

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 27 January 2011 at 10.30 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr S. Askew	Mr R. Kemp
Mr G.P. Balaam	Mr M.A. Kiddle-Morris
Mr W.P. Borrett	Mr R.G. Kybird
Councillor Claire Bowes	Mr J.P. Labouchere
Mr A.J. Byrne	Mr K. Martin
Mrs M.P. Chapman-Allen	Mrs K. Millbank
Mr S.H. Chapman-Allen	Mr I.A.C. Monson
Mr R.P. Childerhouse	Mrs L.H. Monument (Chairman)
Mr P.D. Claussen	Mr D.G. Mortimer
Mr J.P. Cowen	Mr J.W. Nunn
Mr R.W. Duffield	Mr J.D. Rogers
Mr P.J. Duigan	Mr B. Rose
Mr P.S. Francis	Mr F.J. Sharpe
Mr K.S. Gilbert	Mr I. Sherwood
Mr R.F. Goreham	Mr W.H.C. Smith
Councillor E. Gould	Mrs P.A. Spencer
Mr M.J. Griffin	Mr M. Spencer
Mrs D.K.R. Irving	Mr A.C. Stasiak
Mr A.P. Joel	Mrs A.L. Steward
Mr C.R. Jordan	Mrs L.S. Turner

Also Present

Mrs J. Jenkins	Chairman of the Standards Committee
Mr P. Walmsley	Area Manager for the Office of National Statistics

In Attendance

Mark Finch	- Head of Finance
Mark Stokes	- Deputy Chief Executive
Stephen McGrath	- Member Services Manager
Julie Britton	- Senior Committee Officer
Phil Daines	- Development Services Manager (Capita Symonds for Breckland Council)
Anita Brennan	- Assistant Director - Environmental Health & Housing
Sue Daniels	- Electoral Services Manager
Robert Walker	- Director - Community Services
Maxine O'Mahony	- Director of Corporate Resources
Robert Leigh	- Assistant Director, Communications and Communities
Keith Eccles	- Building Control Manager (Capita Symonds for Breckland Council)
Rory Ringer	- Elections and Scrutiny Manager

Action By

6/11 MINUTES (AGENDA ITEM 1)

a) Minutes of the Meeting held on 16 December 2010 (Agenda item 1a)

The Minutes of the meeting held on 16 December 2010 were confirmed as a correct record and signed by the Chairman.

b) Minutes of the Special Meeting held on 11 January 2011 (Agenda item 1b)

Subject to Mr C Jordan being added to the list of apologies, the Minutes of the Special meeting held on 11 January 2011 were confirmed as a correct record and signed by the Chairman.

7/11 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mesdames J. Ball, K. Fisher, T. Hewett, S. Matthews and P. Quadling and Messrs G. Bambridge, M. Fanthorpe, P. Hewett, T. Lamb, D. Myers, S. Rogers, N. Wilkin, D. Williams and the Chief Executive, Mr. T. Huggins.

8/11 DECLARATION OF INTEREST (AGENDA ITEM 3)

Mr P. Claussen and Mr W. Smith declared a personal and prejudicial interest in Minute No. 9/11 of the Overview & Scrutiny Commission meeting held on 6 January 2011 – Choice Base Lettings – in relation to them being Non-Executive Directors on the Anglia Revenues Partnership Board.

9/11 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

Members were encouraged to stay after the meeting to attend a Census Briefing which was being presented by Mr Paul Walmsley, the Area Manager for the Office of National Statistics.

The Chairman reminded Members of the English Heritage Training day that was being held on 8 February 2011 which would be of particular interest to those who were on the Development Control Committee. The training day included a 45 minute walk about in Dereham viewing the historic areas/buildings in the town and would also include how the historic environment played an important part in the planning process.

The Chairman was pleased to announce that eight members had volunteered to take part in a sponsored slim; all proceeds would go towards the Young Carers in Norfolk. Members were encouraged for sponsorship.

Engagements List – Chairman
16th December, 2010 to 26th January, 2011

Date	Event
18/12/10	107 th Birthday Celebrations for Mr. Edward Williams – resident of Great Ellingham

Action By

10/11 CABINET MINUTES - 11 JANUARY 2011 (AGENDA ITEM 5)

- a) Site Specific Policies and Proposals Development Plan Document 2001-2026 – Proposed Submission Document (Minute No. 6/11)

This item had been previously agreed at the Special Council meeting held on 11 January 2011 (Council Minute No. 4/11 refers).

- b) Budget Setting Report (Minute No. 7/11)

The Executive Member for Corporate Resources took the opportunity to thank the S151 Officer and his team for putting together a budget which allowed the Council to continue to provide good quality and affordable services to Breckland residents. It had been a somewhat taxing year for budget setting as there had been much speculation regarding the scale of the likely reduction in the settlement figure until the draft was finally announced on 13 December 2010. Recognising that the settlement figure was to be considerably reduced as the Government scaled back public expenditure to meet the deficit, the Council had been working hard to find new ways of making efficiency gains.

As a result of prudent fiscal management over the last decade, the Council had found itself well placed to meet the financial challenges ahead. Breckland Council had the foresight to recognise that the previous Governments borrowing levels were unsustainable; the prospect of an inevitable settlement reduction year on year and new ways of working and delivering services was essential moving forward.

Breckland Council had been at the forefront of change in the way it conducted its business and had always been proactive to ensure it delivered value to the local taxpayer. Breckland Council proudly boasted to having the lowest council tax of any district in the country. This had been achieved through a variety of measures which other councils were only now waking up to, such as its Commercial Property portfolio, sharing services with other districts like the Anglia Revenues Partnership, reducing costs through relocation of offices and most recently the sharing of a Chief Executive with South Holland Council.

The Council would endeavour to continue to drive down the cost of service provision to avoid an impact on front line services. With the aforementioned appointment of a shared Chief Executive, a shared management team process was being put in place with the two authorities that would make considerable savings.

The Head of Finance provided Members with a presentation which covered all key points and the recommendations within the report. The report had been based on the draft local government grant settlement issued on 13th December 2010.

Action By

Any changes to the final settlement were likely to be insignificant based on past experience. He was happy to take any questions.

The report required a number of recommendations to be approved which included the council tax rate for a Band D property before the formal council tax setting in February.

Breckland Council started the financial year needing to find an efficiency of £167,980 to balance the budget. It had exceeded this target and had managed to increase reserves by £278,230 by taking measures detailed in Section 3 of the report which included a budget challenge day that identified £491K of in-year efficiency savings. Further efficiency requirements would be required to produce a balanced budget next year.

The East of England Development Agency (EEDA) had withdrawn funding for the Thetford Enterprise Park (TEP). Negotiations were continuing with the Crown Estate and EEDA to determine the final position on abortive costs. Council was being asked to approve the write-off of these pre-incurred costs of a maximum of £754,675 to be funded from the Council's General Fund to off-set the balance.

Council was also being asked that £156,860 be used to support the budget requirements in 2011/12 only, to allow the authority to continue to provide services whilst it put in place the transformation plans required to meeting the funding shortfall in 2012/13.

The Comprehensive Spending Review (CSR) prepared local authorities for unprecedented cuts in central government funding, in particular the front loading of spending reductions. It also introduced a grant to assist councils in freezing council tax in 2011/12. The local government settlement was for 2 years with no indication of years 3 and 4, therefore, the Council had assumed that the cuts in future years would mirror the reductions announced in the CSR. The adjustment to the base 2010/11 grant, which formed the basis for calculating the 2011/12 settlement, amounted to £532k. This reduction included the transfer of concessionary bus fares to county councils.

The Council was expecting a Transition Grant which was a new element that had been introduced to the settlement for this year. This grant had been paid to make up the shortfall in spending power which amounted to £55k for 2011/12; the Council would not qualify for such a grant in 2012/13. Analysis of the special grants suggested that no Area Based Grant would be paid; however, a New Homes Bonus scheme was expected to be brought in 2011/12 but it had not been included in this year's budget as the results of the consultation had not been published meaning that the authority could not predict the amount of this grant with any certainty.

The Council had budgeted for a grant to cover a freeze in council tax for 2011/12 which amounted to £69,800 for the next four years as announced in the CSR.

Action By

Referring to the Special Expense Public Lighting charge, the Band D equivalent had been reduced in comparison to 2010/11 as a result of routine repairs and maintenance costs were much reduced as Norfolk County Council were in the process of changing its contractors. Energy price reductions in the previous year had led to over recoveries of the special grant and any adjustments made for this in 2011/12 would lead to a one-off reduction. For example, for Dereham, Breckland Council would be levying £1.80 instead of £3.78; however, it was expected that this figure would leap in future as a result of increases to energy prices and maintenance costs.

The suggested changes to the Constitution for Grants and Reserves were highlighted.

The Executive Member for Corporate Resources mentioned some of the measures that Breckland had taken and would be taking to gain efficiency savings:

- Expansion of the Revenues and Benefits Partnership to introduce a new partner from April 2011
- Bringing the ICT service in-house to save on contract costs and to provide more flexibility in future with partnership working
- Acquisition of commercial properties that generated revenue streams in excess of what it could earn from the money markets;
- Sharing a Chief Executive with South Holland District Council;
- Introduction of a shared management team with South Holland District Council;
- Review any staff vacancies when they arise and reorganise work to accommodate lower resources levels;
- Review contracts and third party grant payments to ensure that they continue to support the Council's priorities.

The Opposition Leader said that he would never be able to understand how forcing tens of thousands of people out of work could ever be seen as a stimulus to the UK economy. He quoted a statement made by Baroness Margaret Eaton, Chairman of the Local Government Association: "*We have been made clear that the level of spending reduction that councils were going to have to make goes way beyond anything that conventional efficiency drives, such as shared services, can achieve. We have to face the fact that this level of grant reduction will inevitably lead to cuts in services. It still remains the case that the cuts are frontloaded rather than spread evenly across the four years. Councils now face incredibly tough choices about the services they continue to provide and those they will have to cut*".

The Opposition Leader felt that Breckland Council, in common with countless other authorities, had been placed in an almost untenable position by the brutal level of cuts in its rate support

Action By

subsidy and other grant mechanisms. Indeed, Breckland faced a net reduction in government grants of some 13% equating to a £1.5m reduction.

He called upon the Leader and the Administration Group to do everything within its power to safeguard the needs of the most vulnerable in Breckland's society. Maintaining, as far as possible, the support the Council gave to the homeless; the continued development and promotion of a Social Housing Strategy; and the help it gave to the needy in terms of disabled facilities and other grants.

He further called upon the Leader and his Cabinet to consider the need for this Council to take a step towards building its own stock of council houses. Breckland owned a vast land bank and he asked that the feasibility of such a scheme be investigated. He did not want the work with housing associations and Social Registered Landlords (RSLs) to stop but he felt that the Council should be bold enough to build its own quota of social housing, particularly with there being approximately 3,000 households currently on the Social Housing Register.

He pointed out that Labour Members had been pleased to note the continued good performance of Commercial Property lettings and requested that the net income from this area be re-invested in small businesses and economic development in Breckland and not be swallowed up by the General Fund. Finally, in the light of the stark reduction in government subsidy, he asked the Administration to do its utmost best to keep compulsory redundancies within the organisation to an absolute minimum. He did not understand how Breckland hoped to stimulate the economy if its intention was to make many people unemployed; having witnessed recent events at Norfolk County Council, he sought assurances. In this pretty dismal time for local government he hoped and trusted that the administration would take on board all the aforementioned points.

In response, the Leader gave his assurance that receipts from commercial property would be re-invested. He thanked the Opposition Leader for his endorsement of the Social Housing Strategy and agreed that it should be promoted and maintained. He mentioned the recent redevelopment in Sweyn Close on the Barnham Cross Estate in Thetford which Breckland Council had supported. Referring to the final point, Members were reassured that everything what could be done was being done to mitigate staff redundancies.

The Executive Member for the Corporate Development & Performance Portfolio echoed the comments made above. The Council provided value for money for every tax pound spent and had managed very well over the past ten years and were the envy of other councils whilst still maintaining a downward pressure on Council Tax. The commercial estate had generated in excess of £9m for the authority and the last report received from the Audit Commission had been very complimentary towards the Council's well managed capital programme.

A Member also praised the S151 Officer for making the budget so clear and understandable and commended the Executive Member of Corporate Resources and the Finance Team for their forward thinking and for producing an outstanding set of figures. He was pleased that the Council's Reserves were still being maintained under such extraordinary circumstances.

Another Member echoed the above comments; however, he had concerns in relation to the transformation of services, and hoped that Breckland Council would not be putting pressure on the Town and Parish Councils to take on more services that would ultimately save Breckland Council money. In response, the Leader explained that the transformation of services was not about putting pressure on Parish & Town Councils it was about the shared management project with South Holland. He pointed out that the Government itself had raised the exact concern, not to shunt costs to another public body. Members were reminded that S106 monies had been transferred to Town and Parish Councils and he hoped that this financial commitment would continue.

RESOLVED that

- 1) the Breckland revenue estimates and parish council special expenses for 2011/12 and outline position through to 2015/16 be approved;
- 2) the capital estimates and associated funding for 2011/12 and outline position through to 2015/16 be approved;
- 3) the revised capital estimates and associated funding for 2010/11 be approved;
- 4) the fees and charges shown at appendix 2/2B of the report, for adoption 1 April 2011, be approved;
- 5) the Council Tax for a Band D property in 2011.12 be set at £64.05
- 6) the changes to the Constitution for Reserves and Grants (detailed in appendix 6 of the report) be approved;
- 7) up to £754,675 of the pre-incurred costs (detailed in section 3 of the report) relating to Thetford Enterprise Park (TEP) be written off to the General Fund; and
- 8) the budget virements set out in appendix 8 of the report be approved.

c) Proposal to Expand Anglia Revenues Partnership (Minute No. 8/11)

RESOLVED that:

- 1) the expansion of the Anglia Revenues and Benefits Partnership to include St Edmundsbury Council from 1 April 2011 be approved;

Action By

Mark Finch

**Mark Finch,
Sharon Jones,
Rod Urquhart**

	<u>Action By</u>
<p>2) the supplementary budget for set up costs be approved which consists of £335,780 capital and £102,800 revenue, with grant funding and contributions from other partners reducing the amount for Breckland Council's contribution to £120,480 and £1,000 respectively; and</p> <p>3) the supplementary budget for telephony costs be approved which consists of £140,640 capital, with contributions from other partners reducing this amount for Breckland Council's contribution to £70,340.</p>	
<p>d) <u>Older People's Champion (Minute No. 9/11)</u></p> <p>RESOLVED that an Older People's Champion be appointed and the formation of an Older People's Forum be approved.</p>	Laura Apps-Green
<p>e) <u>'1Future' Proposal – Flagship Housing Group (Minute No. 11/11)</u></p> <p>RESOLVED that the amalgamation of Flagship Housing Group's group structure and the concomitant deregulation of Flagship Peddars Way be approved, subject to the following requirements:</p> <p>1) Officers request that any consent forthcoming reflect:</p> <ul style="list-style-type: none">• The need to ensure that the obligations/rights contained with the stock transfer agreement remain and are transferred to the newly created single entity.• The need for the new organisation to demonstrate its ongoing strategic commitment to the growth and rural housing agendas and the local offer to tenants/leaseholders in the Breckland District.• The need to agree an asset disposal strategy with the Council.• The need for Flagship to actively demonstrate how the positive strategic and operational relationships that now exist can be maintained at non executive director/member level and how we ensure that a 'one size fits all' approach will not emanate from the new organisation. A suggestion in this regard was that rather than securing a place on the new board, Breckland be engaged on a 'scrutiny' level. <p>2) Breckland Council Legal Services request that any consent forthcoming should be subject to the proviso that the successor body to Peddars Way Housing Association enters into a formal Deed of Novation to Breckland Council. Thereby ensuring that all Peddars Way Housing Associations contractual obligations arising from the Large Scale Voluntary Transfer are preserved.</p>	Anita Brennan
<p>f) <u>Adoption</u></p> <p>RESOLVED that the Minutes of the Cabinet meeting held on 11</p>	

January 2011 be adopted.

Action By

11/11 OVERVIEW AND SCRUTINY COMMISSION - 6 JANUARY 2011
(AGENDA ITEM 6)

RESOLVED that the Minutes of the Overview & Scrutiny Commission meeting held on 6 January 2011 be adopted.

12/11 DEVELOPMENT CONTROL COMMITTEE - 13 DECEMBER 2010
(AGENDA ITEM 7)

In acknowledgement that it was the Development Services Manager's last Full Council meeting before his retirement at the end of the week, the Chairman of the Development Control Committee took the opportunity to give a short farewell speech. She said that Phil Daines had been a pleasure to work with and she had found him to be unfailingly courteous, helpful and approachable and would indeed be much missed.

In response, Mr Daines thanked everyone who had been supportive of him and his Team over the years. He paid particular thanks to Elizabeth Gould, the Chairman of the Development Control Committee, Paul Claussen, the Executive Member for Planning, Health & Housing and Mark Stokes, the Deputy Chief Executive who were all members of the Contract Monitoring Board, for the way discussions had taken place and for how the Board worked. He also thanked Capita Symonds for the past 18 months and Members for their support. He said that his job had been very enjoyable and interesting and belied the notion that working in one place for so many years was boring. He genuinely was retiring and would not be coming back as a consultant. He conveyed his thanks to Nigel Wilkin, the Vice-Chairman of the Development Control Committee, who had presented him with a gift that had been signed by all Members. From a planning and building control point of view, he knew there would be interesting times ahead and he commended the Planning and Building Control Team, which would be led by Keith Eccles, who he held in high regard, and wished everyone the very best of luck for the future.

The Chairman said that she had tried retiring last year but to no avail as she was now even busier than before.

Adoption

RESOLVED that the confirmed Minutes of the Development Control Committee meeting held on 13 December 2010 be adopted.

13/11 DEVELOPMENT CONTROL COMMITTEE - 5 JANUARY 2011
(AGENDA ITEM 8)

RESOLVED that the unconfirmed Minutes of the Development Control Committee meeting held on 5 January 2011 be adopted.

14/11 GENERAL PURPOSES COMMITTEE - 12 JANUARY 2011
(AGENDA ITEM 9)

- a) **Local Joint Consultative Committee – Breckland HR Policy**

	<u>Action By</u>
<p><u>Review Timetable (Minute No. 5/11(a))</u></p> <p>Referring to the procedural issues highlighted at point 3 of the above Minute, the Opposition Leader felt that protocols should be strictly observed. He pointed out that he, as a Member of the Member Development Panel, had found that a decision that should have been made by the Panel had been approved by CMT. What was even more perplexing was that no-one in attendance at this particular meeting knew who CMT were. A Member said that CMT meant a management of bodies; therefore, it was entirely allowed to make decisions. The Leader did not agree with this terminology and agreed with the Opposition Leader's concerns.</p> <p>RESOLVED that an email be sent to all Members explaining who sat on the Corporate Management Team (CMT).</p>	<p>Gill Brooks</p>
<p>b) <u>Adoption of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 and Section 27 of the Policing and Crime Act 2009 (Minute No. 9/11)</u></p> <p>RESOLVED that:</p> <ol style="list-style-type: none">1) Schedule 3 of the Local Government Miscellaneous Provisions Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 be adopted, and these provisions which apply to the Breckland District Council area come into force on 1 April 2011 as 'the first appointed day';2) a fee be set for applications for Sexual Entertainment venues, the amount of that fee to be calculated by the Principal Licensing Officer and set by the General Purposes Committee; and3) a policy be drawn up on sexual entertainment venues, to be drafted by the Principal Licensing Officer and subject to public consultation and General Purposes Committee approval.	<p>Stephanie Butcher</p>
<p>c) <u>Adoption</u></p> <p>RESOLVED that the unconfirmed Minutes of the General Purposes Committee meeting held on 12 January 2011 be adopted.</p>	
<p>15/11 <u>AUDIT COMMITTEE - 14 JANUARY 2011 (AGENDA ITEM 10)</u></p>	
<p>a) <u>Treasury Management Strategy Report 2011/12 (Minute No. 3/11)</u></p> <p>RESOLVED that:</p> <ol style="list-style-type: none">1) the Prudential Indicators and Limits for 2011/12 to 2013/14, as contained within Appendix A of the report, including the Authorised Limit Prudential Indicator for	<p>Mark Finch</p>

	<u>Action By</u>
<p>2010/11 – 2013/14 be approved;</p> <p>2) the statement setting out the Council's Policy on the Minimum Reserve provision (MRP) as contained within Appendix A of the report be approved;</p> <p>3) the Treasury Management Strategy 2011/12 to 2013/14 and the Prudential Indicators contained within Appendix B of the report be approved;</p> <p>4) the Investment Strategy for 2011/12 as contained in the Treasury Management Strategy (Appendix B of the report) and the detailed criteria included in Annex B1 and B2 of the report be approved; and</p> <p>5) the Treasury Management Policy at Appendix B3 of the report be approved.</p> <p>b) <u>Appointment of Independent Member of the Committee (Minute No. 11/11)</u></p> <p>RESOLVED that the constitution of the Audit Committee be increased by one to allow for the appointment of an additional independent person co-opted onto the Committee as a non-voting member (6 members & two substitutes – politically balanced, plus 2 non-voting lay advisers appointed by the Committee).</p> <p>c) <u>Adoption</u></p> <p>RESOLVED that the Minutes of the Audit Committee meeting held on 14 January 2011 be adopted.</p>	<p>John Chinnery, Helen McAleer, Julie Britton, Mark Finch</p>
<p><u>16/11 STANDARDS COMMITTEE - 4 JANUARY 2011 (AGENDA ITEM 11)</u></p> <p>a) <u>Abolition of the Standards Regime (Minute No. 6/11)</u></p> <p>RESOLVED that, as from May 2011, the Standards Committee membership be reduced to eight: two Independent Members, three Parish Councillors and three District Councillors.</p> <p>b) <u>Adoption</u></p> <p>RESOLVED that the Minutes of the Standards Committee meeting held on 4 January 2011 be approved.</p>	<p>John Chinnery, Helen McAleer, Susan Allen, Julie Britton</p>
<p><u>17/11 YOUTH COUNCIL CABINET MINUTES - 14 DECEMBER 2010 (FOR INFORMATION) (AGENDA ITEM 12)</u></p> <p>The Minutes of the Youth Council meeting held on 14 December 2010 were noted.</p>	
<p><u>18/11 CHANGE TO DEVELOPMENT CONTROL COMMITTEE CYCLE (AGENDA ITEM 13)</u></p> <p>The Member Services Manager presented the report which requested</p>	

a change to the Development Control Committee meetings timetable from a three weekly to a four weekly cycle.

RESOLVED that the change to a four weekly Development Control Committee meeting cycle be approved.

19/11 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 14)

None.

Action By

**Julie Britton,
Keith Eccles,
Helen McAleer**

The meeting closed at 11.35 am

CHAIRMAN