

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 10 April 2008 at 10.30 am in
The Anglia Room, Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr P.S. Francis (Chairman)	Mr C.R. Jordan
Mr S. Askew	Mr R. Kemp
Mrs J. Ball	Mr M.A. Kiddle-Morris
Mr S.G. Bambridge	Mr R.G. Kybird
Mr W.P. Borrett	Mr J.P. Labouchere (Vice-Chairman)
Councillor Claire Bowes	Mr K. Martin
Mr A.J. Byrne	Mrs S.M. Matthews
Mrs M.P. Chapman-Allen	Mrs K. Millbank
Mr P.D. Claussen	Mr I.A.C. Monson
Mr J.P. Cowen	Mrs L.H. Monument
Mr P.J. Duigan	Mr D.G. Mortimer
Mr M. Fanthorpe	Mr D.S. Myers
Lady Fisher	Mr J.W. Nunn
Mr P.S. Francis (Chairman)	Mr J.D. Rogers
Mr R.F. Goreham	Mr B. Rose
Councillor E. Gould	Mr F.J. Sharpe
Mr J.R. Gretton	Mr I. Sherwood
Mr M.J. Griffin	Mr W.H.C. Smith
Mr P.J. Hewett	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

Phil Daines	- Development Services Manager
Mark Finch	- Chief Accountant
Ray Johnson	- Asset Manager
Tim Leader	- Deputy Chief Executive
Joe Liggett	- Senior Leisure Manager
Andrea Long	- Environmental Planning Manager
Helen McAleer	- Member Services Officer
Mary Palmer	- Marketing & Communications Manager
Mark Stokes	- Strategic Director (Services)
Ian Vargeson	- Member Services Manager

32/08 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 21 February 2008 were confirmed as a correct record and signed by the Chairman.

33/08 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr P Balaam, Mr S Chapman-Allen, Mr R Childerhouse, Mr R Duffield, Mr T Lamb, Mrs P Quadling, Mr M Spencer and Mrs P Spencer.

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34/08 DECLARATION OF INTEREST (AGENDA ITEM 3)

The following declarations of interest were noted:

- Mr M Kiddle-Morris – Personal interest by virtue of his wife being a partner at Hood Vores & Allwood, in Development Control Committee Minute No 39/08(c).
- Mr W Smith and Mr P Claussen – Personal interest by virtue of being Non-Executive Directors of ARPT, in Cabinet Minute 46/08.
- Mr S Askew – Personal interest by virtue of having land under consideration in the LDF, in Development Control Committee Minute 27/08.
- Mr J Labouchere – Personal interest in any item concerning the LDF.
- Mr W Borrett – Personal interest by virtue of a relative having land under consideration in the LDF, in any item concerning the LDF.
- Lady K Fisher – Personal interest by virtue of her family's land holding interests, in any item concerning Thetford Growth Point Status.
- Councillor E Gould – Personal interest by virtue of relatives owning land adjacent, in Development Control Committee Minute 38/08(b).

35/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman thanked Members for their support at the preceding Military Honours Ceremony. This had been appreciated by those being honoured.

Members were reminded that following Full Council there would be two presentations and for those Members staying on lunch was to be provided. As this was his last Full Council meeting as Chairman, he had provided wine to accompany the lunch.

A list of engagements attended by the Chairman was tabled, for the period 28 February to 27 March 2008, which included:

28 February 2008	Light Dragoons at Home	Commanding Officer and Officers of the Light Dragoons
2 March 2008	Musical performance by children from East Harling, Garboldsham and Kenninghall Primary Schools	Norwich Theatre Royal's Norfolk Schools Project – Breckland Schools Project

12 March 2008	Preview of giraffe house, Banham Zoo	Mr. Martin Goymour – Zoo Director
13 March 2008	Concerts for Schools by the BBC Concert Orchestra	Breckland Council – Arts Development
14 March 2008	St. Winnold's Breakfast 2008	The Mayor of Downham Market, Councillor John Doyle
16 March 2008	Civic Service to mark the commencement of the 800 th Anniversary of the King John Charter	His Worship the Mayor of Great Yarmouth, Councillor Paul Garrod
19 March 2008	Luncheon Meeting	Harling Women's Conservative Group
27 March 2008	Civic Reception	The Chairman of South Norfolk District Council, Councillor Joe Mooney and Mrs. Catherine Mooney

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36/08 CABINET - 18 MARCH 2008 (AGENDA ITEM 5)

- (a) Vacant and Surplus Land – Options: Reference from Council Meeting (Minute No 43/08)

The Leader read a statement. He thanked the Boyd Avenue, Toftwood residents for coming forward and stating their case clearly and eloquently. Having taken legal advice following issues raised at the Cabinet meeting, three new recommendations were made.

The Leader of the Labour Party supported the three recommendations and asked that the covenant should state that the land remain as public open space in perpetuity.

He further commented that a fourth recommendation should have stated that the Council would desist from spending needless money on work that could be carried out by officers of the Council.

A Member was concerned at what would happen to the land when the covenant ran out. It was pointed out that if the covenant protected the land in perpetuity it would last forever.

Another Member mentioned the hard work being undertaken by Dereham Members behind the scenes on the Green Infrastructure Survey.

These recommendations were proposed and seconded and it was

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RESOLVED that

- (1) Boyd Avenue be removed from the programme of work;
- (2) the three pieces of land on Boyd Avenue be offered to the Town Council as open space with a suitable covenant that the land remains as public open space; and
- (3) the rest of the programme in Dereham should not take place before the Dereham Town Infrastructure Report was published in September 2008.

A representative of the residents thanked the Chairman and Members for their consideration.

- (b) Treasury Management Policy and Strategy (Minute No 44/08)

RESOLVED that:

- (1) the Prudential Indicators as Limits for 2008/09 to 2010/11 be approved;
- (2) the MRP Statement which sets out the Council's policy on MRP be approved;
- (3) the Treasury Management Strategy 2008/09 and the Treasury Prudential Indicators be approved; and
- (4) the Investment Strategy 2008/09 be approved.

- (c) Grant Funded Budgets (Minute No 45/08)

The Democratic Services Manager drew Members' attention to Appendix A to this report which had been tabled.

RESOLVED that:

- (1) the grants offered, listed at Appendix A of the report, be accepted; and
- (2) the additional budget to deliver the schemes be approved.

- (d) Pension Provision within ARP Trading Ltd (Minute No 46/08)

RESOLVED that options 4.2 and 4.3 of the report be approved and that authority be given to the relevant officers to seal the guarantee required by the Norfolk County Council scheme.

- (e) Breckland Sustainable Community Strategy (Minute No 48/08)

RESOLVED that the Sustainable Community Strategy for Breckland be adopted.

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(f) Norfolk Citizens' Panel (Minute No 49/08)

The Executive Member for Environment congratulated officers on their speedy response to problems and told Members that Breckland was hoping to enter a joint arrangement with other authorities to improve service.

(g) Annual Delivery Plans 2008/2009 (Minute No 50/08)

The Chairman pointed out that the Overview and Scrutiny Commission had made similar recommendations on the Annual Delivery and Business Plans.

RESOLVED that the Annual Delivery Plan be approved.

(h) Business Plan 2004-2010 (Minute No 51/08)

RESOLVED that the Business Plan 2008-2014 be approved.

(i) Adoption,

RESOLVED that subject to the resolution at (a) above, the unconfirmed minutes of the Cabinet meeting held on 18 March 2008 be adopted.

37/08 OVERVIEW AND SCRUTINY COMMISSION - 6 MARCH 2008
(AGENDA ITEM 6)

(a) Annual Delivery and Business Plans (Minute No 15/08)

The recommendation had been dealt with under the Cabinet Minutes.

(b) Policy Development and Review Panels (Minute No 17/08)

A Member was concerned that Minute No 17/08(b) of the Policy Development and Review Panel 3 meeting had not conveyed the strength of feeling expressed. Members had been most upset with arrangements at Thetford Healthy Living Centre for ambulance and staff parking and the lack of public transport provision.

The Chairman of Panel 3 explained that a member of Norfolk County Council staff would be attending a future meeting to discuss this ongoing issue.

(c) Adoption

RESOLVED that the unconfirmed minutes of the Overview and Scrutiny Commission held on 6 March 2008 be adopted.

38/08 DEVELOPMENT CONTROL COMMITTEE - 25 FEBRUARY 2008
(AGENDA ITEM 7A)

RESOLVED that the confirmed Minutes of the Development Control Committee meeting held on 25 February 2008 be adopted.

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**39/08 DEVELOPMENT CONTROL COMMITTEE - 17 MARCH 2008
(AGENDA ITEM 7B)**

RESOLVED that the now confirmed Minutes of the Development Control Committee meeting held on 17 March 2008 be adopted.

40/08 GENERAL PURPOSES COMMITTEE - 26 MARCH 2008 (AGENDA ITEM 8)

(a) Redundancy Policy and Compensation (Minute No 21/08)

The Leader of the Labour Party remarked upon the fact that in five pages of minutes there were nine references to the Deputy Chief Executive.

He further wondered why the Council was unable to offer staff a better redundancy package when quite recently they had been able to make an extremely high payment to a departing senior officer.

Another Member commented that he was grateful to the Chief Executive and the Deputy Chief Executive for their attendance at General Purposes Committee meetings.

(b) Adoption

RESOLVED that the unconfirmed Minutes of the General Purposes Committee meeting held on 26 March 2008 be adopted.

41/08 STANDARDS COMMITTEE - 4 MARCH 2008 (AGENDA ITEM 9)

(a) Standards Complaints: Local Filter: Terms of Reference (Minute No 12/08)

RESOLVED that the following changes to the Standard Committee's Terms of Reference be agreed:

13. *(Minor amended wording)*

"To hear any formal complaints against Members (including parish councillors) which are not within the scope of the Code of Conduct and to make recommendations to full Council or to the relevant Town/Parish Council where appropriate"

14. *To deal with any assessments, reviews, hearings or other matters relating to complaints under the Member's Code of Conduct in accordance with legislation."*

(b) Appointment of Additional Independent Member (Minute No 15/08)

RESOLVED that Mr G Ridgway be appointed as the third

independent lay Member of the Committee.

(c) Adoption

RESOLVED that the unconfirmed Minutes of the Standards Committee meeting held on 4 March 2008 be adopted.

42/08 AUDIT COMMITTEE - 20 FEBRUARY 2008 (AGENDA ITEM 10A)

RESOLVED that the confirmed Minutes of the Audit Committee meeting held on 20 February 2008 be adopted.

43/08 AUDIT COMMITTEE - 25 MARCH 2008 (AGENDA ITEM 10B)

RESOLVED that the unconfirmed Minutes of the Audit Committee meeting held on 25 March 2008 be adopted.

44/08 STRATEGIC ALLIANCE (STANDING ITEM) (AGENDA ITEM 11)

Nothing to report.

45/08 LOCAL GOVERNMENT REVIEW (STANDING ITEM) (AGENDA ITEM 12)

Nothing to report.

46/08 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 13)

RESOLVED to appoint Mr R Kybird as the Council's representative to Thetford Grammar School Charity, to replace Mr D Mortimer, who is standing down.

47/08 ORGANISATIONAL REVIEW (ADDITIONAL ITEM) (AGENDA ITEM 14)

The Deputy Chief Executive explained that this report was a request for funding required to cover a shortfall to give effect to an item already agreed.

The Council also needed to appoint an Assistant Director - Governance, who would be a qualified accountant, as part of the agreed restructure.

He said that despite the fact that it was possible that Breckland Council may cease to exist in the future, it was necessary to ensure that the staff and resources were in place in the meantime to deliver the high level of service expected.

RESOLVED that approval be given to:

- (1) vire the sum of £168,500 from the Salary Reserve to the staffing budget for the year 2008/2009;
- (2) vire salary budget between cost centres to reflect the budgeted cost of the revised structure; and

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- (3) designation of the post of Assistant Director – Governance as the Council's Section 151 Officer under the Finance Act 1988.

The meeting closed at 11.00 am

CHAIRMAN