on this item and answer questions.

The Scrutiny Officer presented the report which set out the background to the proposals by BT to remove 65 public payphone services across Breckland and the issues involved. The report included a breakdown provided by BT of the usage figures for the affected payphones. Since the report was prepared, it was noted that the payphone at Eastfields, Narborough had been added to the list of proposed closures; the usage figure given for this box was 97 calls in the last 12 months.

BT's public consultation period was due to end on 2 July 2008. The Council had written to all town and parish councils in the district for their views and a list of the responses to date was circulated at the meeting, as follows:

Town/Parish	Payphone Location	Object / Agree to removal
Ashill	Goose Green	Agree
Billingford	Festival Road	Object
Caston	The Green	Object
Cranworth	Woodrising	Object
Cranworth	Swathing	Object
Dereham	Shipdham Road	Object
Dereham	Moorgate Road	Object
Hardingham	High Common	Object
Hilborough	Westgate Street	Object
Hockering	The Street	Object
Holme Hale	Browns Lane	Agree
Holme Hale	Cook Road	Object
Horningtoft	Fakenham Road	Agree
Lt Cressingham	Watton Road	Object
Mattishall	Welgate	Object
Oxborough	Oxborough	Object
Sporle	South Acre Road	Agree
Swanton Morley	Primrose Square	Agree
Swanton Morley	Greengate	Agree
Thetford	Glebe Close	Object
Thetford	Anne B'olomew Road	Object
Wellingham	Wellingham	Object
Wretham	Watton Road	Agree

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Mr. Seaton then explained BT's proposed closure programme, the main reasons for closure being:

- Significant decreases in usage – overall usage had halved over the last three years.
- Unprofitability, with some 65% of payphones being identified as unprofitable.
- Increased use of mobile telephones (90% of the population had mobiles) and the increased number of homes now having a telephone landline.
- Vandalism and theft, the resultant increased cost of reinstatement/repair and maintenance making sites unviable.

A member questioned the inclusion of sites at Anne Bartholomew Road and Glebe Close, Thetford, which had some of the highest use figures. The site at Anne Bartholomew Road was located near to a large school and that at Glebe Close was important for migrant workers in that area. While many children had mobiles, access to a payphone was still considered a necessity for those who did not and who were likely to be the most vulnerable. For these reasons, it was argued these payphones should be retained.

It was explained that the Anne Bartholomew Road site had been subjected to repeated robbery and vandalism and had been identified for closure on grounds of cost associated with that. Even if it was changed to a cashless facility, such units typically only saved about 20% of the overall costs. However, an undertaking was given that BT would specifically review the case for the site at Anne Bartholomew Road.

So far as cashless facilities were concerned, it was noted that phone card facilities had been abandoned some years ago and current cashless provision was by way of credit/debit card or reverse charge calling. The extension of such provision was supported by members.

The case for the social value of payphones in the rural areas was strongly made by members. While it was accepted some boxes were not profitable, there was still a need for facilities for use in emergencies and to take account of the fact that the adequacy and strength of signal reception for mobile telephones was still a problem in some areas.

So far as the unit at Shipdham Road, Dereham, was concerned, it was explained that although this payphone had high usage, it had also suffered five robberies in the last few months. In such cases, BT carried out a cost analysis and while usage might be high, where the cost of maintaining such boxes exceeded call use, such sites would be considered for closure.

While more frequent collection of monies from boxes had been piloted to address the issue of theft, the results showed robbery still occurred (in fact, even more frequently) and although less money was being taken, the costs to BT remained.

Members also raised the issue of the standard of reinstatement of sites following removal of boxes. It was explained that reinstatement was made to the original condition of the site as far as possible. Another

Action By

Member suggested the alternative option of offering the defunct boxes (once the equipment was removed) to the local parish council to obviate the need for removal of the box and reinstatement of the ground. It was noted, however, that while this option had been explored, the present Licence under which BT Payphones operated did not permit this approach, but the idea was still being pursued.

Other options to address changes in the pattern of usage included a managed payphone service in shops, pubs or other outlets but there had been a decline in take up of this by proprietors.

Members strongly reiterated the case for recognition of the social value and importance of payphones in the rural villages, particularly in such a rural area as Breckland where 51% of the population lived in the villages and where other services were also being lost. It was felt that BT had a duty to maintain a service in the villages and, although it was recognised that BT Payphones was an independent business from the parent BT Company, and it was felt to be incumbent on BT to address the special needs of rural areas.

In the case of sites in the Dereham area, it was reported by a Member that Dereham Town Council opposed any removals unless they were supported by evidence of persistent anti social behaviour associated with them.

BT was urged to take a much more proactive and positive approach to how it might grow its business more constructively as an alternative to closing facilities, particularly bearing in mind the potential from the planned growth of the district.

Mr. John replied that BT was looking at new revenue streams for payphones, including advertising and ATM units for example.

In concluding the debate, the Commission agreed to a proposition to appoint a working group to look at the responses from the town and parish councils and to draw together relevant information to enable a formal response to be formulated for submission by the consultation deadline of 2 July.

Accordingly, it was

RESOLVED that

- (1) a Task and Finish Group be appointed, with the following membership: Mrs. S.M. Matthews, Mrs. D. Irving and Mr. M. Kiddle-Morris;
- (2) the Task and Finish Group be given delegated power to formulate a response on behalf of the Commission for submission to BT to meet the consultation deadline of 2 July 2008; and
- (3) the findings of the Task and Finish Group be reported back to the Commission at its next meeting on 10 July 2008.

Mark
Broughton

Action By

**46/08 BRECKLAND DISABILITY EQUALITY SCHEME - YEAR 1 REVIEW
(AGENDA ITEM 7)**

The Policy Officer (Equalities) presented the report and explained the background to the Year One review of the Breckland Disability Equality Scheme Action Plan covering the period December 2006 – December 2009. The Commission's views were sought prior to consideration of the report by the Cabinet on 10 June 2008.

Members questioned the Action that "for all new housing schemes in the market towns (of a suitable size and nature to trigger an affordable housing contribution), the Council will seek at least one wheelchair bungalow as new provision". It was felt that this could be discriminatory against people with other types of disability and removed freedom of choice both from an individual's point of view and that of developers as it would dictate where the provision should be located. There were also cost implications arising from the various design features that would be needed to address all the different types of disability to fully equip a dwelling. The Council needed to be clear about the needs and level of disability it was attempting to address through this provision. Members were also concerned that this Action was related only to the market towns of the District and felt that the needs of the rural villages also needed to be considered. A member also questioned the calculation of the quota, i.e. one wheelchair bungalow on sites of over 25 units; the Member felt that this should be reflected in % terms so that the provision of these homes went up proportionately with the size of the site.

For these reasons, it was felt there was a need for this Action to be reviewed.

RESOLVED that the Cabinet be asked to take into account the Commission's views regarding a need to review the definition of the Action as outlined above.

47/08 POLICY DEVELOPMENT AND REVIEW PANELS (AGENDA ITEM 8)

(a) Panel 1 - Unconfirmed minutes of the meeting held on 6 May 2008

(i) LDF Core Strategy and Development Control Policies:
Preferred Options Consultation (Minute 21/08)

Attention was drawn to the concern raised about the issue of a 40% affordable housing target on new developments. While it was noted that the challenge in this regard had been in relation to the evidence from the Housing Market Assessment used in arriving at this target, a member felt it would be useful for Panel 1 to discuss the difference between the East of England's affordable housing target of 35% compared to Breckland's proposed 40% target.

(ii) Adoption

RESOLVED that the unconfirmed minutes of the meeting of Policy Development and Review Panel 1 held on 6 May 2008 be adopted.

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(b) **Panel 2 - Unconfirmed minutes of the meeting held on 8 May 2008**

(i) **Mental Health Issues (Minute 12/08)**

The Chairman of the Panel reported that this had been a very good debate that had addressed members' concerns.

A member highlighted the problems that arose from the fact that Thetford fell within a separate delivery structure to Norfolk so far as mental health services were concerned and the difficulties this posed for joined-up working and provision of services.

Another member felt that there were gaps in mental health service provisions, for example the lack of drop-in centres, and the need to look at outreach services. In this connection, it was noted there was a consultation presently under way in Norfolk on a GP drop-in service.

(ii) **Culture Update (Minute 13/08)**

The Chairman of the Panel recorded members' congratulations to the officers on the success and growth of the sports and arts development programmes.

(iii) **Adoption**

RESOLVED that the unconfirmed minutes of the meeting of Policy Development and Review Panel 2 held on 8 May 2008 be adopted.

48/08 WORK PROGRAMME (AGENDA ITEM 9)

The Chairman outlined the following priority areas for future scrutiny review in the work programme:

- Business Transformation – to look at the processes involved in this fundamental change project
- Local Strategic Partnership – to look at relationship of objectives between the LSP and Breckland and to monitor achievements.
- Market towns and their feeder villages – to understand their needs and issues and feed these through to the LSP.
- Primary Care Trust – to look at how PCT and other health providers will meet needs of Thetford Growth Point to ensure adequate planning. Include taking evidence from local doctors' and dental practices.
- Thetford Growth Point – to understand background and issues to work of this major project.

It was noted that there was now a small budget for research work which could be utilised to support these reviews.

A member drew attention to the need to avoid duplicating work currently

being carried out by the Norfolk Health Scrutiny Committee and also work on mental health by carried out by the County Council.

Other issues for future scrutiny or monitoring included:

- Business Plan 2008-14
- Dog & Pest Control Services – allocate to Panel 3
- Economic Development
- CCTV – scheduled in programme for September 2008
- Car Parks Review
- Street Lighting Levy – allocate to Panel 2
- Empty Homes Policy - allocate to Panel 2
- Affordable Housing – existing item allocated to Panel 3
- Political Management Structure – to monitor results from changes
- Post Offices Network Change Programme – to monitor progress/outcomes
- Royal Mail – to look at impact on post boxes in light of post office closures

It was suggested Task and Finish Groups be established for the following reviews:

1. Thetford Growth Point
2. Market Towns and Villages
3. CCTV

It was agreed the Task and Finish Groups should be chaired by a Member from the Overview and Scrutiny Commission with two other members drawn from other non-Executive members of the Council and that the chairmanship of the Market Towns and Villages Groups should not be a member of the market town in question.

RESOLVED that the Scrutiny Officer be asked to make adjustments to the future work programme and to establish the Task and Finish Groups as proposed above.

Mark
Broughton

49/08 NEXT MEETING

The arrangements for the next meeting on 10 July 2008 were noted.

Chairman's Closing Remarks

The Chairman concluded the meeting by thanking outgoing members Mrs. T. Hewett and Mr. C. Jordan for their contribution and work on behalf of the Commission and welcomed Mr. M. Kiddle-Morris and Mr. A.C. Stasiak as new members of the Commission.

The meeting closed at 4.25 pm

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 19 May 2008 at 9.30 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mrs D.K.R. Irving
Mr W.P. Borrett	Mr R. Kemp
Councillor Claire Bowes	Mr M.A. Kiddle-Morris
Mr A.J. Byrne	Mr J.P. Labouchere
Mrs M.P. Chapman-Allen	Mr T.J. Lamb
Mr P.J. Duigan	Mr F.J. Sharpe
Mr P.S. Francis	Mrs P.A. Spencer
Mr M. Fanthorpe	Mr N.C. Wilkin (Vice-Chairman)
Mrs S.R. Howard-Alpe	

Also Present

Mr P.D. Claussen (Ward Representative)	Mrs L.H. Monument (Ward Representative)
Mr C.R. Jordan (Ward Representative)	

In Attendance

Sue Bloomfield	- Planning Obligations Officer
Mike Brennan	- Principal Development Control Officer
Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Phil Daines	- Development Services Manager
Andrew Gayton	- Historic Buildings Officer
Andrea Long	- Environmental Planning Manager
Helen McAleer	- Member Services Officer
Nick Moys	- Principal Planning Officer (Major Projects)

67/08 MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 28 April 2008 were confirmed as a correct record and signed by the Chairman.

68/08 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr B Rose and Mr M Spencer.

69/08 DECLARATION OF INTEREST (AGENDA ITEM 3)

Members and Officers were asked to declare any interests at the time the applications were made.

Cllr C Bowles declared a personal and prejudicial interest in Agenda Item 11 (Swaffham) as she was a friend of the applicant and in Schedule Item 5 (Watton) as the application site was adjacent to her family's business.

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Mr F Sharpe declared a personal and prejudicial interest in Schedule Item 16 (Swaffham) by virtue of financial interest.

Mr A Byrne declared a personal interest in Schedule Item 4 (Snetterton) as he knew the applicant and owned adjacent land.

Mr N Wilkin declared a personal interest in Schedule Item 9 (Swanton Morley) as he knew the applicant.

70/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman explained that the meeting had been moved to the Norfolk Room due to technical problems in the Anglia Room. She pointed out the fire exits.

71/08 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

The Development Services Manager informed Members that the applications at Agenda Item 9/Schedule Item 6 (Carbrooke) and Schedule Items 12, 13 and 14 (Kilverstone) had been withdrawn by the applicants.

He also notified Members that for Agenda Item 8/Schedule Item 5 (Watton) the recommendation had been changed from approval to refusal as the recently received report on noise had failed to address officers' concerns.

72/08 URGENT BUSINESS (AGENDA ITEM 6)

Swaffham: Proposed Residential Development, Brandon Road;
Gladedale Homes: Application for Variation of S106 Agreement;
Reference 3PL/2007/1436/H

The Principal Planning Officer (Major Projects) introduced this item which had been approved at Committee in November 2007 subject to a S106 agreement requiring affordable housing, Public Open Space, construction to Code Level 3 and various financial contributions to local services.

Since that time the developer had gone into partnership with a Housing Association and because of this and the current downturn in the housing market they were requesting changes to the terms of the S106 agreement.

The reason for the urgency was that the partnership would cease at the end of May if permission was not granted.

The developers were proposing to change the mix of social rented and shared ownership housing and bring elements forward into Phase 1 and 2 of the build (previously to be in Phase 3 and 4). These amendments had only been received last week and the Town Council, Highways and Norfolk Police were yet to be consulted on them.

The new proposal was that only the affordable housing element of the scheme should be built to Code Level 3, instead of the whole scheme. If the whole scheme was to be built to Code Level 3 then they proposed a significant decrease in financial contributions.

Action By

It was explained that although the Code was voluntary at the moment it would become mandatory in 2010. Members were also reminded that with the recent adoption of the Regional Spatial Strategy there was now a policy requirement for 10% of any scheme to use renewable energy, along with an increase to 35% (from 30%) for affordable housing requirement.

In conclusion the Principal Planning Officer (Major Projects) told Members that despite the benefits of the affordable housing coming early, officers were not happy with the proposals. In particular, the suggestion not to build to Code Level 3 was unacceptable. No financial evidence had been provided to support this request and no offer made to build to Code Level 2 or 1 instead.

Mr Butters explained that he could not comment on the requested amendments as the Town Council had not yet been consulted, but mentioned that any archaeology found during the scheme had been promised to the town and reiterated concerns about contamination on the site.

Members discussed the proposals and supported the officer's conclusion. It was clarified that if the terms of the S106 were not agreed the application would return to Committee and could be refused.

It was further explained that due to current market conditions it was possible that the developer would 'mothball' the site and not commence building for some years. In that case Code Level 3 would be mandatory for the whole build.

It was **RESOLVED** to defer the application for further discussions.

73/08 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Environmental Planning Manager told Members that the Regional Spatial Strategy (RSS) had been published the previous week and that a paper would be presented to the next Development Control Committee to give background information.

The RSS was now adopted as part of the Council's policy. Under the Strategy there was a minimum of 35% affordable housing required in new developments and a requirement for the provision of 10% renewable energy on-site.

The Local Development Framework (LDF) was moving towards site specifics. All Town and Parish Councils and Ward Members would receive up to date base maps showing flood risk, outstanding planning applications, etc. They would also receive a topic paper on proposed Settlement Boundaries and any comments would be requested by September.

650 sites had been put forward and would be included in the consultation which commenced at the end of June. However, not all sites would be considered for development. They would be categorised as Performing, Un-conforming (could be suitable if 'tweaked') and Unreasonable. She stressed that there were many more sites proposed than were needed.

Action By

**74/08 WATTON: RESIDENTIAL DEVELOPMENT: BRANDON ROAD:
APPLICATION REFERENCE: 3PL/2008/0155/O (AGENDA ITEM 8)**

Cllr Bowes declared a personal and prejudicial interest and left the room whilst this item was discussed.

The Principal Planning Officer (Major Projects) introduced this outline application with all matters except access reserved. There were presently four bungalows and various commercial buildings on site. The proposal was to develop around 25 residential units.

Although the site was suitable for such development in policy terms there were some site specific concerns. The proposed housing would be immediately adjacent an abattoir operating 24 hours per day. There would be noise from animals and from plant and machinery. A noise assessment report had been submitted with the application suggesting a four metre high acoustic screen. The submitted proposals showed a one and a half metre bund topped by two and a half metre high planting. More details had been requested as to the types and effectiveness of acoustic screening.

There were also concerns about contamination on the site because of its previous commercial use. More information had been requested and had not been received in time to be assessed. It was therefore considered that there was insufficient information to make an informed decision. To meet the 13 week target date for the application it was necessary for the Committee to make a decision today. Therefore the recommendation was for refusal on noise and contamination grounds.

Mr Took (Agent) told Members that it was the principal of development that was being sought. The existing business had become unviable and the owner was looking for a way to dispose of the site. He was a local man not a developer and he did not have a lot of money.

He felt the site was suitable for development and could provide much needed affordable or shared ownership housing. The acoustic fencing could be conditioned and careful landscaping and orientation of the houses could improve amenity.

Members generally felt that this was not a suitable site for residential development. The adjacent site employed around 600 local people and it was considered that approving housing on the site might lead to conflict between the two uses in the future.

RESOLVED to refuse the application due to insufficient information on noise, and to suggest that industrial use might be more suitable on the site.

**75/08 CARBROOKE: PROPOSED NURSING CARE HOME: FORMER RAF
WATTON TECHNICAL SITE: 3PL/2008/0304/D (AGENDA ITEM 9)**

This item was withdrawn (see Minute No 71/08 above).

**76/08 NORTH TUDDENHAM: PROPOSED 40 BED NURSING HOME:
ADJACENT THE LODGE, MAIN ROAD: APPLICATION
REFERENCE 3PL/2008/0321/F (AGENDA ITEM 10)**

Action By

The Principal Planning Officer (Major Projects) introduced this full application for a 40 bed nursing home. A previous application for a 62 bed home had previously been refused by Committee. In this revised application the reasons for the previous refusal had been addressed.

The applicant had stated that the residents would be elderly and mentally infirm and that the peaceful, rural location would be suitable for them. A Green Travel Plan was included with the application which proposed to provide a mini-bus service to take staff to and from the site, thus reducing the number of vehicle movements.

As to the impact on the countryside, it was pointed out that a previous permission for a hotel/motel would have exactly the same impact. Additional landscaping was proposed and the building had been designed to provide screening to minimise noise problems.

To address drainage concerns a private treatment plant was also proposed which would discharge 'clean' water to reed beds and a water feature within the grounds.

Highways had raised concerns re visibility and more details had been provided which seemed to achieve the required standard of visibility splays.

There was scant evidence from Norfolk County Council about the need for this type of facility. It was suggested that the Dereham area was reasonably well provided for but a significant increase in elderly people requiring care was expected.

Finally he mentioned that the Ward Member, Mr Rose had written with his concerns about the position of the site, outside an allocated area and adjacent to a public house, farm and kennels. He was concerned about the scale of the proposal, the fact that it was only accessible by car and he questioned its sustainability.

The issues were finely balanced but after weighing up the arguments for and against, officers were recommending approval.

Mr Sharpe (Agent) was present to answer any questions.

Mr Wingate (representing the adjacent farmer) told Members that the scheme was unacceptable in principle and detail. His client was concerned about the possible effect of the development on his well and bore hole. He was also concerned that the noise and smells from his farm would be unpleasant for residents. Finally he was concerned that the proposal was unsustainable as the only means of transport for visitors was by car.

Mr Stapleton (representing North Tuddenham Parish Council) was also against the proposal. He argued that the need for the home had not been proved. There were concerns that the applicant intended to increase the facility to 80 beds if permission was granted.

Drainage was a problem and he asked about the possibility of medication from the home entering the water table. He also felt that not enough parking spaces were provided for the size of the home, which he considered too big for its rural location.

Action By

Mr Claussen (Ward Representative) told Members that he had been to two public meetings attended by over 100 local people concerned about this proposal. He mentioned that the previous application had been refused on policy grounds and because of the conflict between the proposal and the adjacent farm, public house and kennels.

He was concerned that in the supporting information the applicant mentioned that the optimum number of beds to make such a facility financially viable was 80.

The County Councillor had wanted to be present to express her concerns and to confirm that there was already adequate care provision in the area.

Finally he felt that the previous approval for a motel had synergy with the public house and did not cause conflict.

A Member was concerned about the health implications on livestock, raised by the possibility of medication entering the water table. The Solicitor advised that this was a material consideration and more information was needed.

The Environment Agency considered the drainage proposals acceptable. Essentially clean water was discharged from the Water Treatment Plant.

Another Member was concerned that the parking provision was totally inadequate. The Agent explained that this was the number requested but that it would be possible to provide more by reconfiguring the layout if necessary.

The Development Services Manager told Members that the applicants had offered to enter an agreement restricting any further development on the site.

Members were unanimously against the recommendation for approval.

It was **RESOLVED** to refuse the application on the grounds that it was unsustainable and would conflict with national planning policy and be likely to result in conflicts with adjoining commercial and agricultural uses.

77/08 SWAFFHAM: RESIDENTIAL DEVELOPMENT: CASTLE ACRE ROAD: APPLICATION REFERENCE: 3PL/2008/0345/F (AGENDA ITEM 11)

Cllr Bowes declared a personal and prejudicial interest in this item and left the room while it was being discussed.

The Principal Planning Officer (Major Projects) introduced this full application for 51 dwellings located in a mixed commercial and residential area of Swaffham.

The proposal was considered to be a well designed scheme which would enhance the area and make use of an existing brownfield site within the settlement boundary. The layout gave potential for future

Action By

development on adjacent land, not currently in the ownership of the applicant. A draft 106 agreement accompanied the application in respect of 30% affordable housing, contributions to education, library and recreation provision and a contribution to Norfolk County Council for transport (details waiting to be confirmed).

Anglian Water Services had commented in relation to drainage problems in the area and stated that these were caused by operational issues. They had confirmed that the existing system was adequate to deal with the proposed new development.

Mr Butters (speaking on behalf of the Town Council) showed photographs of flooding taken near the site last year. He was concerned that flooding occurred regularly and could only be exacerbated by additional development. He reminded Members that a large care home had been approved in the area recently.

Mr Bird (speaking for the applicant) explained to Members that considerable discussion and consultation had taken place. Residents had been approached individually and their concerns addressed. Highway objections had been overcome.

Foul and surface water issues had been thoroughly investigated and a Flood Risk Assessment had been submitted and the Environment Agency had no objection to the scheme. He considered that drainage problems in the area were due to the failure of the existing soakaways on site and that the new proposal would improve the situation.

A Member asked about site levels and it was pointed out that as the front half of the site sloped away from the highway, it was proposed to level this area.

Another Member asked if the 30% affordable housing this scheme included was acceptable now that the threshold had been raised to 35%. It was felt that it would be unfair to enforce the new threshold on an application that had been through weeks of negotiation and was approaching its conclusion.

The question of who would be responsible for maintaining the public open space was asked and it was confirmed that this would form part of the legal agreement, although it was likely that it would be adopted by the Council.

The Principal Planning Officer (Major Projects) asked Members to confirm that if agreement was not reached within 13 weeks, authority be given to refuse the application.

RESOLVED to approve the application subject to conditions and a S106 agreement and that if the legal agreement was not signed within the 13 week target period, the Development Services Manager had delegated authority to refuse the application.

78/08 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 12)

RESOLVED that the applications be determined as follows:

- (a) Item 1: 3PL/2008/0026/F: Thetford: The Former Burrell House, Minstergate: Proposed residential conversion

Action By

consisting of 6 No apartments and 4 No townhouses for
Henstead Hall Estates Ltd

This full application and the listed building application at Item 2 for the same site were presented to Members jointly.

This listed building was on the Buildings at Risk Register.

Members were shown photographs of this former factory, now part boarded up and with structural defects and elevations of the proposed conversion. Windows at the front of the building would be retained.

The Town Council had no objections although they would prefer 10 parking spaces to be provided in place of the nine proposed.

The site was inside the Settlement Boundary and in the Conservation Area. The principle of conversion was considered acceptable and the applications were recommended for approval.

Mr King (representing the applicant) was available to answer questions.

The Chairman asked why the windows at the rear of the building were not being retained as she considered they were inherently associated with a factory building and without them the integrity of the building would be lost.

The Historic Buildings Officer explained that the building had been listed in 1971 and put on the At Risk Register in the early 80s. There had been many schemes proposed for this building over the past 20 years and none had come to fruition. During that time it had been vandalised and set on fire. The fabric of the building had decayed. It was no longer structurally sound.

If the windows could be removed and re-used, possibly as partitions within the building, their context would be retained. However, he considered that a balance had to be struck between retaining parts of the building and meeting modern day building regulation requirements. He thought that this was possibly the last opportunity for this building to be retained and re-used.

Mr King confirmed that as the rear boundary was close to Nicholas House, Building Regulations restricted the permitted window area. He did agree that the frames would be re-used within the building if possible.

A Member asked about outside space for the four townhouses and it was confirmed that there was almost none.

Another Member queried the safety of the retained front windows, being right on the street and asked if they could be protected from vandalism. However they were made from cast iron and had small panes of glass which made them relatively

Action By

strong.

Both applications were approved as recommended.

- (b) Item 2: 3PL/2008/0027/LB: Thetford: The Former Burrell House, Minstergate: Proposed residential conversion consisting of 6 No apartments and 4 No townhouses for Henstead Hall Estates Ltd

Approved, see Minute No 78/08 (a) above.

- (c) Item 3: 3PL/2008/0114/O: Necton: Site Adjacent 18 Mill Street: Site for residential development for Mr T Wicks

This outline application for residential development, with only access to be considered, was the resubmission of a previous application refused on drainage grounds.

The application was accompanied by a full drainage scheme which had been checked by an Independent Consultant on behalf of the Council and was considered to be acceptable.

The previous application, now the subject of an appeal, had indicated a scheme for four houses, one of which would be positioned to the front of the site on what had previously been a pond. The resubmission omitted this dwelling and included an indicative plan showing three single storey dwellings set further back in the site. (The Inspector's decision would resolve whether the previous pond area was a suitable site for a dwelling.)

The proposal included an extension to an existing footway across the site frontage and improvements to an existing ditch within the site.

The principle issue had been the drainage problem and as the submitted scheme was considered acceptable, the application was recommended for approval.

Mr Woodward representing the Parish Council commented that although the extension to the footway was a good idea it ended at a very sharp bend in the road. He was also concerned that more development could only lead to more flooding problems.

Cllr Wilkin explained that although his address was 19 Mill Street, this was actually located at some distance from the site and on the opposite side of the road. He had previously looked at the existing bungalow at 18 Mill Street on behalf of his son when it was for sale and had expressed an interest in buying it, but the property had been removed from the market.

He said that in ten years on the Development Control Committee this was the first time he had ever seen a crated drainage driveway and suggested that such extreme measures were needed because of the flooding problem. Apart from that he commented on the narrowness of Mill Street and suggested that if permission were given the

Action By

footway should be constructed, prior to the dwellings being built.

It was pointed out that although there may be a flooding problem in the area any new development could not be expected to resolve this. However, the crated drainage system was proposed to ensure that the new dwellings did not suffer from flooding and to reduce their impact on the area. Surface water would be collected in the system and released slowly by a valve into the ditch.

Discussion followed on the possible inclusion of a balancing pond on the site of the previous pond; on the possibility of re-using grey water within the site; and question possible liability if the development did flood.

In conclusion a Member pointed out that as the Council had consulted a Drainage Consultant notice should be taken of the technical advice given.

Approved subject to an additional condition re slab levels and a legal agreement requiring the construction of the footway, prior to commencement of work on the dwellings.

- (d) Item 4: Snetterton: Chalk Lane: Erection of second and third (blocks A & C) single storey commercial units replacing Romney Huts for Ralph Firman

This full application for the demolition of two Romney Huts and replacement with two commercial units followed an earlier outline approval for three commercial units, one of which had already been constructed.

The new buildings would closely resemble the one already built.

An archaeological condition was proposed to address any historical interest on site.

Approved as recommended.

- (e) Item 5: Watton: Abbey Engineering, 123 Brandon Road, Watton: Residential Development for Abbey Engineering

Refused, see Minute No 74/08.

- (f) Item 6: Carbrooke: Site adjacent RAF Watton Base: Proposed 70 bed nursing home for Zest Partnership

Withdrawn, see Minute No 71/08.

- (g) Item 7: North Tuddenham: Land adjoining The Old Mine Bar, The Lodge, Main Road: Erection of new 40 bedroom residential nursing home for Express Care (Guest Services)

Refused, see Minute No 76/08.

Action By

- (h) Item 8: Swaffham: Bernard Matthews Hatchery, Castle Acre Road: Demolition of redundant warehouse building and house for the erection of 51 dwellings for Abel Homes Ltd

Approved, see Minute No 77/08.

- (i) Item 9: Swanton Morley: South of Jacobs, Woodgate Lane: Proposed new dwelling and garage for R W Duffield Limited

Cllr Wilkin declared a personal interest in this item as he knew the applicant.

This full application for a new dwelling set 30m into the site with a garage to the front. Outline permission had previously been granted on the site for a cottage style dwelling.

A neighbour had requested the reinstatement of a partially filled ditch on-site, but this was not considered to form part of the drainage system for the area.

A Member pointed out that the neighbour would not have bothered to write in if there was not a problem. It was noted that a surface water condition was proposed if the application received approval.

Some Members found the design of the proposed dwelling uninspiring and not in keeping with the area. However the Solicitor advised that the Committee must make their decision based on the acceptability of the proposal and not on personal taste.

Approved, as recommended.

- (j) Item 10: Hardingham: 67 Low Street: Parking space and vehicular access for Miss K Taylor

This full application proposed the provision of a parking space in front of the property to allow off-street parking. The road had a 40 mph limit and visibility was poor due to bends in both directions. The Parish Council and Norfolk County Council Highways objected on highway safety grounds and six letters of objection had been received.

Mrs Dunthorne speaking on behalf of the residents of Low Street, said that visibility was poor and traffic often exceeded the 40 mph speed limit. She felt that there was insufficient space to park in the proposed space without obstructing the verge and said that a local landowner was willing to sell a strip of land to provide rear access to the property.

Mr Took, speaking on behalf of the agent, said that he understood the reason for Highway's objection but that common sense should prevail. The cottage had recently been modernised and was perfect for a first time buyer. The young lady purchasing the property would have to use her car as there were no local facilities. He believed a small car could park safely in the proposed parking area. The only other option was to park on the road which was detrimental to

Action By

highway safety.

Mr Jordan (Ward Representative) said this was a vexed problem. It was a dangerous stretch of road which needed a 30 mph limit – but Highways did not consider it to be dangerous enough. There were driveways either side of the site and visibility problems were the same in many villages. He concluded by saying that residents considered that this extra drive would damage their quality of life.

Members discussed the dangers associated with parking on the road and the Development Services Manager pointed out the increased problem caused by reversing into or out of the driveway.

Approved, against the recommendation as it was considered safer to have the car parked off the road than on it.

(k) Item 11: Yaxham: Down Ampney, Well Hill: Proposed link detached dwelling and garage for Mr Colin Smith

This full application proposed the sub-division of the garden and the erection of a linked chalet style dwelling. There was a previous refusal on the site. The use of obscure glazing at first floor level was designed to avoid overlooking.

The Parish Council objected on grounds that the proposal did not enhance the form and character of the area and on its impact on neighbours. Various letters of objection had also been received.

Officers considered that the proposal was in keeping with the area, had a reasonable relationship with the existing dwelling and did not cause overlooking. Therefore it was recommended for approval subject to conditions to avoid noise and disturbance during the construction phase.

Mr Jordan (Ward Representative) spoke on behalf of the Parish Council and Objectors and also on behalf of the Applicant.

He said that he had received two letters of objection this time as opposed to nine for the previously refused application.

The applicant had listened to previous comments of the Committee and worked hard to overcome previous objection. He had moved the garage and provided plenty of parking for visitors.

The Chairman told Members that she considered they had achieved something as this proposal did not take up so much of the site as the previous one. It was inside the Settlement Boundary and considered brownfield land by government policy.

A Member requested that a condition be added to prevent future extensions.

Action By

Approved, subject to an additional condition restricting permitted development rights.

- (l) Item 12: Kilverstone: Opposite Farm Gate Cottages, Adj Kilverstone Hall Farm Gate: Erection of estate agent's advert board for commercial premises for The Kilverstone 1989 Settlement

Withdrawn, see Minute No 71/08

- (m) Item 13: Kilverstone: East of Norwich Road/A11 Roundabout: Erection of estate agent's advertisement board for The Kilverstone 1989 Settlement

Withdrawn, see Minute No 71/08

- (n) Item 14: Kilverstone: Corner of Brettenham Road and Norwich Road: Erection of estate agent's advertisement board for The Blakeney Park Settlement

Withdrawn, see Minute No 71/08

- (o) Item 15: Dereham: Springfield, Mattishall Road: Removal of agricultural condition for Mr Hannant

This application to remove the agricultural restriction attached to the dwelling followed a change in circumstances for the applicant. He had previously worked a holding of approximately 55 acres, a large element of which was rented. The current site was much reduced. Following a serious head injury to the applicant he had been unable to work and had had to release the rented land.

He had previously applied to have the restriction lifted and the condition had been varied to allow him and his wife to remain in the dwelling for their lifetime. A further application to lift the restriction had been refused in March 2008.

This new application had been submitted as the mortgage company were applying a loading to their rates because of the restriction and the applicant felt he was being penalised. He wished to convert the existing garage on site to an annexe for his daughter to live in and she would help out on the holding.

Having taken the applicant's personal circumstances into consideration the application was recommended for refusal as no marketing campaign had been carried out to prove that there was no need for an agricultural dwelling in the area.

Mr Hannant explained that most of the land was in a family trust. He was unable to make a living from it. The land had lost money for the last five years. Things had deteriorated since his accident, when he had been unable to work for eight months. Since then he had to avoid stress and heavy manual work. If the restriction was lifted he would be able to carry on. As it was, due to the small size of the holding, it was no longer viable.

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Mrs Monument (Ward Representative) spoke in support of the applicant. She said he had worked hard for years and supplemented the farm with HGV driving but due to the accident he had lost his license.

He could not sell the property as a going concern as there was not enough land. Other farms in the area were closed and empty. There was not likely to be much demand for this property with the agricultural restriction, which was why the mortgage company were loading the premium.

Mr Griffin (Ward Member) had also written in supporting Mr Hannant.

A Member told the Committee that at a meeting of Dereham Town Council every member had voted in favour of Mr Hannant. He also drew attention to a letter from Case & Dewing confirming that the holding was not viable.

The Chairman told Members they needed to be consistent. On a previous application for another dwelling they had insisted that the property be advertised in line with policy.

Refused, as per recommendation.

- (p) Item 16: Swaffham: 108 London Street and 110 Brandon Road: Redevelopment to form 26 sheltered apartments, communal facilities, car parking and landscaping for The Planning Bureau

Mr Sharpe declared a personal and prejudicial interest in this item and left the room while it was discussed.

This full application proposed the demolition of two existing bungalows and the erection of sheltered one and two bedroom accommodation including a communal lounge and laundry, for occupants aged over 55.

The design of the proposed building gave it the appearance of three large houses facing the street. The rear elevation showed a substantial building.

The building was cut into the site to reduce its impact however there were concerns of overlooking at either end.

The Parish Council had objected on terms of impact on the adjacent properties, highway safety and pressure on sewage system concerns.

Objections from others covered loss of habitat, inadequate parking and unsafe access. Neighbours were also worried about noise and disturbance during construction.

Overall it was considered that the scheme did not enhance the area, due to its scale, design and massing; that neighbours would suffer a loss of amenity due to overlooking and because the developers had failed to enter into a legal agreement in

Action By

respect of affordable housing although they had offered a discounted scheme for seven units.

Mr Butters representing the Town Council agreed with the officer's comments and explained that the overlooking windows were in corridors so anyone would be able to stand and look out of them.

The Chairman commented that the developer usually provided good schemes but in this case she did not feel the design was in keeping at all.

Another Member said that although it was a big site the building was enormous and was more than half the site deep. If the applicant's were to come back to Committee proposing a smaller building he would be willing to support it.

Refused, as recommended.

Notes to the Schedule

The following persons were in attendance to speak on the following items:

<u>Item No</u>	<u>Speaker</u>
1 & 2	Mr King – for Applicant
3	Mr Woodward – Parish Council
5	Mr Took - Agent
7	Mr Claussen – Ward Representative Mr Stapleton – Parish Council Mr Wingate – for Objector Mr Sharpe - Agent
8	Mr Butters – Town Council Mr Bird – for Applicant
10	Mr Jordan – Ward Representative Mrs Dunthorne – Objector Mr Took – for Agent
11	Mr Jordan – Ward Representative Mr Smith - Applicant
15	Mrs Monument – Ward Representative Mr Hannant - Applicant
16	Mr Butters – Town Council Mr Broadhead – for Applicant
Report Item (Swaffham)	Mr Butters – Town Council

Written representations taken into account

<u>Reference No</u>	<u>No of Representations</u>
3PL/2008/0026/F	
3PL/2008/0027/LB	
3PL/2008/0114/O	7
3PL/2008/0137/F	
3PL/2008/0155/O	3
3PL/2008/0321/F	14
3PL/2008/0345/F	3

3PL/2008/0425/F	1
3PL/2008/0482/F	6
3PL/2008/0515/F	3
3PL/2008/0185/F	2

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79/08 ENFORCEMENT ITEMS (FOR INFORMATION)

This item was noted.

80/08 APPEAL DECISIONS (FOR INFORMATION)

This item was noted.

**81/08 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES
MANAGER (FOR INFORMATION)**

This item was noted.

**82/08 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL
(FOR INFORMATION)**

This item was noted.

83/08 NORTH LOPHAM: MEADOW FARM

The Principal Planning Officer told Members that this item was brought to their attention prior to the two applications coming before the next Development Control Committee as the Ward Representative had suggested that a site visit be made.

The Chairman offered Members the option of a site visit or of an officer visiting site with the video camera. She pointed out that if the latter were chosen it would have the advantage that all Committee Members at the next meeting would see the video of the site, whereas if a site visit was arranged, some Members might not be able to attend.

RESOLVED that an officer would film the site with the video camera to present to Members at the next Committee meeting and that the Ward Representative would be informed and invited to accompany the officer if they so wished.

The meeting closed at 3.00 pm

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

DEVELOPMENT CONTROL COMMITTEE

**Held on Monday, 9 June 2008 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mrs S.R. Howard-Alpe
Mr W.P. Borrett	Mrs D.K.R. Irving
Councillor Claire Bowes	Mr R. Kemp
Mr A.J. Byrne	Mr M.A. Kiddle-Morris
Mrs M.P. Chapman-Allen	Mr J.P. Labouchere
Mr P.J. Duigan	Mr B. Rose
Mr P.S. Francis	Mr F.J. Sharpe
Mr M. Fanthorpe	Mrs P.A. Spencer

Also Present

Mr J.W. Nunn (Ward Representative)	Mrs A.L. Steward – Executive Member
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In Attendance

Mike Brennan	- Principal Development Control Officer
Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Phil Daines	- Development Services Manager
Helen McAleer	- Member Services Officer
Nick Moys	- Principal Planning Officer (Major Projects)
David Spencer	- Principal Planning Policy Officer
Lee Webster	- Housing Enabling and Projects Officer

Action By

84/08MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 19 May 2008 were confirmed as a correct record and signed by the Chairman.

85/08APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr T Lamb and Mr M Spencer.

86/08DECLARATION OF INTEREST (AGENDA ITEM 3)

Members and officers were asked to declare any interests at the time the applications were made.

Mr A Byrne declared a personal and prejudicial interest in Schedule Item 2 (Snetterton) by virtue of owning adjacent property.

87/08CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

- (a) The Chairman drew Member's attention to the fact that the next meeting of the Development Control Committee on 3rd July 2008 would be on a Thursday.

Action By

- (b) Members were updated on the Gladedale Homes application at Swaffham (Reference No 3PL/2007/1436/H). A request for amendments to the terms of the S106 agreement had been discussed at the last Development Control Committee meeting and been deferred for further negotiations.

The Principal Planning Officer (Major Projects) confirmed that the developers had agreed to build the whole scheme to Code 3 as required. Other minor amendments previously described to Members had been sent to the Town Council for consultation.

Completion of the legal agreement was being pursued.

88/08 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)

The Development Services Manager told Members that the application at Schedule Item 7 (Carbrooke) had been withdrawn and would not therefore come forward to Committee.

Schedule Items 4 (Bylaugh) and 8 (Snetterton) had been deferred.

89/08 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)

The Principal Planning Policy Officer told Members that at the Policy Development & Review Panel 1 meeting on 3 June 2008, Members considered the first draft of the Site Specifics document and following debate changes were suggested. These would be presented to Cabinet on 10 June 2008. The document would go out for 12 weeks public consultation at the end of June.

The current programme of meetings was:

Dereham	10 June
Saham Toney / Yaxham	12 June
Garboldisham	16 June
Litcham / Beeston / Kempstone / Lexham Rougham and Gt and Lt Dunham	18 June

Copies of maps would go out to the Town and Parish Councils later this week.

Following the recent adoption of the Regional Spatial Strategy (RSS) and the issue of a revised version of Planning Policy Statement 12 by the Government, their effect on the regulations for the production of the LDF would be explained to Members of Development Control Committee and Panel 1 in due course.

At the next Panel 1 meeting on 15 July details of strategy and policy would be discussed.

**90/08 REGIONAL SPATIAL STRATEGY - EAST OF ENGLAND PLAN
(AGENDA ITEM 8)**

This 130 page document was available on the Government Office website. No paper copy had yet been received by the Council.

The Principal Planning Policy Officer told Members that it had taken five years to develop and now that it had been adopted by the Secretary of State had direct influence on the planning process.

Two policies were particularly noted. H2 – Affordable Housing; which set a new minimum requirement level of 35% for permissions sought from now onwards and ENG1 – Carbon Dioxide Emissions and Energy Performance, which requires new developments of 10 houses or more, or commercial developments over 1000 square metres, to secure at least 10% of their energy from decentralised and renewable or low carbon sources.

Also within the RSS, Thetford is identified as a Key centre for Development and Change.

The Principal Planning Policy Officer was pleased to tell Members that the emerging work within the LDF was in accordance with the RSS as required.

A Member asked how 35% affordable housing could be achieved in small developments of only a couple of houses and it was explained that the threshold was not set within the RSS and would be a key area for debate. Currently the requirement was triggered by five plus dwellings in villages and 15 plus in towns.

**91/08 LAND NORTH OF SOUTH GREEN, DEREHAM AND LAND OFF
HONEYSUCKLE DRIVE, DEREHAM (AGENDA ITEM 9)**

The Principal Planning Officer (Major Projects) showed Members maps and photographs of six areas of open space within two housing developments. He explained that this item was a tidying up exercise to ensure the long-term maintenance of these areas of land.

The two developments had received permission on appeal and had therefore not been the subject of legal agreements which would normally have provided for the adoption or management of the public open spaces.

Negotiations were on-going with the Town Council who had expressed an interest in some of the open spaces being transferred to them.

RESOLVED that the areas of public open space referred to should be adopted and maintained publicly in order to ensure their future retention and maintenance.

Action By

Action By

92/08 DEFERRED APPLICATIONS (AGENDA ITEM 10)

Harling: Retrospective application for new siting of dwelling (New dwelling approved Ref No 3PL/2005/1914/F): Reference 3PL/2007/0672/F: Applicant: Dr R Kobylecki

The Principal Planning Officer presented this deferred item which had previously been the subject of a Committee Site Visit. Following discussion it had been deferred to allow officers to negotiate on the design of the dormer windows.

The applicant had had a meeting with his agent and architect and reached the conclusion that any changes to the dormers would be expensive and ineffective. He provided a photograph of a similar dwelling in the area which had received approval. He apologised for the inconvenience he had caused but said he was not in a position to make any changes.

A landscaping scheme had also been submitted. This was not considered to reflect the parkland setting of the dwelling and was the subject of on-going negotiations.

The recommendation was for approval, subject to a satisfactory landscaping scheme being agreed.

Mr Horn, speaking as an objector, agreed with the officers. He said that he did not think that changing the windows would affect the scale and setting of what he described as a very large cottage. However, he felt that more effort needed to be put into the landscaping scheme to mitigate the effect of the house on its surroundings.

Mr Took, the agent, accepted that Members found dealing with retrospective applications very frustrating, but pointed out that the decision should be made on planning merits. They needed to decide if they would have refused the design if the original application had shown the house as built. He asked them to decide if it caused demonstrable harm, and also said that once the porch was added it would improve the appearance of the house.

A Member said he was really disappointed that the applicant was saying that because any changes would cost money he was not prepared to make them. He felt that the Committee should not accept this.

The Council's Solicitor told Members that although they felt strongly about this and frowned upon unauthorised work they were not looking at this matter on principle but at the intrinsic planning merits.

The Development Services Manager noted that the submitted amended drawing showed the windows in the dormers to be of four panes of glass, yet as built they had eight panes. He suggested that if the Committee requested the windows to be changed to match the amended plan the appearance would be improved. However, he reiterated that the addition of the porch and the introduction of some significant trees to the front of the property would make a great difference.

Another Member said he was not surprised at the applicant's attitude.

Action By

He had said he would work with the Committee and yet he had failed to do so. He proposed that the application should be refused on design grounds.

Members voted on the proposal 7 for and 8 against.

Members then voted on the officer's recommendation of approval with the same result, 7 for and 8 against.

The Chairman then suggested a new proposal.

RESOLVED that the application be approved, subject to conditions requiring the dormer windows being changed to match the submitted amended drawing and a condition requiring the receipt of an acceptable landscaping scheme which had to be implemented in the next planting season (October 2008).

93/08 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 11)

RESOLVED that the applications be determined as followed:

- (a) Item 1: 3PL/2008/0384/F: North Lopham: Meadow Farm House, The Street: Proposed Replacement Dwelling for Mr Mark Porter

This item was considered in conjunction with Schedule Item 3 for the conversion and extension of an ancillary building.

An existing barn on the site already had planning permission for conversion to a dwelling and work was underway. There was also permission for two new dwellings on adjacent plots one of which was under construction.

This resubmission showed a simpler design and the Historic Buildings Officer had withdrawn his previous design objection but still objected on the grounds of failure to enhance due to scale and massing.

Members were shown a video of the site showing the existing buildings under construction and the relationship of the buildings on site to each other and to the access. The existing farmhouse and the ancillary building proposed for conversion were in very close proximity to each other. The proposed replacement farmhouse would be a little further away, but a much bigger building.

Both applications were recommended for refusal.

Mr Frith representing the Parish Council endorsed the recommendations. He was concerned at the lack of garaging for both properties and considered that the conversion would be inappropriate and out of place, as it would be surrounded by much larger dwellings. The conversion would destroy the community feel of the development, whereas the retention of the outbuilding with the farmhouse would preserve this.

Mr Plummer, the Agent, explained that the replacement farmhouse had been designed on a grander scale to dominate

Action By

the site. The conversion would provide a much-needed, low-cost, environmentally friendly dwelling. Drainage problems would be addressed by the use of a new treatment plant. Trees would be retained and new hedgerow planted. The design was felt to be well suited to represent the historical context of the site.

Mr Nunn (Ward Representative) told Members that this was a controversial site. He was not against re-development and did not have a problem with the farmhouse being re-built, but was concerned about the conversion. He was not against its use as an annexe but felt that as a separate unit it would be out of context surrounded by larger dwellings. He acknowledged that it was a difficult decision to be made.

The Chairman told Members that she did not have a problem with the replacement farmhouse, however, with a 5/6 bedroom house with no garage or outbuildings she wondered where things like bikes and lawn mowers would be kept. She concluded that if the ancillary building was kept with the farmhouse she would not have a problem with the development.

Other Members were not concerned with the lack of garaging.

Members voted unanimously against the recommendation to refuse the replacement farmhouse.

Item 1 was: **Approved, contrary to recommendation as the proposal fitted the scale of the new development in the vicinity.**

Item 3 was: **Refused, as recommended.**

(b) Item 2: 3PL/2008/0419/F: Snetterton: Chalk Lane: Erection of light industrial/commercial units for Richard Johnston Ltd

Mr A Byrne declared a personal and prejudicial interest in this item and left the room while it was being discussed.

The Principal Planning Officer (Major Projects) showed Members a map of the two areas of land for the proposed development. These areas of vacant land had been created by the new road layout at the junction with Chalk Lane and the A11.

The defined employment area of Snetterton was all to the south of the A11. These two sites were to the north, but related well to existing employment areas immediately adjacent and therefore fitted in with the overall policy for the area.

The buildings were well designed and of a reasonably high standard. Mature trees on the sites would be kept and the parking and access had been designed to avoid disturbance to tree roots.

Action By

A Member asked what sort of business would use the units, but this was not known as they were likely to be let by the applicant.

Approved, as recommended.

- (c) Item 3: 3PL/2008/0481/F: North Lopham: Meadow Farm Barn, Tanns Lane, The Street: Renovation and extension of ancillary building to become two bedroom dwelling, involving change of use for Dam Green Services Ltd

Refused, as recommended (See (a) above).

- (d) Item 4: 3PL/2008/0502/F: Bylaugh: The Old Orchard, Bylaugh Hall: Change of use of existing residence to health and fitness centre with proposed extensions for Mrs M Vince

Deferred see Minute No 88/08.

- (e) Item 5: 3PL/2008/0506/F: Attleborough: 25 Queens Road: 38 sheltered apartments for elderly plus communal facilities – category II type accommodation for McCarthy & Stone (Devs)

This full application to provide 38 sheltered units for the over 55s was situated in a mixed use area close to the town centre.

The site level was approximately one metre above street level and the buildings would be set into the ground to reduce the effect of their scale and bulk. The design was considered to make a positive contribution to the street scene.

The proposal was for two and a half storey development to the road frontage, rising to three storeys adjacent to the Lidl store and two storeys to the rear of the site.

13 car park spaces were provided together with 'buggy' and bin storage areas.

The Town Council had no objection but raised concern about the number of parking spaces to be provided and had asked for contributions to town facilities. Norfolk County Council were also seeking financial contributions to library, bus stop and bus services.

An affordable housing contribution was required and it had been agreed to provide this by way of discounting some units. The Housing Enabling and Projects Officer was in attendance to answer any questions.

Members were recommended to approve the application subject to a legal agreement, but to authorise refusal if this was not signed by 24 June 2008.

Mr Raferty (Agent) told Members that the Heads of Terms for the legal agreement had been broadly agreed but that more information was awaited from Norfolk County Council concerning their requirements.

Action By

He explained that the units were not aimed at the able bodied and therefore experience showed that the parking provision was adequate.

The scheme had been designed to screen the Lidl store and to pick up on adjacent properties. It was an exciting scheme in partnership with a Registered Social Landlord.

Members asked about the financial contributions and wanted to know if they would definitely be spent in Attleborough. The Development Services Manager confirmed that the Council was normally notified of where the money was spent.

A Member asked how many affordable units would be provided. The Housing Enabling and Projects Officer said that 30% was sought. This would be dependant on eligibility criteria. The scheme would be run by Breckland Housing Association.

In lieu of a commuted sum (£450,000) the Council would be able to discount the cost of the units to those eligible for assistance.

The legal agreement would remain in perpetuity, unless lifted and therefore its terms would apply to future occupants of the units.

A Member commented that she would hate to see this development held up because of problems with the legal agreement as she was keen for it to go ahead.

Approved as recommended but if the S106 is not signed by 24 June, the officers be authorised to refuse the application as not being in compliance with the policy requirements to be dealt with through the S106.

- (f) Item 6: 3PL/2008/0509/CU: Harling: 1 Cloverfield Industrial Estate, Lopham Road: Change of use of first floor only from B1 business to A1 shop (Retrospective) for Mr Christopher Bottrell

This was fundamentally the same as an application previously refused by Committee. The Parish Council and neighbours were still objecting to the proposal.

The applicant was offering to accept conditions on hours of opening, making the permission personal to himself and only allowing temporary permission, giving the Committee the opportunity to monitor the effect of the use.

Officers considered that the issues were finely balanced. As the applicant only expected about six visitors a day, it was not felt that the scale and nature of the use would impact upon the village.

Mr Taylor, an objector speaking on behalf of himself and Mrs Burton, reminded Members that they had agreed with concerns raised when refusing the previous application and

Action By

suggested that the applicant look elsewhere. However, he had been trading in the meantime. Members were shown a photograph of a sign outside the shop and also a newspaper advertisement for the shop. The police had been called to the property the previous week.

Mr Taylor also told Members that an application for a Certificate of Lawfulness by the applicant had been withdrawn when supporting evidence had been found to be fraudulent. He urged Members to turn down the application.

Refused, contrary to recommendation, on the grounds of unsustainable location, inadequate parking and setting a precedent.

- (g) Item 7: 3PL/2008/0546/F: Carbrooke and Griston: Former RAF Watton Technical Site, Norwich Road: Variation of condition 17 (regarding roundabout access) on planning permission 3PL/2005/0476/F for Cofton Ltd

Withdrawn - see Minute No 88/08.

- (h) Item 8: 3PL/2008/0575/F: Snetterton and Quidenham: Harling Road: Process and storage building for Richard Johnston Ltd

Deferred - see Minute No 88/08.

- (i) Item 9: 3PL/2008/0702/F: Ashill: Watton Road: Erection of gospel hall and associated parking and landscaping for Swaffham Gospel Hall Trust

This was a resubmitted application following a previous refusal by Committee on 7 April 2008. Members had accepted the proposal in principle but requested an amended design.

The external appearance of the building had been improved by the addition of doors, windows and roof lights.

Mr McWilliams and Mr Wood were in attendance for the applicants and were pleased to submit this amended application which they felt fully addressed Members' previous concerns and allowed natural light and ventilation as well as providing an additional fire escape to the rear of the building.

A Member asked about the communal fishing lake on the property and was assured that it would remain open to the public at all times.

Approved as recommended.

Notes to the Schedule

The following persons were in attendance to speak on the following items:

<u>Item No</u>	<u>Speaker</u>
1 & 3	Mr Nunn – Ward Representative Mr Frith – Parish Council Mr Plummer - Agent
5	Mr Rafferty - Agent
6	Mr Taylor - Objector Mrs Burton - Objector
9	Mr McWilliams – for Applicant Mr Wood – for Applicant
Deferred Item (Harling)	Mr Horn - Objector Mr Took - Agent

Action By

Written representations taken into account

<u>Reference No</u>	<u>No of Representations</u>
3PL/2008/0384/F	4
3PL/2008/0481/F	2
3PL/2008/0509/CU	8
3PL/2008/0702/F	1

94/08 REPRESENTATIVES ON OUTSIDE BODIES (AGENDA ITEM 12)

The Chairman told Members that she had spoken to the current representatives and they were all willing to stand again.

RESOLVED to re-elect current representatives en-bloc for the ensuing year.

95/08 ENFORCEMENT ITEMS (AGENDA ITEM 13)

The Chairman advised Members to contact the Enforcement Officer direct if they required more information on any item.

This item was noted.

96/08 APPEAL DECISIONS (AGENDA ITEM 14)

This item was noted.

**97/08 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES
MANAGER (AGENDA ITEM 15)**

This item was noted.

**98/08 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL
(AGENDA ITEM 16)**

This item was noted.

The meeting closed at 12.25 pm

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

GENERAL PURPOSES COMMITTEE

**Held on Wednesday, 4 June 2008 at 10.00 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr G.P. Balaam	Mrs K. Millbank
Mr S.H. Chapman-Allen	Mr D.S. Myers
Mr R.W. Duffield (Chairman)	Mr A.C. Stasiak
Mr P.J. Duigan (Vice-Chairman)	Mrs L.S. Turner
Mrs S.R. Howard-Alpe	Mr D.R. Williams JP

Also Present

Mrs D.K.R. Irving

In Attendance

Julie Britton	- Senior Member Services Officer
Neil Fordham	- Payroll and Reward Manager
Natalie King	- Principal Human Resources Adviser
Anne O'Halleron	- Human Resources Consultant
Ian Vargeson	- Member Services Manager

Action By

37/08 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 23 April 2008 were confirmed as a correct record and signed by the Chairman.

The Chairman welcomed Adrian Stasiak as a new Member of the Committee.

38/08 APOLOGIES (AGENDA ITEM 2)

An apology for absence was received from Mr I Sherwood.

**39/08 LOCAL GOVERNMENT PENSION REGULATIONS 1997 & 2008:
DISCRETIONARY POLICY (AGENDA ITEM 5)**

Since 1997, the Local Government Pension Scheme (LGPS) legislation has required every Employer to issue a written policy statement on how it would exercise the various discretions provided by the Scheme; to keep it under review, and to exercise it as necessary.

The new LGPS Regulations required an updated policy document to be published and notified to the Norfolk Pension Fund within three months of 1 April 2008 and no later than 30 June 2008.

Neil Fordham, the Payroll and Reward Manager, introduced the report. He explained that the LGPS had identified a number of areas of discretion on which each 'participating employer' within the Pension Scheme was required to have a published Policy.

Action By

At the General Purposes Committee meeting on 23 April 2008, Members had approved one discretionary area of the new pension arrangements, the allocation of employees' contribution bandings, which had been introduced with effect from 1 April 2008.

Another principal area in which discretion should be exercised revolved around increasing pension members' benefits, allowing early payment of benefits and waiving reduction in benefits for early retirement. Any costs incurred fell upon the employer.

A copy of Breckland's current Discretionary Policy, adopted in September 1998, was attached to the report at Appendix B.

Each of the discretionary areas within the Policy Statement would have advantages and disadvantages for both employees and employers. These had been summarised in the report at Appendix C.

The Policy, shown at Appendix A of the report, was Breckland Council's response to the discretionary elements within the 2008 regulations.

RESOLVED that the Discretionary Policy (The Policy Statement) attached at Appendix A of the report be adopted.

Neil
Fordham

Members were informed that this report would be presented to the Local Joint Consultative Committee meeting on 19 June 2008.

40/08 ABSENCE MANAGEMENT AND ILL HEALTH PROCEDURE (AGENDA ITEM 6)

Anne O'Halleron, the Council's Human Resources Consultant, presented the report which concerned the approval of amendments to the Sickness Absence procedure. A copy of the procedure had been attached to the report.

The proposed amendments to the Sickness Absence Procedure were highlighted at paragraph 3.2 of the report.

The most substantial change to the procedure was the new requirement for return to work interviews to be undertaken by managers after each absence, regardless of the length of the absence or the overall absence record. This requirement had been added to Section 5.1 of the procedure. Managers would be required to meet with the employee, carry out a return to work interview and complete a return to work interview form. A copy of the return to work form would then be provided to the employee and HR.

The Human Resources Consultant hoped that this new procedure would have an impact on certain behaviours of staff. Training for all managers would be carried out during the months of June and July.

In response to a question regarding how long the interviews would take, Members were informed that it would depend on the individual Manager.

A Member felt that these back to work interviews were an excellent idea as they would discourage any tendency towards persistent absenteeism should this occur.

Action By

In response to a further question with regard to what would happen if a particular manager, who was due to undertake an interview, was absent him or herself, the Committee noted that the interviews could be conducted on the manager's return or could be delegated to someone else in a senior position.

A Member asked who would be responsible for investigating senior management's absenteeism and further enquired about long term sickness absences at the 'higher level'. The HR Consultant emphasised that everyone would be treated the same.

Members agreed that the sickness absence procedure should not be adopted until the policy stated that it applied to **all** employees of Breckland Council. It was further agreed that it should be mandatory that all senior managers and the Chief Executive be involved in the training sessions.

RESOLVED that the amendments to the Sickness Absence Procedure be adopted, subject to the inclusion of:

- 1) the procedure applying to all employees of Breckland Council; and
- 2) all managers who have line management responsibilities being required to attend sickness absence management training.

Anne
O'Halleron

41/08 REVIEW OF LEASE CAR MILEAGE RATES (AGENDA ITEM 7)

The Payroll and Rewards Manager presented the report which concerned a review of the mileage rate payable for travel on official business under the Council Lease Car Scheme.

The General Purposes Committee, at its meeting on 23 April 2008, had agreed to continue the adoption of NJC car allowance rates. At that meeting, the Deputy Chief Executive had committed to review the mileage rate paid for Council Lease Car users.

The current mileage rate for Lease Car users was 12p per mile. It was recommended that the lease car mileage rate be increased to a flat rate of 14.2p per mile, effective from 1st July 2008.

The Committee was in favour of the increase in the light of the significant enhancement in fuel costs over the last twelve months.

RESOLVED that

- 1) the lease car mileage rate be increased to a flat rate of 14.2p per mile with effect from 1st July 2008 be approved; and
- 2) the rate be reviewed annually each April.

Neil
Fordham

Members were reminded that this report would be presented to the Local Joint Consultative Committee on 19 June 2008.

42/08 APPLICATION FOR A SEX SHOP LICENCE (AGENDA ITEM 8)

In the absence of the Licensing Officer, the Member Services Manager presented the report which was to consider a renewal application for Absolookley Limited for a Sex Establishment licence at 17 Brunel Way, Thetford.

The Member Services Manager provided the Committee with the background to the application.

Members were informed that no objections had been received regarding the application and accordingly none of the mandatory grounds for refusal, as set out in paragraph 3.1.6 of the report, were applicable.

RESOLVED that

- 1) the application by Absolookley Limited for the renewal of a Sex Establishment licence be granted; and
- 2) the licence under the Local Government (Miscellaneous Provisions) Act 1982 relating to sex establishments be reviewed annually.

43/08 NEXT MEETING (AGENDA ITEM 9)

It was noted that the next meeting would be held at 10.00am on Wednesday, 16 July 2008.

The meeting closed at 10.25 am

Action By

Nigel
Burrows,
Patrick
O'Brien

CHAIRMAN

BRECKLAND COUNCIL

At a Meeting of the

STANDARDS COMMITTEE

**Held on Tuesday, 27 May 2008 at 2.15 pm in
Norfolk Room, Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mrs J. Jenkins (Chairman)	Mr B.D Rayner
Mr M.D. Eveling JP	Mr G. Ridgway
Mrs M. Oechsle JP	

In Attendance

Susan Allen	- Standards Officer
John Chinnery	- Solicitor & Standards Consultant
Tim Leader	- Deputy Chief Executive
Andrea Long	- Environmental Planning Manager
Ian Vargeson	- Member Services Manager
Elaine Wilkes	- Senior Member Services Officer

Action By

34/08 MINUTES

The minutes of the meeting held on 6 May 2008 were confirmed as a correct record and signed by the Chairman.

35/08 APOLOGIES

Apologies for absence were received from Messrs. D. Myers, F. Sharpe, D. Williams. An apology for absence was also received from Mr. M. Whittle after the meeting.

36/08 MEMBERS' INTERESTS IN THE LOCAL DEVELOPMENT FRAMEWORK PROCESS (AGENDA ITEM 7)

The Solicitor and Standards Consultant presented the report, which outlined the difficulties and issues which members of Breckland Council and the Town and Parish Councillors in the Breckland area would have during the process leading to the adoption of the new Local Development Framework (LDF).

The LDF was the new Development Plan Document covering the Breckland District and was relevant to the development control process and would define settlement boundaries and development areas.

The LDF process had now reached the point where the Council needed to look at individual settlement boundaries and policies around the towns and villages and specific site details.

The opportunity for landowners to put forward their sites had elicited a number of land bids and requests for settlement boundary amendments. The Council needed to be clear and transparent about how it determined which sites were to be allocated for future development.

Action By

The issue of members' interests was relevant to the fact that land had been put forward which was either owned directly or by a close family member of 15 Breckland Councillors. In addition, some parish councils had put forward land that they owned for inclusion and a number of Breckland councillors are also parish councillors in those particular wards. Other parish councillors will have put forward their own bids. There were also some Breckland members who were directly representing clients and putting forward land bids, or were active in the development industry in a professional capacity.

Specific advice had been issued to Breckland members by letter dated 2 November 2007 but it was felt desirable as the Site Specifics stage of the LDF commenced to review the position, particularly bearing in mind that one of the principal reasons, aside from the provisions of the Members' Code of Conduct, why Members' interests were important in the LDF process was that participation of Members who had prejudicial interests in the process could lead to the process and the final LDF itself being procedurally tainted (i.e. found unsound).

The Committee's views and observations were sought, therefore, on the situations which might arise for District and Parish Councillors and on the advice so far given by officers. The Committee was also asked to consider whether any further advice was needed or desirable at this stage to be given to members of the District and Parish Councils.

The Committee concurred that the LDF process could present difficulties for members in being confident of when any interest they might have become a prejudicial interest. Equally, the Committee was conscious that, in standards matters, the public perception of how these interests might be seen was highly relevant.

While the Committee was quite satisfied that the Council's processes were being properly conducted and there was no suggestion otherwise, it was felt that, given the role of the Policy Development and Review Panel 1 and the Cabinet in the LDF process, it could help to avoid any potential challenges and to safeguard members' personal positions in connection with the Code of Conduct if the membership of Panel 1 excluded any Members who were promoting sites on behalf of themselves or any other person and if the Cabinet simply transmitted site specific documents direct to Full Council, rather than be involved in debating them.

It was also considered important for the members of the Overview and Scrutiny Commission to continue to be mindful of the need to declare any personal or prejudicial interest in receiving references from Panel 1 on the LDF in appropriate circumstances.

In this way, the Committee felt that the Council would safeguard its position as the LDF progressed through the decision making process. The public perception of the standards being applied to the process was important. In assessing the application of the Code to their own circumstances, members should observe the spirit of the

Code as well as the detail.

For these reasons, the Committee

RECOMMEND to the Council that:

- (1) Policy Development and Review Panel 1 be reconstituted to ensure that it is not comprised of any Members who are promoting sites under the LDF on behalf of themselves or any other person;
- (2) On the basis that a number of members of Cabinet were making representations or were involved in the process, Cabinet be not involved in the deliberation of LDF sites specifics allocations, settlement boundaries and other matters but simply transmit site specific documents direct to full Council;
- (3) Members of the Overview and Scrutiny Commission continue to be mindful of the need to declare any personal or prejudicial interest in receiving references from Panel 1 on the LDF in appropriate circumstances;
- (4) the Council remains conscious of public perception and of the need to act in the spirit of the Code of Conduct at all times; and
- (5) the general advice on members' interests as given in paragraph 7 of the report of the Monitoring Officer be endorsed.

37/08 MEMBER TRAINING (AGENDA ITEM 8)

The Member Services Manager advised that there was a small budget allocated to the Elected Member Development Programme to assist the Council towards its objective to attain EERA Charter status for Elected Member Development. The inspection and assessment for Charter status was due to take place in November 2008.

One of the primary tasks for the Council was to identify individual and corporate training needs and to tailor training to those needs. The Member Development process was being managed by the Member Training Panel.

All elected members of the Council had been asked to complete a questionnaire which addressed the various aspects of a councillor's role. The responses from these would be analysed to establish what was needed and how best to meet the needs identified.

Other general training was carried out by the Council through its Member Induction procedures, with more specific training being provided where necessary in areas such as development control, licensing, scrutiny, standards, risk management, media, shared services, public speaking etc. Training on chairmanship was currently outstanding.

Action By

Action By

The Committee was invited to indicate any areas of training they felt would be beneficial to them and which could be followed up.

After a brief discussion, the Committee agreed it would be useful to have a presentation of relevant information taken from that used for the Council's Member Induction training, which would enable them to have an overview of how the Council worked as a whole.

RESOLVED that the Member Services Manager be asked to give a presentation to the next meeting of the Committee as outlined above.

Ian Vargeson

As an addendum to this item, it was noted that the Council had not been able to accede to the Committee's request for funding for additional places at the next Standards Board for England Annual Assembly as there was insufficient budget. The position was noted.

38/08 MEMBERS' EXPENSES (AGENDA ITEM 9)

The Member Services Manager explained the background to the Council's scheme of allowances for independent and co-opted members and to the Council's overall scheme of members' allowances generally.

The Independent Remuneration Panel was due to be re-appointed later this year and the Panel would then conduct a review of the Council's scheme of allowances, which would include looking at any increases in duties. It was noted that any increases were payable retrospectively.

A member commented that there was a case for a review of the allowances payable to independent and co-opted members of this Committee, which was meeting more frequently and to take account of the new responsibilities being placed on standards committees under the Local Government and Public Involvement in Health Act 2007. The present allowance of £339 per annum appeared unrealistic, particularly in the case of those members who lost earnings as a result of attending meetings.

The Member Services Manager replied that the level of additional work of the committee should be known by the time the Independent Remuneration Panel began its review of the scheme of allowances, when members' views and comments could be taken into account, and any anomalies corrected (for example, the question of allowances for independent chairmen of sub-committees, which was something not in existence before now).

The position was noted.

39/08 NEW PROCEDURAL ARRANGEMENTS FOR DEALING WITH CODE OF CONDUCT COMPLAINTS (AGENDA ITEM 6)

The Solicitor and Standards Consultant presented the Assessment and Review Procedures, which had been taken from the guidance received from the Standards Board for England.

Action By

It was accepted that the procedures would evolve over time and with experience but they gave the Committee an adequate basis from which to proceed.

The procedures would be kept under review and could be amended in the light of experience.

Some minor textual corrections were noted, subject to which it was

RESOLVED that the Assessment and Review procedures be adopted.

40/08 NEXT MEETING

The arrangements for the next meeting on 8 July 2008 were noted.

The meeting closed at 3.56 pm

CHAIRMAN

United Kingdom 2006. As required under the Code, the report informed members of the following matters:

- a) An opinion on the overall adequacy and effectiveness of the organisation's control environment.
- b) Any qualifications to that opinion, together with the reasons for the qualification.
- c) A summary of the audit work from which the opinion was derived, including reliance placed on work by other assurance bodies.
- d) Any issues particularly judged to be relevant to the preparation of the Annual Governance Statement (formerly Statement of Internal Control).
- e) A comparison of the actual work undertaken with the planned work, with a summary of the performance of the internal audit function against its performance measures and targets.
- f) Compliance with the Standards of the Code.
- g) Results of the internal audit quality assurance programme.

The Head of Internal Audit highlighted the fact that there had been a change of contractor during the year, with Deloitte and Touche Public Sector Internal Audit Ltd. appointed to replace Bentley Jennison Risk Management Ltd. As a result the report covered the work of these two separate contractors. The background to the change of contractors was given. It was noted there had been problems with the issue of audit reports and during the takeover period by the new contractor but that the situation was rapidly improving. Outstanding final audit reports relating to 2007/08 reviews were expected to be completed by the end of Quarter 1 of 2008/09, following which there would be intensive input to audit planning to ensure Quarter 1 and 2 scheduled reviews for 2008/09 were progressed without further delay.

On the basis of the internal audit work undertaken in 2007/08, the opinion given on the overall standards of internal control was that these were adequate for the year ended 31 March 2008 and hence accorded with proper practice.

A substantial assurance was given that the Council's corporate governance framework complied with the best practice guidance on corporate governance issued by CIPFA/SOLACE.

The Council's risk management systems were judged adequate during 2007/08. It was noted that this area would be enhanced from further work to be undertaken in the coming year as part of the review of the Risk Management Strategy and in regard to staff training.

Action By

So far as the audit work undertaken during 2007/08 was concerned, there had been changes to the planned programme, details of which were noted. These included additional ad hoc audits as well as the deletion of other work.

A member asked how the varying levels of assurance given in the audit opinions would relate to the Council's ratings under the Comprehensive Performance Assessment (CPA). It was explained that the substantial and adequate assurance levels were positive opinions but that CPA ratings were derived from a number of assessments, of which internal audit was just one area. However, endorsement and implementation of high and medium level recommendations would serve to increase the Council's performance for CPA purposes.

A list of comments and questions on the report received from Mr. P. Hewett were circulated at the meeting and it was agreed that written answers should be provided and circulated to members.

RESOLVED to

- (1) receive and note the Annual Report of the Head of Internal Audit;
- (2) note the overall standards of internal control and risk management were adequate during 2007/08;
- (3) note that a substantial assurance has been given in respect of corporate governance arrangements for the year ended 31 March 2008;
- (4) note that the adequate opinion on internal control and risk management is reflected in the Council's Annual Governance Statement for 2007/08, as subsequently presented to the Committee (minute 21/08 below refers);
- (5) note that the substantial opinion with regard to corporate governance arrangements additionally needs to be acknowledged in the Council's Annual Governance Statement for 2007/08, as subsequently presented to the Committee (minute 21/08 below refers);
- (6) written answers be provided and circulated to members as soon as possible to the questions submitted by Mr. Hewett.

Action By

Mark Finch,
Sandra C.
King

20/08 FOLLOW-UP OF AGREED ACTIONS ARISING FROM FINAL AUDIT REPORTS ISSUED IN 2006/07 AND 2007/08 (AGENDA ITEM 7)

The Head of Internal Audit presented the report which provided an overview of the status of agreed actions arising from audits performed during 2006/07 and 2007/08, implementation or otherwise of audit recommendations by management and an

Action By

analysis of the extent of outstanding agreed actions in existence, partially completed actions or awaiting action by the agreed target dates and those where the expiry date is still in the future.

This was the first report on follow-up of agreed actions arising from final audit reports and feedback on the content and outcomes of the report was invited.

A total of 42 recommendations had been made, 12 of which had not been accepted by management, details of which were given.

Overall, 116 actions had been fully implemented, 58 were agreed but awaiting reports and 35 were outstanding.

Members welcomed the report, which was felt to be useful. However, members sought clarification on what appeared to be contradictions between management performance rated as good and criticisms of related services.

The Chief Accountant explained that the reasons for this arose from the fact that some areas of audit covered very large systems, for example revenues and benefits, and therefore these were broken down into different audit areas. There were a number of controls to ensure adequate systems and processes were in place and the report would draw out instances where, perhaps, these were not so strong. The report provided a summary of the position.

The Deputy Chief Executive added that governance was concerned with good, strong processes, which should result in a good service. To achieve this, it was necessary to investigate all elements of service delivery. However, he felt that in the light of the comments made, this was a general issue which could be looked into.

RESOLVED that the Committee notes the overall position regarding agreed actions arising from audit reviews.

21/08 ANNUAL GOVERNANCE STATEMENT (AGENDA ITEM 8)

The Chief Accountant presented the report, which informed members of action taken to develop and comply with a local code on corporate governance and sought approval of the Annual Governance Statement for inclusion in the Council's published financial accounts for 2007/08.

Under new arrangements, the Annual Governance Statement replaced the former Statement on Internal Control and had been produced in line with the new framework and guidance issued by CIPFA/SOLACE.

Appendix A to the report set out the self-assessment review checklist and improvement plan as required in line with the adopted Code of Governance.

It was noted that Internal Audit had given a substantial assurance

opinion on the Council's governance arrangements and that internal controls and risk management arrangements were deemed to be adequate.

A list of comments and questions on the report received from Mr. P. Hewett were circulated at the meeting and it was agreed that written answers should be provided and circulated to members.

RESOLVED that

- (1) the Committee notes the self-assessment review;
- (2) written answers be provided and circulated to members of the Committee as soon as possible to the questions submitted by Mr. Hewett; and

RECOMMEND to Full Council that approval be given to the Annual Governance Statement when it considers the Statement of Accounts.

Action By

Mark Finch,
Sandra C.
King

Mark Finch

22/08 RISK MANAGEMENT UPDATE (AGENDA ITEM 9)

The Senior Accountant reported that during 2007/08, the Council had worked to embed a new Risk Strategy within the organisation, which now required updating to fit with the current processes and procedures and refining the reporting line. It also needed to recognise the role of this Committee in the process.

Accordingly, a new draft Risk Strategy had been produced for consultation and would be issued well in advance of the Committee's next meeting, when comments and any changes to the Strategy would be reported.

In this connection, the Deputy Chief Executive confirmed that the review of the Risk Strategy would address the first of the two recommended enhancements referred to in the Head of Internal Audit's annual report on risk management systems (agenda item 6, paragraph 3.7.1, page 13 refers). So far as the second issue of skills was concerned, this would be addressed by the review of the Finance team to be carried out by the new Assistant Director (Governance).

RESOLVED that the position is noted.

23/08 DRAFT STATEMENTS OF ACCOUNTS (AGENDA ITEM 10)

The Chief Accountant reported that he was unable to present the draft Statement of Accounts at this time as the reconciliation process had not yet been finalised.

RESOLVED that a special meeting* of the Committee be convened as soon as possible prior to the Council meeting on 30 June 2008 to enable the Committee to consider and make a recommendation on the Statement of Accounts for the Council's consideration.

Mark Finch

*Consideration to be given to an evening meeting if necessary to facilitate attendance by as many members of the Committee as possible.

24/08 FUTURE MEETINGS (AGENDA ITEM 11)

RESOLVED that the following timetable of meetings for the remainder of the year be agreed:

- 24 September 2008
- 12 November 2008
- 07 January 2009
- 11 March 2009

25/08 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972 the Press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

26/08 APPENDIX 3 TO THE ANNUAL REPORT ON INTERNAL AUDIT ACTIVITY 2007-08 (AGENDA ITEM 13)

A list of comments and questions on the report received from Mr. P. Hewett was circulated at the meeting and it was agreed that written answers should be provided and circulated to members.

RESOLVED that written answers to the submitted questions be provided and circulated to members as soon as possible.

27/08 APPENDICES TO FOLLOW-UP OF AGREED ACTIONS ARISING FROM FINAL AUDIT REPORTS ISSUED IN 2006/07 AND 2007/08 (AGENDA ITEM 14)

In response to questions, the Committee was advised of work being undertaken as part of the review of business continuity and IT disaster recovery plans and policies. It would be possible to provide members with further information on progress towards the end of the month.

A list of comments and questions on the report received from Mr. P. Hewett was circulated at the meeting and it was agreed that written answers should be provided and circulated to members.

RESOLVED that written answers to the submitted questions be provided and circulated to members as soon as possible.

Action By

Mark Finch,
Sandra C.
King

Niall Perry

Mark Finch,
Sandra C.
King

The meeting closed at 11.07 am

CHAIRMAN