

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 6 December 2007 at 10.30 am in
The Anglia Room, Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr P.S. Francis (Chairman)	Mr M.A. Kiddle-Morris
Mr S. Askew	Mr R.G. Kybird
Mr G.P. Balaam	Mr J.P. Labouchere (Vice-Chairman)
Mrs J. Ball	Mr T.J. Lamb
Mr S.G. Bambridge	Mr K. Martin
Mr W.P. Borrett	Mrs S.M. Matthews
Councillor Claire Bowes	Mrs K. Millbank
Mr A.J. Byrne	Mrs L.H. Monument
Mrs M.P. Chapman-Allen	Mr D.G. Mortimer
Mr J.P. Cowen	Mr J.W. Nunn
Mr P.J. Duigan	Mr J.D. Rogers
Mr M. Fanthorpe	Mr B. Rose
Lady Fisher	Mr F.J. Sharpe
Mr R.F. Goreham	Mr W.H.C. Smith
Councillor E. Gould	Mrs P.A. Spencer
Mr J.R. Gretton	Mr M. Spencer
Mr M.J. Griffin	Mr A.C. Stasiak
Mrs T. Hewett	Mrs A.L. Steward
Mrs S.R. Howard-Alpe	Mrs L.S. Turner
Mrs D.K.R. Irving	Mr N.C. Wilkin
Mr A.P. Joel	

In Attendance

Mark Stokes	- Operations Manager (Cabinet Office) & Acting Deputy Chief Executive
Amanda McCulloch	- Marketing and Communications Officer
Mitch Kerry	- Corporate Policy Manager
Ian Vargeson	- Democratic Services Manager
Phil Daines	- Development Services Manager
Ralph Burton	- Economic Projects Officer
Ray Johnson	- Acting Operations Manager (Commercial Services)
Robert Walker	- LSP Officer
Tim Leader	- Deputy Chief Executive
Mary Palmer	- Marketing & Communications Manager
Trevor Holden	- Chief Executive

118/07 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 25 October 2007 were confirmed as a correct record and signed by the Chairman.

119/07 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr S Chapman-Allen, Mr R Childerhouse, Mr P Claussen, Mr K Gilbert, Mr P Hewett, Mr C

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Jordan, Mr R Kemp, Mr I Monson, Mr D Myers, Mrs P Quadling, Mr I Sherwood and Mr D Williams.

Members were informed that the absence of Councillor Claussen from this meeting was due to other Council business.

120/07 DECLARATION OF INTEREST (AGENDA ITEM 3)

The following declarations of interest were noted:

- Mr P Cowen – personal interest as recorded under:
 - Minute No. 108/07 of the Overview and Scrutiny Commission meeting of 1 November 2007,
 - Minute No. 130/07 of the Cabinet meeting of 20 November 2007.
- Mr G Bambridge – personal interest as recorded under Minute No. 108/07 of the Overview and Scrutiny Commission meeting of 1 November 2007.
- Messrs R Kybird, B Borrett, S Askew, J Labouchere and P Francis – personal interests in Minute No. 113/07(a)(i) of the Overview and Scrutiny Commission meeting of 1 November 2007.
- Mr J Rogers – personal interest with matters relating to the Parish of Carbrooke, in relation to Minute No. 113/07(a)(i) of the Overview and Scrutiny Commission meeting on 1 November 2007.
- Mrs T Hewett – personal interest in Minute No. 178/07 of the Development Control Committee meeting held on 5 November 2007.
- Lady Fisher – personal interest in Minute No. 113/07(c)(ii) of the Overview and Scrutiny Commission meeting held on 1 November 2007.

121/07 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The following announcements were made:

Welcome Home Parade of the Light Dragoons

The Chairman had been very proud and overwhelmed to be in a position to host the parade and to welcome the Light Dragoons home from Afganistan. The Council had received thank you letters, telephone calls and emails from many of the guests. Complimentary letters had also been received from General Richard Dannant, the Head of the Armed Forces, the Deputy Chief of the Armed Forces, and from the Commanding Officer of the Light Dragoons, Lieutenant Colonel Angus Watson. The parade had seen the biggest turnout of its kind in Dereham's living memory and had reflected the overwhelming support from the local community for the returning soldiers.

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Mr W Smith, the Executive Member for the Cabinet Office, had been the mentor behind the 'Welcome Home' event; however, the person who had made all the necessary arrangements, and who had worked extremely hard to ensure that the event was a great success, had been Mary Palmer, Breckland Council's Marketing and Communications Officer and her team. The Chairman was delighted to present Mary with a bouquet of flowers and a bottle of champagne.

Auction of Promises

Members were reminded of the 'Auction of Promises' that would be held following the Full Council meeting. All monies raised would be in aid of Quidenham Hospice.

The Chairman offered his congratulations to Councillor Stephen Askew who had completed a half marathon in 2 hours and 16 minutes and had raised over £1,000, also in aid of the Hospice. Finally, Councillor Ann Steward and Lady Fisher were looking for sponsorship as they had offered to abseil from the Ecotech wind turbine in the Spring.

A list of engagements attended by the Chairman and Vice-Chairman was tabled, for the period 26th October to 5th December 2007, which included:

30 th Oct,	Funeral of Wilf Mathews – ex-councillor and Chairman of Breckland Council	
4 th Nov	Justice Service	The High Sheriff of Norfolk and The Countess of Romney DL
19 th Nov	Welcome Home Parade of the Light Dragoons followed by Church Service	Breckland Council
20 th Nov	Launch of the Wayland Community Bank	Wayland Partnership
23 rd Nov	Charity Dinner	Chairman of Norfolk County Council, Michael Carttiss
28 th Nov	Light Dragoons Cocktail Party	Commanding Officer and the Officers of The Light Dragoons

Vice-Chairman

The Chairman thanked Councillor J Labouchere, the Vice-Chairman for helping him out on a number of his appointments.

26 th October,	Mayor's Ceilidh	Charity	Mayor and Mayoress of Thetford, Councillor Robert Kybird and Sue Glason
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22 nd November,	Exercising their Freedom of the City of Norwich by the Royal Anglian Regiment	Lord Mayor of Norwich, Councillor Roy Blower, and The Sheriff of Norwich, Nick Williams
23 rd November,	Homecoming of the 1 st Battalion of the Royal Anglian Regiment	Mayor of St. Edmundsbury Borough Council
5 th December,	Ceremony to mark the completion of the strengthening of three bridges over the Mid Norfolk Railway	Chairman of Norfolk County Council, Councillor Michael Cartiss

122/07 CABINET: 20 NOVEMBER 2007 (AGENDA ITEM 5)

a) Value for Money Strategy (Minute No. 133/07)

The Executive Member for the Cabinet Office stated that the Value for Money Strategy would help the Council create greater public understanding of what value for money was, how it was measured and how the Council could continue to provide the delivery of cost effective services.

An Independent Panel would be created to monitor executive resources.

RESOLVED that the Value for Money Strategy be approved.

b) Child Protection Policy (Minute No. 134/07)

The Democratic Services Manager made Members aware that the identification of those Members for whom it would be appropriate to require a Criminal Records Bureau check be delegated to the Chairman *of the Cabinet meeting at which the recommendation was made.*

The Executive Member for Community and Cultural Services stated that the Council believed that all children should be able to live their lives to the fullest potential, to be protected, and to have the opportunity to participate in and enjoy any activity, and to be treated with dignity and respect. The Child Protection Policy would be there to protect Breckland Council, young people and the children within the district.

RESOLVED that

- 1) the Child Protection Policy be adopted; and
- 2) future changes to the practices and procedures which

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support the Council's Child Protection Policy be delegated to the appropriate Executive Member in consultation with the Strategic Director.

c) Breckland Council-Owned Land at Croxton Road, Thetford – Family Accommodation (Minute No. 135/07)

A Member said that the Cabinet's decision to transfer the council-owned land at Croxton Road to Cotman Housing Association had given rise to great concern to the town. He further felt that the land would be dangerous to build on as he was aware that it had been a former rubbish tip. The Member asked whether the Council would be donating some of the money from the sale of the land back into Thetford.

The Leader stated that the Council had a very clear policy on the disposal of its assets and that the money would be used for the good of the community not just for one particular town. In response to the contaminated land issue, the Operations Manager for Commercial Services advised that he had not been aware that the land had been a former tip; however, further site investigations would be carried out with Cotman Housing Association, prior to the formal consultation process.

Another Member felt that a further issue that should be taken into consideration was the loss of open space.

d) Sustainable Community Steering Group (Minute No. 136/07)

The Executive Member for the Cabinet Office advised that it was the Government's aim to build a vision on how to provide Strategic Leadership. He hoped that together with these two policy documents, the Sustainable Community Strategy and the Local Development Framework, life and biodiversity within Breckland would be significantly enhanced.

The Leader of the Labour Group queried the source of the statement that only large urban areas would be considered as sustainable. It was pointed out that this comment emanated from Government, to whom any queries on the definition should be directed.

RESOLVED that

- 1) the formation of a Sustainable Communities Steering Group be approved; and
- 2) the following Members be appointed as Members of the Sustainable Communities Steering Group:

Mr W Nunn
Mrs A Steward
Mr D Myers
Mr M Kiddle-Morris
Claire Bowes
Mr B Borrett
Mrs M Chapman-Allen
One vacancy (Labour)

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e) Audit Committee (Minute No. 138/07)

The Executive Member for the Cabinet Office informed Members that an effective Audit Committee would benefit the authority by:

- Raising greater awareness of the need for internal control.
- Increasing public confidence.
- Reinforcing the importance and independence of internal and external audit.

The Executive Member thanked Mark Stokes, Mark Finch and Stephen McGrath for all their hard work in preparing the report.

In response to a question, Members were informed that the Audit Committee would be open to the public and full minutes of the meetings would be taken. Members were further informed that external representatives would be appointed as co-opted advisors, albeit without voting rights, in addition to elected Members.

The Opposition Leader agreed that there was a clear need to take out the financial matters from the Scrutiny agenda and he was in favour of an Audit Committee; however, he was not happy about the Audit Committee “stealing the thunder” from the Overview and Scrutiny Commission.

The Executive Member for the Cabinet Office stated that the guidelines of the Chartered Institute of Public Finance and Accountancy (CIPFA) excluded the Overview and Scrutiny Commission and the Executive from the audit function. He reminded Members that with the pending re-structure of the Overview and Scrutiny function there would be plenty of other matters, other than finance, for the Scrutiny Commission to deal with.

The Overview and Scrutiny Commission Chairman endorsed the above comments and felt that it was important that the Council had an independent committee that was targeted and focused on financial matters.

A Member asked whether the Audit Committee was a resurrection of the former Finance Committee. The Executive Member for the Cabinet Office explained that the Audit Committee would be doing exactly what it implied, to audit; there would be no emasculation of the Scrutiny function. A Member felt that the Audit Committee would relieve some of the pressure and some of the ramifications of audit throughout the year and would also remove some of the risk that had been borne by the Overview and Scrutiny Commission.

RESOLVED that the establishment of an Audit Committee be approved, as follows:

- (1) appropriate amendments be made to the Council's

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Constitution;

- (2) the Terms of Reference, as detailed in paragraph 4.3.1 of the report, be adopted;
- (3) The power of final approval of the accounts remain with full Council;
- (4) external representatives be appointed if necessary, as co-opted advisors, without voting rights;
- (5) the Independent Remuneration Panel be asked to consider whether external representatives be paid an allowance;
- (6) the Audit Committee to determine its meeting programme/schedule with at least four meetings being held each year; and
- (7) the Audit Committee to comprise of five members and to be politically balanced (currently four Conservatives and one from the minority parties),
- (8) the following Members be appointed:

Mr P Hewett
Mr R Kybird
Mr C Jordan
Mr R Childerhouse
Mr M Fanthorpe

f) Adoption

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 20 November 2007 be adopted.

123/07 OVERVIEW AND SCRUTINY COMMISSION: 1 NOVEMBER 2007 (AGENDA ITEM 6)

RESOLVED that the unconfirmed Minutes of the Overview and Scrutiny Commission meeting held on 1 November 2007 be adopted.

124/07 DEVELOPMENT CONTROL: 5 NOVEMBER 2007 (AGENDA ITEM 7)

a) Thetford: Abbey Farm Barns, Monksgate: Minute No. 179/07

A Thetford Ward Representative had been very disappointed with the decision of the Development Control Committee not to save this very important site. He hoped that the Secretary of State would see sense and rescue these buildings when making its final decision.

b) Adoption

RESOLVED that the confirmed Minutes of the Development Control Committee meeting held on 5 November 2007 be

adopted.

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**125/07 GENERAL PURPOSES COMMITTEE: 7 NOVEMBER 2007
(AGENDA ITEM 8)**

- a) Review of Polling Districts and Places (Minute No. 67/07)

RESOLVED that

- 1) the proposals for polling districts and places put forward by the Working Group be adopted; and
- 2) the conclusions of the review and all related correspondence and evidence be publicised in accordance with Electoral Commission guidance.

- b) Adoption

RESOLVED that the unconfirmed Minutes of the General Purposes Committee meeting held on 7 November 2007 be adopted.

126/07 LICENSING COMMITTEE: 21 NOVEMBER 2007 (AGENDA ITEM 9)

- a) Licensing Act 2003 – Review of Licensing Policy (Minute No. 03/07)

RESOLVED that the revised Policy as amended be adopted as the Council's Licensing Policy.

- b) Adoption

RESOLVED that the unconfirmed Licensing Committee Minutes of the meeting held on 21 November 2007 be adopted.

127/07 STANDARDS COMMITTEE: 30 OCTOBER 2007 (AGENDA ITEM 10)

- a) Complaint against Mr Roy Rudling, ex-Councillor of Breckland Council

A Member had been very disappointed that Mr Rudling had been taken to the Board as he felt that the matter had been taken out of context.

- b) Adoption

RESOLVED that the confirmed Minutes of the Standards Committee meeting held on 30 October 2007 be adopted.

128/07 STANDARDS COMMITTEE: 14 NOVEMBER 2007 (AGENDA ITEM 11)

RESOLVED that the unconfirmed Minutes of the Standards Committee meeting held on 14 November 2007 be adopted.

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129/07 MINOR STRUCTURAL REORGANISATION (AGENDA ITEM 12)

The Chief Executive presented the report which sought Council's approval for a revised management structure for Chief Officer and Deputy Chief Officer appointments within the Council.

Following the recruitment of the Chief/Deputy Chief Executives and the Director of Transformation one of the Operational Managers' posts remained vacant and the need to restructure was essential. The vacant post offered the opportunity to rationalise the top tier of the management without the financial impact of redundancy, with responsibilities reorganised under a senior team of four, including the Chief Executive. The restructure would also offer clear lines of responsibility of what the Chief Officers were responsible for.

The restructure renamed the current Operations Managers as Strategic Directors, which was felt to be a more accurate description of their functions.

It was explained that the key change, whilst reducing the level at the top team down, in fact, introduced another senior level post, an Assistant Director.

The Chief Executive explained that the figures quoted in the report, and that were in the public domain, were not just salaries but salaries and on costs.

The Leader of the Council pointed out that agreeing these proposals would mean yearly savings for the Council.

The Executive Member for Environment was glad to support the recommendations as the new post would be responsible for driving forward the Council's "Green Agenda".

Another Member said that he had observed many adjustments of management structures over the years and had never really seen any great changes. He hoped that this proposed restructure would be more constructive. In response, and in the Council's defence, the Chief Executive informed Members that the Information Profile from the Audit Commission mentioned at the last meeting of the Council, where it had been reported that Breckland Council had been ranked 14th out of 388 authorities in terms of improvements, had since recognised Breckland Council as the fourth improved authority in the country. He also pointed to the annual saving identified in the report.

RESOLVED that

- 1) the revised management structure at Annex 1 to the report be adopted; and
- 2) the Council's Monitoring Officer be instructed to update the Council's Constitution.

130/07 LOCAL GOVERNMENT REVIEW (AGENDA ITEM 13)

The Chief Executive introduced this item and reported that, yesterday

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on the 5th December 2007, the Government had announced some of its proposals for unitary status. Some had been accepted and endorsed by the Boundary Committee. Breckland Council had now been told to “wait it out”, as there was no clarity at this stage about the implications for Norfolk following yesterday’s announcement. The Chief Executive anticipated that by 12th December 2007 the Boundary Committee would have had their consultation with the Department of Communities and Local Government (DCLG) and the situation would hopefully be much clearer.

A presentation then followed from Breckland’s Local Government Review team.

The Corporate Policy Manager advised that since the last Council meeting, the team had been working in partnership with North Norfolk, Great Yarmouth and Norwich City Council on a 3 unitary proposal. Across Norfolk 3 proposal documents had been submitted on 30 November 2007 with outline proposals as follows:

- North Norfolk DC – 1 option, 3 x unitary solution
- South Norfolk DC & Kings Lynn BC – 1 option, 4 x unitary solution
- County Council – 3 options (including County and two two-unitary options)

North Norfolk District Council’s proposal suggested a ‘Greater’ Norwich, with the rest of the county divided roughly through the middle, north-west to south-east.

The expected timetable was highlighted but Members were made aware that it could change following the previous day’s announcement.

The Opposition Leader asked the following questions:

- Why had Members not been involved in the Unitary Bid?
- Why did Breckland Council not submit its proposal?
- What was wrong with the Yarmouth and Waveney option?

In response, the Leader advised that the people who wrote the bid were officers who had been guided by Members. North Norfolk had submitted the bid, albeit that Breckland Council, Great Yarmouth Borough Council and Norwich City Council had put their names to the proposal. The ‘Yartoft’ bid, as it had been called, had not been taken forward because Breckland had been advised to keep within the Norfolk borders; however, since the government’s announcement, certain changes could be imminent which could mean that Great Yarmouth could consider a proposal with Suffolk and Kings Lynn might consider joining Lincolnshire.

Another Member asked why such an important item had not been to a Full Council meeting. In response, the Chief Executive explained that the matter had been before Full Council at the previous meeting when, because of the timetable constraints, it had been resolved that authority to promote a unitary proposal for Norfolk be delegated to the Leader (Minute No. 115/07 refers).

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A Member thought that the presentation he had witnessed today had been of a much higher quality than others that he had seen and felt that the team should be congratulated.

A copy of the presentation is attached for Members' information.

131/07 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 14)

RESOLVED that the following change of representation be noted:

Norfolk Health Scrutiny Committee

Mrs S Howard-Alpe
Substitute: Mr R G Kybird.

The meeting closed at 3.40 pm

CHAIRMAN