
BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 7 January 2014 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

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

Also Present

Mr M J Nairn	Mr P.J. Duigan
Mr T R Carter	Mr T. J. Jermy
Mr D.R. Williams JP	Mr A.P. Joel
Mr S.G. Bambridge	Mr R.G. Kybird
Mr W.P. Borrett	Mr K. Martin
Councillor M. Chapman-Allen	Mrs J A North
Mr P.D. Claussen	Mr B. Rose
Mr J.P. Cowen	

In Attendance

Dominic Chessum	- Joint Marketing & Communications Team Leader
Robert Walker	- Assistant Director of Commissioning
Mark Stanton	- Economic Development Manager
Julie Britton	- Senior Committee Officer
Richard Bland	- Senior Enabling & Projects Officer (Strategic Planning)
Phil Mileham	- Deputy Planning Manager
Geoff Rivers	- Interim Chief Executive

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1/14 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 3 December 2013 were confirmed as a correct record and signed by the Chairman.

2/14 APOLOGIES (AGENDA ITEM 2)

An apology for absence was received from Cllr E Gould.

3/14 DECLARATION OF INTERESTS (AGENDA ITEM 4)

Cllr Kybird declared an interest in agenda item 10 due to him being a member of Thetford Town Council.

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4/14 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mesdames M Chapman-Allen and J North and Messrs G Bambridge, B Borrett, T Carter, P Claussen, P Cowen, P Duigan, T Jermy, A Joel, R Kybird, M Nairn, K Martin, B Rose and D Williams.

5/14 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 6)

It was announced that the Breckland calendar was now available to purchase at a cost of £4.00 half of which would be donated to the Chairman's charity. The calendar included the winning pictures from the Photographic competition and all the Committee meeting dates for the year.

6/14 BRECKLAND COMMUNITY FUNDING APPLICATIONS - GRANT PANEL REPORT, OCTOBER - DECEMBER 2013 (AGENDA ITEM 7)

The Deputy Leader presented the report and summarised the funding recommendations that had been made by the Grant Panel during October – December 2013, particularly in relation to the Match Funding application for Enterprise Norfolk.

Members were informed that Enterprise Norfolk provided advice and guidance to people who wanted to start their own business. It was noted that in Year 1 of the Programme 31 new businesses had been formed. The Executive Member for Assets & Strategic Development explained that out of the 31 businesses, 30 had been in the Breckland district. He highlighted the fact that Norfolk County Council would be contributing £35,000 (70%) to the project subject to the Breckland Match Funding contribution of £15,000 which represented 30% of the total project cost.

The Executive Member for Corporate Services and Quality Assurance thanked the Deputy Leader and her Portfolio for the Match Funding monies that had enabled a Village sign to be installed in Little Ellingham. He said that all these were good news stories and should be highlighted in all District Councillors reports.

Councillor Bambridge concurred with the above views and pointed out that he had discussed such funding at his Parish meetings.

Councillor Borrett felt that the scheme demonstrated huge benefits for the amount of money invested.

The Executive Member for Communications, Organisational Performance, Development and Public Protection mentioned the two projects for Swaffham that had been awarded funding from the Pride Grant. He said that both had been driven by the community for the community. Councillor Williams, in his capacity as Chairman of Icen Swaffham, stated that the funding had been valued and in relation to Enterprise Norfolk he felt that the programme had been very well designed.

Councillor Joel revealed that the funding awarded to various projects in the two parishes within his Ward had generated a greater worth of activities.

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The Deputy Leader stated that even though some applications were refused, the Officers involved endeavoured to assist and on most occasions alternative solutions could be offered.

The Executive Member for Finance and Democratic Services felt that the Officers should be thanked as they were always extremely helpful.

Options

- a) To approve the Match Funding application for Enterprise Norfolk.
- b) To decline the Match Funding application for Enterprise Norfolk.

Reasons

The Grant Panel had recommended approval for Enterprise Norfolk based on the following reasons:

- Year 1 of the project was a proven success
- The project met two of the Council's objectives
- All other funding was in place
- The Breckland area would lose £35,000 of funding if the application was declined
- Breckland Council aimed to support start up businesses in the district

RESOLVED that the Revenue Match Funding application of £15,000 towards the Year 2 Enterprise Norfolk programme in Breckland be approved, subject to:

- a) a maximum sum of £15,000 or 30% whichever is the lower from the Revenue Match Funding budget;
- b) confirmation that all other funding was in place prior to release of any funding; and
- c) any other conditions arising from Member comments on Sharepoint.

7/14 CESSATION OF THE COUNCIL PUBLICATION KNOWN AS 'VOICE' (AGENDA ITEM 8)

The Executive Member for Communications, Organisational Performance, Development and Public Protection presented the report and Dominic Chessum, the Joint Marketing and Communications Team Leader was in attendance to answer any questions.

Members were informed that this was a decision that Cabinet had agonised over for a long period of time. Not everyone had agreed with the decision to cease the publication of 'Voice' at the meeting held in May 2013 but since then the magazine had been in suspension which had allowed further validation of communication channels. Now was the time to stop as there were other ways to communicate to the public, and the views of the residents as to how they ranked the importance of 'Voice'

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compared to other services through the 'Could We Should We' consultation, which was to cease the publication to achieve savings, should be acknowledged. There were, in his opinion, less and less published publications as people nowadays were inclined to use social media as their preferred means of communication. He pointed out that the key to communication was through Elected Members by keeping Parish and Town Council meetings informed, or by communicating through the Parish magazines. He knew that not everyone would be in favour of the recommendation but he asked for Members to support the cessation of 'Voice'.

Councillor Williams said that he still received many publications from various bodies which he welcomed as all were very informative and were all doing a specific job. He felt that 'Voice' was a publication that had allowed the Council to communicate and should be continued even if it was published just twice a year.

The Executive Member for Corporate Services and Quality Assurance stated that he had been consistently opposed to the cessation of 'Voice' as he knew how important the publication had been to many of his constituents. He pointed out that the satisfaction levels had actually increased when the publication had been upgraded. He was well aware that most people preferred to read a magazine rather than visit the Council's website. He said that whilst he understood the reasons behind the decision, he thought it was too soon and would therefore be voting against the recommendation.

Councillor North had always been a strong advocate for keeping 'Voice' as not everyone had access to computers; however, she pointed out that since the suspension of the publication, she had not received any comments about what had happened to it. She felt that Breckland Council had a good Communications Team but wanted to know how the Council proposed to get its communications across in future.

Councillor Chapman-Allen thought that Members were missing out on a very valuable point; there was a great deal of difference between towns and villages. In towns you were more likely to hear about what was going on in Breckland rather than if you lived in a village. There were also many residents in her Ward that did not have access to computers and many would not contemplate attending Parish meetings. She felt that the 'Could We Should We' consultation had not been well represented and she therefore hoped that 'Voice' would be reproduced as it had been a valuable means of communication.

The Deputy Leader said that Shipdham had a monthly Parish magazine that she always contributed too by writing what was happening in Breckland Council. Schools were always provided with information/flyers about holiday activities so there was on-going communication but in a different way.

The Opposition Leader admitted to reading 'Voice' cover to cover but found nothing new as he had read it elsewhere and therefore supported the recommendation as there were other far cheaper ways to communicate. He also reminded Members of the feedback from the 'Could We Should We' consultation.

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The Executive Member for Communications, Organisational Performance, Development and Public Protection thanked Members for all the valid points made. He questioned the point made by Councillor Chapman-Allen in relation to the consultation representation and assured Members that prior to the 'Could We Should We' there had been a two page survey included in the actual 'Voice' publication so everyone would have had the opportunity to put their views forward. He felt that Councillors were far more important than a magazine and could promote local news in their Wards in a much better way.

Option 1 - Do nothing

The publication remained in suspension and the Council did not realise any possible savings from the budget

Option 2 – Permanently cease publication of the magazine (recommended)

Take the remainder of the budget for publication for financial year 2013/14 as savings and remove the budget line from the communications budget for the 2013/14 onwards

Option 3 – Bring 'Voice' out of suspension

Continue to publish the Council publication with the number of editions to be agreed by Members. It should be noted that if Members were to agree a number of publications above 4 per year, this would not only remove the option of making efficiency savings, but it would also require growth in the budget.

Reasons

- Substantial year-on-year savings would be made by ceasing publication of the Council magazine.
- Modern communication channels including social media have now been validated. Combining these new communications channels with traditional communication methods and ensuring parish/town councils and parish magazines were kept informed means any negative effects from ceasing the magazine could be adequately mitigated.
- Ceasing the magazine also ensured continued compliance with the government's direction for councils to demonstrate the cost effectiveness of their communications.

Following a vote, it was

RESOLVED that:

- 1) the production of the Council publication known as 'Voice' cease with immediate effect; and
- 2) the remainder of the budget for the publication in the financial year

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2013/14 be taken as savings and be removed from the communications budget for 2014/15 onwards.

8/14 IMPROVEMENT WORKS TO LAND ON BARNHAM CROSS ESTATE IN THETFORD. (AGENDA ITEM 9)

The Executive Member for Assets and Strategic Development presented the report and to avoid any confusion Members were afforded with the background information to the areas of land in question and to the outcome of the Cabinet decisions made at the meeting held on 12 February 2013.

The ownership and who would be responsible for the maintenance of each individual area of land was highlighted.

It was noted that Moving Thetford Forward (MTF) monies would be used to pay for any legal fees incurred for the transfer of area 15 to Flagship Housing Group.

Councillor Kybird stated that the regeneration of existing estates in Thetford was the main priority of MTF. These estates needed to be tidied up and brought into the 21st century.

Options

To transfer Area 15 to Flagship Housing Group at nil consideration; subject to Flagship paying all Breckland Council's legal fees in respect of this matter.

To retain the land with Breckland Council's ownership and grant a licence for Flagship to undertake improvement works to this area.

To accept responsibility for the maintenance of Areas 1, 2 16, 17 and 19 after Flagship Housing Group have completed 12 months maintenance.

Reasons

- To work in partnership with Flagship to improve car parking and landscaping on the Barnham Cross Estate in Thetford and to enable the project to move forward.
- Whilst it was contrary to accept responsibility for new areas, Breckland Council was already responsible for maintaining these areas, and with the exception of 5 new trees to be planted in area 2 and the erection of bollards in area 19 (see site plan attached to the report), it was the view of the Officer that in the interests of the future appearance of the development and to continue to encourage community involvement, Breckland should continue to maintain these areas.
- Finally, if the monies from Moving Thetford Forward were not spent on these improvements that there was a possibility that the monies could be used on an alternative project that would be to the detriment of the Barnham Cross Estate and to its residents.

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RESOLVED that:

- 1) the land within area 15 as highlighted on the plans within the report that were under Breckland Council's control be transferred to Flagship Housing Group at nil consideration, subject to Flagship Housing Group paying all Breckland Council's legal and District Valuer's fees in respect of these matters; and
- 2) responsibility be accepted for the future maintenance for those areas that would remain within Breckland Council's ownership.

9/14 TRANSFER OF THETFORD PLAY AREAS (AGENDA ITEM 10)

The Executive Member for Assets and Strategic Development presented the report. Members were being asked to consider a further commuted sum payment in respect of the transfer of play areas for remedial works and to authorise the transfer of two further open spaces to Thetford Town Council.

This matter had originally been reported to Members of the Cabinet in 2007 and 2008 where it was agreed at that time to transfer 8 play areas. Two further sites that had not formed part of the original proposal had since been identified for transfer to the Town Council.

The only cost implication to Breckland Council would be for an additional £20,000. The two further sites would be transferred to Thetford Town Council along with the associated commuted sum of £38,510.14. This funding had been held in reserve and therefore there would not be any additional cost implications to the Council.

The Executive Member for Corporate Services and Quality Assurance said that authorising this transfer accorded with the Council's long standing policy to empower local communities to take control of its own assets.

Councillor Kybird advised that this matter had been in the pipeline for at least 6 years and supported the recommendation.

The Chairman reminded Members of the grant funding that was available for enhancements to play areas. The Opposition Leader said that he had already identified with the local community which play areas needed to be improved.

Councillor Borrett thought it was good to see Breckland Council and Thetford Town Council in agreement and felt it was a great news story for all concerned and was happy to support the recommendation.

Option 1

To authorise the release of £20,000 for the remedial works required to bring the play areas up to a certain standard.

To authorise the transfer of the two play areas at Croxton and Brandon Road, Thetford to the Town Council along with the commuted

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maintenance sum received from the developers for these areas.

Option 2

Do nothing.

Reasons

Authorising the release of the additional monies to Thetford Town Council would assist the Town Council in bringing the play areas up to what could be considered to be a reasonable standard. Furthermore, remedial works had been carried out by Breckland Council to play areas within the other four towns in the Breckland district which equated to the additional sum being offered.

Authorising the transfer of the two further areas would be in accordance with the Council's policy not to take on liability of open spaces and wherever possible to transfer them to the Town Councils.

To do nothing would be contrary to the decision made by Members that the play areas and open spaces be transferred to the Town Councils.

RESOLVED that:

- 1) £20,000 be released to Thetford Town Council for the remedial works required to bring the said play areas up to a certain standard; and
- 2) the two play areas at Croxton Road and Brandon Road in Thetford be transferred to Thetford Town Council together with the commuted maintenance sum received from the developers for these areas.

**10/14 ECONOMIC DEVELOPMENT (ED) SERVICE TRANSFORMATION
PHASE 1 (AGENDA ITEM 11)**

The Executive Member for Assets and Strategic Development presented the report that requested Council's approval to set up a Community Interest Company (CIC) to enable the Economic Development Service to bid for contracts that could generate income and test the market for demand for its products and services. This would be a Phase 1 approach over the financial year 2014/15 prior to the service becoming a wholly owned subsidiary based on the success of Phase 1.

The Executive Member explained that he had mandated the Economic Development Manager to produce a strategy to further reduce costs by March 2015. Members' attention was drawn to the graph at Appendix 1 of the report that illustrated how the cost of Breckland's Economic Development Service had reduced over the past 6 years. It also drew predictions for the next 2 years. It was advised that although £95k was not quite cost neutral the aim was to strive to become a zero cost service by March 2015.

In response to a question about how the Economic Development service would continue to have a strategic economic focus for the area, Members

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were informed that the economic strategy for the area was within the Local Plan and the service would continue to feed into the economic policies for the area.

In response to a further question in relation to intellectual copyright, Members were informed that this would be a totally Breckland Council project and would not be joined with South Holland District Council.

The Overview & Scrutiny Commission Chairman mentioned the comments from the Peer Review which stated that Breckland Council should broaden its horizons and felt that the setting up of such a Company would do just this and would be an excellent way of bringing revenue into the Council. He also mentioned the Audit Committee's role in this and felt that Scrutiny should also be expected to play a fundamental role and scrutinise performance to ensure that the Council was looking after taxpayers' money. It was felt that the Overview and Scrutiny Commission Portfolio Holder report would be adequate.

Option 1

- a Breckland Council wholly owned Community Interest Company (CIC), Resource for Growth CIC be set up;
- the Economic Development Manager be appointed as the CIC Director;
- an interim CIC Board be set up consisting of the Portfolio Holder for Assets & Strategic Development, the Chief Executive and the Economic Development Manager to provide governance and monitor performance on behalf of the Council; and
- the Audit Committee and the Cabinet to receive quarterly reports from the Interim CIC Board on financial performance.

Option 2

Do nothing.

Reasons

Option 1, recommendation 1 would enable the Economic Development Service to set up a CIC to market test its products and services and provide additional information and evidence to support the business plan for the transformation of the Economic Development Service. Recommendations 2, 3 and 4 would provide the necessary statutory governance and oversight for the CIC and the Council for Phase 1.

RECOMMEND to Council that:

- 1) a Breckland Council wholly owned Community Interest Company (CIC), Resource for Growth CIC be set up;
- 2) the Economic Development Manager be appointed as the CIC Director;

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- 3) an interim CIC Board be set up consisting of the Portfolio Holder for Assets & Strategic Development, the Chief Executive and the Economic Development Manager to provide governance and monitor performance on behalf of the Council; and
- 4) the Audit Committee and the Cabinet to receive quarterly reports from the Interim CIC Board on financial performance.

**11/14 BRECKLAND GYPSY, TRAVELLER AND TRAVELLING
SHOWPEOPLE ACCOMMODATION NEEDS ASSESSMENT 2013
(AGENDA ITEM 12)**

The Executive Member for Assets and Strategic Development presented the report which advised Members of the outcomes from the 2013 Gypsy and Traveller Accommodation Assessment (GTAA).

Members were reminded that this GTAA was a consultation document and would be open for discussion over the next 18 months. It was also a picture of where the Council was at and where it could be in the future.

The Senior Enabling and Projects Officer (Strategic Planning) was in attendance and drew Members' attention to the table on page 43 of the report that highlighted the need for pitches and explained in detail the meanings of these figures and how they had been derived. He also highlighted the pitches with permissions that had not, as yet, been delivered. Members' attention was also drawn to the figures on page 75 of the GTAA document that highlighted the accommodation and pitch need for 2017/18 to 2023/27 that had been calculated from household growth.

The Deputy Planning Manager was also in attendance and advised that future pitch need was key and pointed out that the figures that had been derived were different to those that had been previously reported in the Spatial Strategy; however, the overall picture for the Breckland district was not all that different. Page 95 of the GTAA document identified the implications on 'broad areas of search' for future provision and from this there was not a clear picture as to where the need was going to arise. The assessment for options for identifying broad areas of search to meet future need could impact on the Local Plan process.

It was noted that travelling show peoples' needs were different and showed that there was no net need for such pitches.

The Deputy Planning Manager was confident that this GTAA document could be taken through the new Local Plan process.

Councillor Claussen had grave concerns about the document and thought that it was quite naïve, lacked effective community engagement and let down the people of Mattishall. He reminded Members that Mattishall had gone out of its way to have no further growth in the village. He then referred to section 13.6 of the report and highlighted the fact that the one stakeholder that had clearly been missed from the consultation was the public.

Many of the non-Cabinet Members in attendance were also very

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disappointed in the lack of communication. They all agreed that there had certainly not been any emphasis given to dialogue with the settled community or to Elected Members.

There was much debate about policy and site locations and how near the towns these sites should be.

The Overview and Scrutiny Commission Chairman concurred with the aforementioned views and asked if the new EU immigration figures had been taken into account and, if not, would increase in demand for such sites be anticipated? Councillor Borrett drew Members' attention to the reasons for recommendation as set out at section 11 of the report and asked if this document would be used to formulate a policy.

The Executive Member for Corporate Services and Quality Assurance stated that a consultation strategy had been developed as part of the Local Development Framework and he asked if this strategy was still relevant and whether it had been followed.

Councillor Joel asked if Officers had spoken to South Norfolk District Council to see where its gypsy and traveller sites had been located in their Local Plan.

Councillor Martin knew there would always be contentious issues on such a subject but Council's had to consult with these communities and work with them.

The Executive Member for Assets and Strategic Development advised that all issues, concerns would be taken forward and discussed. In response to the question about immigration, Members were informed that these numbers were not yet known so it would be unfair to include them in this document. He pointed out, however, that the GTAA would be revised every 5 years so there would be further opportunities to include any additional figures then. The Executive Member also drew attention to the section in the report about Stakeholders/Consultation and stressed that such consultation had been carried out in accordance with the requirements under the Duty to Cooperate. He agreed that there needed to be some policy in place which would actually be over and above planning via the Local Plan process otherwise he was quite content to accept the document on face value taking account of all the comments made.

The Chairman had listened to all concerns raised and agreed that further consultation was needed with the settled community and Ward Members before this document could be accepted.

The Executive Member for Assets and Strategic Development advised that if consultation was carried out with the settled community at this stage no-one would choose to have a travelling community nearby. He emphasised the fact that the Council had been duty bound to carry out the stakeholders consultation in this way and also emphasised the fact that the policy itself would be subject to public consultation within the Local Plan.

Councillor Claussen felt that this was a disaster waiting to happen as the

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consultation methodology that had been carried out would not be well received by the public. He knew the Council was up against it as it was an Act of Parliament that had to be followed but keeping settled communities 'in the dark' was not, in his opinion, good representation. He said that if he was able to vote he would not be voting in favour of the document going forward even if it cost the Council more money to go back and carry out proper consultation.

The Executive Member for Finance and Democratic Services felt that if proper consultation had not been carried out then the document was incorrect. She asked how it could be made more acceptable. In response, the Executive Member for Assets and Strategic Development advised that section 13.6 of the report concentrated on the Duty to Co-operate otherwise the document could be found unsound in the Local Plan. The Duty to Co-operate did not include local, settled communities. Councillor Claussen drew attention to section 2.9 (A) of the GTAA document which stated: "Pay particular attention to early and effective community engagement with both settled and traveller communities.....". Breckland Council, in his opinion, had clearly failed to do this. He also drew attention to the supplementary guidance that almost put a duty on local councils to have effective communication.

Councillor Williams agreed with the above concerns and knew that the public perception of this document would be the same.

The Executive Member for Assets and Strategic Development again stressed that the Council had to produce such a report of where it thought the travellers should go and there was no remit to consult outside of the gypsy and traveller communities. Experts had been appointed to look at accommodation and travelling needs for gypsies and travellers across the Breckland District, the public would be able to have their say through the policy stages via the Local Plan Working Group meetings. Additionally, an opportunity for all Members to have their say would be at the Visioning session which was scheduled to take place on Monday, 27 January 2014 at Elizabeth House.

The Chairman proposed an amendment to the recommendation as the document in its present format was not acceptable. The Overview and Scrutiny Commission Chairman agreed and also recommended some alternative wording in the report.

The Chief Executive suggested that the recommendation to consider the contents of the report and accept option 1 to allow the GTAA to go forward and be used in the formation of future policy be replaced with: Members' consider the contents of the report and accept option 1 (see report) to allow the Gypsy and Traveller Accommodation Needs Assessment (GTAA) to go forward and to be considered in further detail, paying specific attention to wider consultation at the Local Plan Visioning Day session on 27 January 2014 to which all Members have been invited.

Option 1

Members consider the contents of the report and accept to allow the findings to be used to inform future policy.

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Option 2 (Do nothing)

Not publishing an up-to-date assessment of the need for Gypsy and Traveller accommodation in the District and using it to develop numbers in the Local Plan would place the Plan at risk of being found unsound. Delays in publishing an up-to-date GTAA could have implications upon the Local Plan timetable.

Reasons

It was recommended that Cabinet accept the report put forward as part of the evidence base for the Local Plan. The evidence within the report shall allow the Council to plan for future provision for Gypsy and Traveller accommodation and shall provide robust evidence in order to assess future planning applications for such accommodation. It was the duty of Local Housing Authorities to include assessment of the accommodation needs of the Gypsy and Traveller community under the Housing Act 2004. Failure to have an up-to-date assessment of these needs could lead to the Local Plan being found unsound. Due to the implications of the report findings and their wider impact beyond the Local Plan the GTAA recommendation to Cabinet supersedes a separate consideration by the Local Plan Working Group.

RESOLVED that Members' consider the contents of the report and accept option 1 (see report) to allow the Gypsy and Traveller Accommodation Needs Assessment (GTAA) to go forward and to be considered in further detail, paying specific attention to wider consultation at the Local Plan Visioning Day session on 27 January 2014 to which all Members have been invited.

12/14 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 13)

The Executive Member for Corporate Service and Quality Assurance highlighted that there would be two other local authorities joining the partnership through shared services.

The Minutes of the Anglia Revenues and Benefits Partnership Joint Committee held on 12 December 2013 be adopted.

13/14 MEMBER DEVELOPMENT PANEL (FOR INFORMATION) (AGENDA ITEM 14)

The Minutes of the Member Development Panel meeting held on 5 December 2013 were noted.

14/14 NEXT MEETING (AGENDA ITEM 15)

The arrangements for the next Cabinet meeting on Tuesday, 11 February 2014 at 9.30am in the Anglia Room were noted.

The meeting closed at 11.35 am

CHAIRMAN