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**BRECKLAND COUNCIL**

**At a Meeting of the**

**CABINET**

**Held on Tuesday, 18 October 2011 at 9.30 am in  
Anglia Room, The Committee Suite, Elizabeth House, Dereham**

**PRESENT**

Mr J.W. Nunn (Chairman)	Mr M.A. Kiddle-Morris
Mr A.C. Stasiak (Vice-Chairman)	Mr W.H.C. Smith
Mr S. Askew	Mrs L.S. Turner
Mr P.D. Claussen	

**Also Present**

Mr W. R. J. Richmond	Mr T. J. Jermy
Mr J.P. Cowen	Mr S.G. Bambridge
Mr P.J. Duigan	Mrs E. M. Jolly
Mr A.P. Joel	Mr R. R. Richmond
Mr F.J. Sharpe	Mr C. S. Clark
Mrs D.K.R. Irving	Mr M. A. Wassell

**In Attendance**

Maxine O'Mahony	- Director of Commissioning
Robert Walker	- Assistant Director of Commissioning
Sarah Bruton	- Environmental Services Manager
Terry Huggins	- Chief Executive
Vicky Thomson	- Assistant Director - Democratic Services
Julie Britton	- Senior Committee Officer
Mark Finch	- Assistant Director of Finance
David Spencer	- Principal Planning Policy Officer (Capita Symonds)
Stephen James	- Senior Procurement and Performance Officer
Phil Mileham	- Senior Planning Policy Officer (Capita Symonds for Breckland Council)
Antony James-Orekogbe	- Principal Officer - Housing Options
Dylan Powles	- Customer Contact Manager
Brian Cox	- IT Consultant

**Action By**

**68/11 MINUTES (AGENDA ITEM 1)**

The Minutes of the meeting held on 26 July 2011 were confirmed as a correct record and signed by the Chairman, subject to a correction to Minute No. 59/11 (Dereham – Castell Road) to read: “Mr William Richmond, Ward Representative, spoke *of the residents’ views* against the recommendation”.

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Members were informed that the recommendations from these Minutes had already been approved at the Council meeting on 4 August 2011.

**69/11 APOLOGIES (AGENDA ITEM 2)**

An apology for absence was received from Mr R. Goreham.

**70/11 DECLARATION OF INTEREST (AGENDA ITEM 4)**

The Executive Member for Assets and Strategic Development declared a personal interest in Agenda item 11 in relation to him being a Member of the Internal Drainage Board. He had attended the Overview & Scrutiny Commission meeting where this matter had been discussed and the recommendations proposed had been agreed at his suggestion.

**71/11 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)**

Mesdames E. Jolly and D. Irving and Messrs G. Bambridge, C. Clark, P. Cowen, P. Duigan, T. Jermy, A. Joel, R. Richmond, W. Richmond, F. Sharpe and M. Wassell.

**72/11 RELEASE OF ROUGH SLEEPER FUNDING (AGENDA ITEM 7)**

The Principal Housing Officer for Housing Options presented the report which requested Members' approval to release a funding amount of £10,664 that had been awarded to Breckland Council from the Department of Communities and Local Government Department (DCLG) for the relief and prevention of rough sleeping within the District.

Breckland was not immune to rough sleeping and over the last three years the Housing Advice and Homelessness Team had been working with the migrant community and with rough sleepers in the District to prevent or alleviate the issues surrounding rough sleeping. However, the small minority who refused help were not in work, committed crime to fund alcohol addiction and did not want to go back to their own countries. In these cases, assistance would be required from the United Kingdom Border Agency to serve them with Removal Notices. A Removal Notice was the first stage of the procedure and entailed costs and there was no guarantee that the Border Agency could remove all rough sleepers from the District. If removal was unsuccessful, there would still be a need to ensure that accommodation was provided during the winter months in line with the severe weather protocol.

The Government through the United Kingdom Border Agency had piloted a removal scheme which had been a great success in Peterborough. This scheme was in the process of being rolled out in Breckland and the Kings Lynn area.

The Executive Member for Planning and Environmental Services pointed out that although Breckland Council had been awarded the funding it could not be spent without Cabinet approval and urged Members to support the recommendation.

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The Executive Member for Internal Services was in full support of the recommendation and was relieved that that Government was at last standing up for its responsibilities.

In response to a question, the Principal Housing Officer advised that most of the rough sleepers were from the European Union.

It was noted that Mr R Goreham had sent an email in support of the recommendation.

**Options**

- To approve the release of funds from the budget.
- Not to approve the release of funds form the budget.

**Reasons**

The reasons for requesting the release of funds were as follows:

- The United Kingdom Border Agency cannot fund removals and expect such expenses to be covered by the District Council in which they were working.
- If removal was unsuccessful there was still a need to ensure that accommodation was provided during the winter months in line with the severe weather protocol.
- There was no guarantee that the United Kingdom Border Agency could remove all rough sleepers from the District, even if they did there would be a cost involved.
- Reduced low level crime and anti social behaviour related to rough sleepers due to a reduction in the number of people rough sleeping

**RESOLVED** that the sum of £10,664 awarded to Breckland Council from the Department of Communities and Local Government Department (DCLG) for the relief and prevention of rough sleeping within the District be released.

**Antony  
James-  
Orekogbe**

**73/11 ONE STOP BUS (AGENDA ITEM 8)**

The Executive Member for Internal Services reported that the One Stop Bus had originally been set up as part of a project to provide IT training to residents in rural areas. The service had not turned out to be cost effective and therefore, was not good value to the tax payer. The funding was now coming to an end and unfortunately, Breckland would not be able to contribute to the funding gap. The Overview & Scrutiny Commission was being asked to look into alternative arrangements.

The Customer Contact Manager stated that the activities that the Bus had provided could be delivered from anywhere.

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Mr Joel said that he had attended every session in his village but the number of people in attendance had been very small; however, it had provided a good service to the elderly, aptly called '*silver surfers*', of which many of them had since purchased their own laptops. He hoped that an alternative use could be found for the bus.

The Executive Member for Localism, Community and Environmental Services endorsed the Executive Member's comments and felt that the original concept for the bus had been brilliant. However, the cost of providing such a service to so few was in the region of £400 per person per visit. She also endorsed Mr Joel's comments in regard to the Commission coming up with an alternative use.

Mr Bambridge pointed out that there were many charities and other small organisations that encouraged IT training. He suggested, however, that Breckland Council should provide this service and should consider helping people who could not afford to pay for their own training and the transport costs. He also hoped that the Overview & Scrutiny Commission came up with some ideas.

The Chairman reminded Members that Breckland Council had provided this service some years ago in Village Halls and rather than Breckland providing such facilities, he saw this as part of the remit of Elected Members by identifying such organisations and signposting them to our villages. Nowadays, this type of support was called Big Society back then it was called helping our neighbours and the days of it being the District or County's responsibility were over.

A Member hoped that the Overview & Scrutiny Commission would come up with alternatives before the end of the year.

**Options**

See report.

**Reasons**

To close the project and focus on existing Customer Service Centres and better value, higher impact rural engagement activities such as attending Town and Parish Council meetings.

**RESOLVED** that the project be closed, once the external funding ceased, and the Overview & Scrutiny Commission be tasked with finding alternative delivery methods for the activities undertaken from the One Stop Bus.

**Dylan  
Powles,  
Teresa  
Smith**

**74/11 DRAFT CORPORATE PLAN 2011-2015 (AGENDA ITEM 9)**

The Vice-Chairman presented the draft Corporate Plan and stated that although it was not a legal document it helped Breckland Council prioritise its resources to provide quality services and value for money.

The Senior Procurement and Performance Officer reported that the Draft Corporate Plan 2011-2015 described the main areas of focus for the

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Council over the next four years.

The Plan had been made available to the public on the website and for Officers on the Intranet. A link had also been distributed to all Members and Parish Clerks.

Comments received as part of the consultation process had been captured in Appendix B (attached as a separate document to the report) and Cabinet was being asked to approve the Plan and authority be delegated to the Leader and Chief Executive to sign of the final version incorporating any agreed amendments.

Mr Cowen said that this had already been discussed at the Overview & Scrutiny Commission and had been endorsed. He understood that it needed to change to move with the times.

**Options**

- 1) That the draft publication of the Corporate Plan 2011-2015 be produced incorporating any amendments agreed by Cabinet (of which there were none) for Council on 27 October 2011.
- 2) That any amendments not be incorporated and the draft Corporate Plan 2011-2015 remains unchanged for approval at Council on 27 October 2011.

**Reasons**

The Corporate Plan underpinned the Council's annual corporate and financial planning processes and was a key document in the Council's Policy Framework. It was the basis for the Council's Business Plans for 2011/12 and the Medium Term Financial Strategy. It was also about doing things now which would help deliver the longer view which was to make Breckland a better place with a brighter future for everyone.

**RECOMMEND** to Council that the Corporate Plan 2011-15 be adopted and the Leader of the Council and the Chief Executive be given delegated authority to sign off the Corporate Plan 2011-2015 by 31 October 2011, subject to final proofing.

**Stephen  
James**

**75/11 BRECKLAND STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT (SHLAA) REVIEW 2011 (AGENDA ITEM 10)**

The Principal Planning Policy Officer presented the report which advised Members of the outcome of the Strategic Housing Land Availability Assessment (SHLAA) Review 2011 and the implications of the use of the study as evidence to support future forward planning and development decisions.

Breckland Council produced its first SHLAA in 2008 and had been updated to reflect changing housing market conditions since the initial study and to take account of changes in National Policy since 2008.

The initial SHLAA had been developed with input provided by a Steering

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Group comprising of Officers of the Council and local and regional representatives from the development industry. The Steering Group had confirmed that the methodology used to produce the document remained robust and was suitable for use in 2011; albeit with some minor amendments. These amendments reflected the Coalition Government's recent abolition of the national indicative minimum housing density, therefore, the housing density multipliers for 2011 had been slightly reduced and had also reflected the recent changes in demand from consumers.

The outputs of the study, in terms of potential supply coming forward, were highlighted. The Principal Planning Policy Officer stressed that this document was very much a hypothetical exercise and was policy neutral and that these were the maximums of housing levels that could be delivered to inform strategies going forward. It provided the Council with an indication of what was plausible and was stating that it had enough housing land.

In terms of the implications for the Council's five year supply of housing land, it was considered that only a total of six brownfield sites that had been identified in the SHLAA could be included. These six sites could yield a total capacity of 243 dwellings.

In terms of viability, the model indicated that the Greenfield Urban extensions typologies covering Attleborough and Thetford might not be viable at the present time as the residual land value was below the expected minimum sales level.

In concluding his report, the Principal Planning Policy Officer stressed that the SHLAA was a computer generated hypothetical housing land supply technical exercise and it was important to remember that its findings did not themselves determine whether or not a site should be allocated for development through the LDF or granted planning permission for housing. Land would be allocated for development through the plan making process and would be subject to significant public consultation. Applications for planning permissions would still have to be determined by the Council based upon their own individual merits and having taken into account the Policies of the Development Plan and all other material considerations.

The Executive Member for Internal Services represented one of the Wards classed as a Service Centre and had been asked, in the past, if he would support development in the village for no more than 50 homes. He asked for Officers views on development as this figure had now increased and although he was not adverse to development the Parish Council had carried out a survey where it was found that only six dwellings was preferred.

The Principal Planning Policy Officer explained that Great Ellingham had been identified as a Local Service Centre and the feeling from the community had been to keep things as they were but there was theoretically, capacity – scope for up to 150 houses but this was without any Breckland policies being applied.

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The Executive Member for Assets and Strategic Development referred to the map of Great Ellingham on page 118 of the report and pointed out that the land highlighted in red and green was land that had been included in the Local Plan right from the start. He explained that the areas in green were classed as deliverable and the sites in red would only be considered if Breckland policies ever changed.

Mr Cowen stated that he would like to see growth in Shropham and asked why this village had not been included on the list. He said that residents would be confused if they had sight of this document as they were well aware of two sites in the village that had been passed for development. These points needed to be clarified particularly when the Council's Core Strategy stated that villages in Breckland would have to accommodate 3,000 new homes.

The Chairman agreed that this document, as it stood, would almost certainly cause consternation and perhaps mislead residents and he therefore asked Officers to be careful and make it clear that the SHLAA was only a computer generated document that would help residents to balance their communities in going forward with any new Planning Policy Framework.

The Vice-Chairman concurred with the above comments and knew that the residents of Attleborough would take great comfort from them.

**Options**

**Option A**

Members endorsed the SHLAA Review 2011 for use as evidence to support the production of LDF documents and planning applications (where relevant).

**Option B**

Not to agree to endorse the SHLAA Review 2011

**Reasons**

To endorse Option A of the report would allow the use of the latest SHLAA information to inform plan making and development control decisions where relevant.

**RESOLVED** that the Strategic Housing Land Availability Assessment (SHLAA) Review 2011 be used as evidence to support the production of Local Development Framework (LDF) documents and planning applications.

**76/11 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 11)**

Mr Cowen, the Overview & Scrutiny Commission Chairman, reported that flooding/drainage issues were a great source of concern for many residents in the District particularly when there did not seem to be a joined

David  
Spencer,  
Phil  
Mileham

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up thinking process between the responsible authorities. He and Members of the Commission had found the conversation given by the Chief Executive of the Water Management Alliance very interesting as he had suggested that the Internal Drainage Boards (IDBs) would welcome the opportunity to work with Breckland Council to formulate and adopt byelaws.

Commission Members had been very surprised to hear that the IDBs were not statutory consultees of the Council even though they were tasked with trawling through every planning application throughout the District.

The recommendations were highlighted.

The Executive Member for Assets and Strategic Development endorsed the above views as he had not realised how much work the IDBs did and what they were responsible for.

It was agreed that the Planning Committee should consider including the IDBs as statutory consultees in the planning process.

**RESOLVED** that:

- 1) the offer from the Chief Executive of the Water Management Alliance to give advice on the drafting of byelaws be accepted;
- 2) Breckland Council supports the application to extend the Internal Drainage Boards (IDBs) catchment areas to allow them to take a greater role in managing water courses and preventing future problems; and
- 3) the Planning Committee be asked to recommend that the IDBs be considered as a statutory consultee.

Jane  
Osborne

**77/11 BUSINESS IMPROVEMENT AND PROJECTS SUB-COMMITTEE**  
**(AGENDA ITEM 12)**

**RESOLVED** that the Minutes of the Business Improvement & Projects Sub-Committee meeting held on 30 August 2011 be adopted.

**78/11 MEMBER DEVELOPMENT PANEL (FOR INFORMATION) (AGENDA**  
**ITEM 13)**

The Chairman reported that the Chairman of the Member Development Panel had suggested that the Member training budget should be reduced. However, as there were so many new Members that still required certain training, it was felt that it should remain the same until the next budget was considered.

The Minutes of the Member Development Panel meeting held on 8 September 2011 were noted.

**Action By**

**79/11 NEXT MEETING (AGENDA ITEM 14)**

The next meeting of the Cabinet would be held on Tuesday, 29 November 2011 at 9.30am in the Norfolk Room.

*NB: Members are asked to note that Dr Geoff Brighty, the Area Manager for the Environment Agency has accepted the invitation to attend the Cabinet meeting on the 29th November and the Planning Committee on 19th December. He will be presenting his case on the state of the environment and how this then relates to the development and land use pressures within the Council's area.*

**All to Note**

**80/11 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 15)**

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act.

**81/11 MATERIALS RECYCLING FACILITY (MRF) CONTRACT PROCUREMENT (AGENDA ITEM 16)**

The Environmental Services Manager presented the report which concerned the consideration of future arrangements for the Materials Recycling Facility (MRF) Contract.

Members were made aware that seven collection authorities had a consortium contract for a material recycling facility

The initial contract was for eight years which was extended for three years in 2011 to March 2014.

This report detailed the options post 2014 and asked that delegated responsibility was given to the Environmental Services Manager, the S106 Officer and the Executive Member for Environmental Services to make appropriate decisions on the options available for sorting and marketing of material up until the point that further approval was needed by Cabinet.

The approach for each of the options was explained.

Mr Cowen had concerns about the terminology used in the recommendation and asked that the word "appropriate" be removed. He also queried the legal advice that he felt was contradictory. Further to this and reading between the lines he asked whether there were any synergies between Breckland and South Holland.

The Chairman explained that another County would not be brought into the consortium.

Mr Bambridge did not know the answer but felt that any arrangement should be looked at carefully and in a very wide manner. He further felt

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that Breckland Council should not go into this blindly and that such a decision should not be left to three people. The Chairman pointed out that the final decision would be coming back to Cabinet for approval.

The type of waste collected in other areas was discussed.

The Chairman pointed out that all manner of recyclable options had been considered in the past. In relation to glass he felt that glass-banks should be encouraged in villages so that Parish Councils received greater recycling credits. As far as food waste was concerned, such collections in urban areas would work but in rural areas it would not as the amount of food waste collected would be outweighed by diesel costs.

The Vice-Chairman was quite happy with the bottle bank arrangements in towns and preferred this method of recycling rather than having to find space for another receptacle if collected.

Further discussion commenced about the significance of the MRF contract.

**Options**

- 1) To give delegated responsibility to the Environmental Services Manager, the S151 Officer and the Executive Member for Environmental Services to make decisions on the options for the sorting and marketing of recyclable material.
- 2) Not to give delegated responsibility to the Environmental Services Manager, the S151 Officer and the Executive Member for Environmental Services to make decisions on the options for the sorting and marketing of recyclable material.

**Reasons**

There were various options that needed further development before a final recommendation could be given to Members. By giving delegated responsibility to the Environmental Services Manager, S151 Officer and Executive Member for Environmental Services would allow the development of these options to proceed in accordance with the Council's Constitution, prior to a final report going through the necessary Committee process

**RESOLVED** that the Environmental Services Manager, S151 Officer and the Executive Member for Environmental Services be given delegated responsibility to make decisions on the options for the sorting and marketing of recyclable material, up until the point that further approval was required by Cabinet/Full Council as per the Council's Constitution.

**Sarah  
Bruton**

The meeting closed at 10.25 am

**Action By**  
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CHAIRMAN