
BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 11 May 2010 at 9.30 am in
Norfolk Room, The Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr J.W. Nunn (Chairman)	Lady Fisher
Mr W.H.C. Smith	Mrs T. Hewett
Mr S. Askew	Mr M.A. Kiddle-Morris
Mr P.D. Claussen	

Also Present

Mr J.P. Cowen	Mr W.P. Borrett
Mrs L.H. Monument	

In Attendance

Julie Britton	- Senior Committee Officer
Stephen McGrath	- Member Services Manager
Mark Finch	- Head of Finance
Mark Stokes	- Deputy Chief Executive
Trevor Holden	- Chief Executive
Kevin Rump	- ICT Project Manager
Maxine O'Mahony	- Director of Organisational Development
Kevin J Taylor	- Head of ICT
Robert Leigh	- Marketing and Communications Manager
Dominic Chessum	- Marketing & Communications Officer

Action By

42/10 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 13 April 2010 were confirmed as a correct record and signed by the Chairman.

43/10 APOLOGIES (AGENDA ITEM 2)

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

44/10 DECLARATION OF INTEREST (AGENDA ITEM 4)

Lady K Fisher declared an interest in agenda item 9 relating to potential sites in Thetford for the processing of recyclable waste.

45/10 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mrs L. Monument, Mr P. Cowen and Mr B. Borrett.

Action By

46/10 REVIEW OF COMMITTEE STRUCTURE (AGENDA ITEM 7)

The Member Services Manager presented the report which concerned a response to the request made from Full Council in November 2009 for a review of the committee structure. A number of proposals had been put forward to streamline the current decision making processes at Breckland Council.

The details of the proposals were explained and the recommendations were highlighted.

The Opposition Leader, who had tendered his apologies for this meeting, had emailed the Chairman to amplify the recommendation made from the Overview & Scrutiny Commission (O&SC) meeting held on 29th April 2010 with regard to the reduction to the committee membership. There had not been any disagreement about reducing the number of members on the Development Control Committee or the O&SC; however, such a reduction would result in both committees being comprised of 11 Conservative members and one Independent or Labour member. Though the right of the ruling Group to effect this change had been acknowledged, it was felt that morally the committees would benefit from a membership comprising ten Conservatives, one Independent and one Labour. The Commission had agreed that this would enrich the sense of democracy by allowing the alternative viewpoints of Independent and Labour to receive a voice.

The Vice-Chairman concurred with the views of the Commission. He felt that it would be unfortunate to reduce the opportunity of the Groups as they were fully entitled to put their views forward.

He disagreed, however, with the structure of the Task & Finish Groups (T&FG) – that the Chairmen should be serving members of the O&SC. He mentioned the proposal from the Executive Board meeting, where it was concurred that it should be opened up for any member to Chair such meetings. Referring to the number of T&FGs being limited to a maximum of three at any one time, he asked if the joint ARP/Scrutiny Group fell into this category.

The O&SC Chairman felt that three Groups was a good number to have. He pointed out that the LDF Group would eventually cease once the consultation period expired and the framework was adopted. He further pointed out that unanimous support had been expressed at the O&SC meeting to waive the political balance requirements.

O&SC Members had also been unanimous in agreeing that the Chairmen of the T&FGs should be drawn from sitting members of the Commission to allow for detailed questions of the Chairmen at O&SC meetings.

Speaking as a former T&FG Chairman and a former Member of the O&SC, the Executive Member for the Economic & Commercial Services Portfolio concurred with the above views.

The Chief Executive drew Members' attention to recommendation 2.3 of the report and felt that the simple insertion of the word "normally" before the wording "from within their own membership" would suffice.

Action By

The Executive Member for the Planning, Health & Housing Portfolio reminded the Cabinet that if the joint ARP/Scrutiny was classed as a T&FG and the LDF was another that would only leave scope for one more. The O&SC Chairman suggested that the ARP/Scrutiny should be separate and not be included as one of the T&FGs.

There was some discussion about the Audit Committee overseeing the ARP, and the membership of the joint ARP/Scrutiny.

It was agreed that the joint ARP/Scrutiny Group be excluded.

Referring to the Committee Membership, the O&SC Chairman felt that such a reduction to the O&SC and the Development Control Committee warranted nominated substitutes.

Options

To agree the recommendations as outlined in the report.

Not to agree (all or part of) the recommendations as outlined in the report, or to suggest alternatives for consideration.

Reasons

Members and Officers had identified a number of areas where the Political Management arrangements could be improved at Breckland. By implementing the recommendations, Breckland Council would be able to improve the effectiveness of the Scrutiny Task & Finish Groups by focusing resources on areas of importance and make better use of Member time at committees.

Failure to implement the recommendations would delay the improvement of the Political Management arrangements at Breckland Council.

RECOMMEND to Council that the following changes be made to the Political Management Structure at Breckland Council (with appropriate changes made to the Council's Constitution):

**Stephen
McGrath**

Committee Structure

1. That no changes be made to the existing Committee Structure.
2. That the number of Task and Finish Groups that can be operated by the Overview and Scrutiny Commission (OSC) be limited to a maximum of three at any one time (including the LDF Group, but excluding the Joint OSC on Shared Services and ARP).

NB: The Council's Constitution will include a clause whereby Full Council OR the Leader of the Council and Chairman of the OSC can establish a further Task Group, if the item for discussion is considered suitably expedient.

3. That, in future, the Three Task and Finish Group Chairmen be appointed by the Overview and Scrutiny Commission (normally from within their own membership) on a task by task basis rather than at the Annual Meeting of Council.

Action By

Meeting Schedule

4. That no changes be made to the 2010/11 Meeting Schedule, as agreed by Full Council on 12 November 2009.

Committee Membership

5. That committee membership is revised in accordance with the proposal in paragraph 3.2.8.
6. That, during the 2010/11 municipal year, the use of two named Conservative substitutes and one opposition substitute is trialled for appropriate committees.

47/10 CAPITAL OUT-TURN 2009-10 (AGENDA ITEM 8)

The Vice-Chairman introduced the report which set out the out-turn position of Breckland's Capital Programme for 2009/10. It also showed the out-turn on capital schemes in the 2009/10 Capital Programme along with the resources to fund the Programme.

He explained that there had been issues concerning the carry-over in terms of ICT, therefore, Officers had carried out further work on this matter and an additional paper had been produced which was circulated. This paper had been prepared to provide a greater level of information and granularity of the areas of spend for Capital so that Members and Officers were clear as to where Capital funds would be directed in 2010/11.

It was pointed out that the ICT Strategy had not been set in stone and would be continually developed particularly in regard to shared services, and there would be demands on the ICT budget, therefore, a degree of flexibility would be required.

The Head of ICT provided Members with an explanation of the suggested carry forwards. This would enable the Council to keep on an even keel when it eventually merged with South Norfolk. He pointed out that the Business Improvement Sub-Committee had managed to tease out a number of projects that would not have benefited the Council.

The Head of Finance highlighted the tables in section 2 of the report which showed how much the approved budget had changed. He explained that it was intended to prepare the statements of accounts based on these figures subject to the auditor's agreement.

Section 4 of the report covered the variations to the 2010/11 Capital Programme.

The Chairman was happy for the report to be recommended to Council.

The Vice-Chairman, the Head of ICT and the ICT Project Manager were thanked for all their hard work.

Action By

Options

Members may wish to suggest alternative arrangements for amendments and associated financing of the 2009/10 Capital Programme.

Reasons

The recommendations would ensure the Capital Programme for 2009/10 was amended along with the necessary funding.

RECOMMEND to Council that:

- 1) the Capital programme for 2010/11 and associated financing be amended to reflect the items under paragraphs 4.1 and 4.2 of the report; and
- 2) funding as detailed in Appendix B of the report to finance the Capital programme for 2009/10 be approved.

**Mark
Finch**

**48/10 EXTENSION OF THE MATERIAL RECYCLING FACILITY (MRF)
CONTRACT WITH NORFOLK ENVIRONMENTAL WASTE SERVICES
(AGENDA ITEM 9)**

The Executive Member for the Environmental Well-Being and Customer Contact Portfolio presented the report which advised Members of the options for the extension of the Eastern Shires Purchasing Organisation (ESPO) contract that Council had with Norfolk Environmental Waste Services (NEWS).

Members' attention was drawn to paragraphs 3.15.4 and 3.15.5 of the report which provided the detail behind the preferred option.

The Chief Executive felt it to be inappropriate to go through an EU procurement exercise at this time; what was important for all involved was to reduce the amount waste to landfill.

The Vice-Chairman felt that one of the problems that Breckland had with its recycling was that it did not collect glass. He asked if the service could be expanded to include glass and more plastic material.

Members were informed that plastics were too variable and equally the operators did not, at the moment, have the ability to co-mingle glass. These would be some of the matters that would be looked at with the extension of the contract.

Councillor B. Borrett highlighted bullet point four of paragraph 3.15.7 of the report. He thought that the Council should re-consider putting all plant improvements on hold during the three year extension period and asked if this could be made more flexible.

It was noted that the word "contract" should be inserted after the wording "extension to the current....." in the recommendation at paragraph 2.1 of the report.

Options

Action By

- 1) Terminate the contract at the end of March 2011.
- 2) Agree to extend the contract for a further five years, with the potential to extend beyond this for a further 12 years.
- 3) Agree to extend the contract for three years, with the potential to extend beyond this for a further 14 years, but with an option to allow renegotiation at the end of the three year extension.

Reasons

See report.

RECOMMEND to Council that:

- 1) the existing Eastern Shires Purchasing Organisation (ESPO) contract with Norfolk Environmental Waste Services (NEWS) be varied in order to enable a three year extension to the current contract under the current terms and conditions from April 2011, and that a review by partner councils take place to conclude by October 2012 to decide the long term arrangements for MRF provision; and
- 2) the existing ESPO contract be varied by changing the current additional extension arrangements in order to enable, if appropriate, an extension beyond the proposed three year extension by a further 14 years. Such an extension would be subject to both the outcome of the contract review, and to the negotiation of satisfactory terms during the three year extension period, or otherwise to terminate the contract in March 2014.

**Roger
Wilkin**

49/10 SOCIAL MEDIA POLICY (AGENDA ITEM 10)

The report provided information that would enable Members to discuss and decide whether to approve the Council's new Social Media Policy.

The Marketing & Communications Officer pointed out that the same report would be presented to the Local Joint Consultative Committee meeting on 20 May 2010. He wanted this Policy to have longevity and to have a *broad-brush* approach.

A presentation was provided.

The Policy at Appendix A of the report set out in detail how the Council would present itself in the social media sphere and how staff should act when using it.

It was noted that the Social Media Policy applied only to Officers of the Council. Elected Members could use it as guidance but were ultimately bound by the Code of Practice/Conduct and were reminded of the relevant disciplinary rules and procedures. Three training programmes on social media had been arranged for all Councillors to attend.

The Cabinet was informed that Spider Solutions had since been appointed as the Council's website developer.

Action By

The Vice-Chairman agreed with the aforementioned comments made by the Marketing & Communications Officer, the Council needed a policy that could not only be controlled but be flexible enough to cope with the rapidly changing world of social media. He had, however, grave concerns about Members and whether they would be provided with the right guidance and protection.

In response to a question about whether there would be any costs attached to the monitoring side of the website, Members were informed that the Council was about to sign up to a social media monitoring tool.

The Executive Member for the Communities and Benefits Portfolio felt that social media would be of more benefit to the public than to the Council and it was agreed that the recommendation be changed to reflect this.

It was further agreed that a progress report be presented to the Overview & Scrutiny Commission in six to nine months time.

Option 1- recommended

The Council agrees to the adoption of the Social Media Usage Policy and the guidelines for staff.

The Council continues with the development of its Social Media Strategy as set out in the Digital and Social Media Development report.

Option 2

The Council chooses not to adopt the Social Media Usage Policy and guidelines for staff.

The Council continues with the development of its Social Media Strategy as set out in the Digital and Social Media Development report accepting the increased risks that this involves.

Reasons

Without this Policy in place it was arguable whether the Council should develop a social media presence as the risks this would present would be greatly increased.

Not only would staff not have a clear idea of what their permitted rights and responsibilities were but there was also the risk of the Social Media Strategy failing because of lack of consistency in message and presence and the loss of strong identity that inevitably accompanied this.

The Council would also be unable to adequately control what platforms it was on and what messages were put out in emergencies or when issues arose such as purdah.

RESOLVED that the Council's new Social Media Policy which sets out guidelines for how both the Council and its staff will use social media for the benefit of Breckland be approved.

**Dominic
Chessum**

Action By

**50/10 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION
(AGENDA ITEM 11)**

(a) Attleborough Car Parking Review

The Overview & Scrutiny Commission Chairman praised the Officers and Members involved in the Attleborough Parking Review. He felt that this review had been a very good piece of work that was carried out effectively and had been managed in a very positive and constructive manner. Meetings had been held at appropriate times and venues so that non-one had been left out.

The evidence base that had been gathered had been very sound indeed and he urged the Cabinet to take this on board as it showed how well the Scrutiny function worked.

The Chairman congratulated Councillor S. Matthews for doing such a magnificent job in Chairing this Task & Finish Group and for how well this review had been conducted. He proposed that the 17 recommendations be taken en-bloc.

The Executive Member for the Economic and Commercial Services Portfolio suggested that the seventh recommendation should be removed as he was sure that the Police was no longer involved in on-street enforcement.

The Vice-Chairman, although in strong support of the recommendations, felt that the report lacked information on any costs that might be involved. The Council would have to watch its funding streams particularly if the Government settlements became much more restrictive. He pointed out that West Norfolk charged for its car parking and suggested that Breckland should consider this option in future.

It was agreed that the report did lack financial information and a time line, and it was proposed and seconded that the recommendations be accepted subject to the appropriate Officers providing a report to Cabinet on costs to the Council within three months.

Options

N/A

Reasons

N/A

RESOLVED that the recommendations as listed below be approved, in principle, subject to the appropriate Officers providing a report to Cabinet on costs to the Council within three months:

- 1) the Council retains its policy of providing free parking in all three Breckland-owned car parks in Attleborough;
- 2) the Council adopts parking orders to cover all three Breckland-owned car parks in Attleborough stipulating uses and prohibitions

**Mark
Broughton**

Action By

- based on the parking orders made in 1995 in order to regulate car park use, facilitate enforcement and thus turnover of spaces;
- 3) the Council undertakes in the first instance to seek an agency agreement with Attleborough Town Council to provide enforcement in Attleborough on a similar basis to the existing agreement operating in Swaffham. In the event that a partnership with Attleborough Town Council is not forthcoming, to then explore other agencies or options for enforcement accordingly;
 - 4) the Council adopts a three hour limit in short term parking orders applicable in Attleborough with a basic default fine levied of at least £30 (given that the equivalent fines at J Sainsbury is £50 and £70 at Lidl);
 - 5) the Council create short and long term parking areas within all three Attleborough car parks on the basis of 50:50 at Edenside with 100% short stay in Horse Pit and two thirds short stay, one third long stay in Queens Square. This recommendation would result in 123 short-stay spaces and 64 long-stay spaces in Breckland's car parks;
 - 6) **J Sainsbury Ltd take appropriate action to effectively manage staff parking at their store, while acknowledging that imposition of enforceable short term parking orders should largely resolve this issue from the Council's point of view, and encourage staff to park at Connaught Hall, further to the local agreement which is in place;*
 - 7) **Norfolk Constabulary resumes operational random on-street enforcement in the centre of Attleborough at an early opportunity in order to increase turnover of parking spaces;*
 - 8) Breckland Council, Norfolk County Council and Norfolk Constabulary liaise over de-criminalisation of on-street parking in Attleborough in a multi-agency approach, seeking a transfer of responsibility and action enabled through joined-up thinking and use of resources;
 - 9) the Council instructs Breckland officers to explore possible re-design of the Queens Square car park to generate additional parking spaces, whilst cognisant of costs and planning considerations;
 - 10) the Council instructs Breckland senior officers to liaise directly with officials of National Express East Anglia, Norfolk County Council and Network Rail to be apprised of the expected expansion of the rail station car park. The rail operator is also requested to give immediate attention to the condition of its buildings in the vicinity of the rail station given the potential health and safety issue;
 - 11) the Council instructs senior officers to liaise with Norfolk County Council to ascertain whether there is a possibility of utilising the land behind the adult training centre in Station Road as a car park, on either an interim or permanent basis, thus adding local parking capacity;

Action By

- 12) the Council allocates sufficient funding and authorises remedial works at Horse Pit and Edenside to bring these car parks up to a reasonable standard;
- 13) the Council keeps the issue of interactive sign provision under review, in tandem with the expansion of Attleborough over the next 16 years and tied in to the planning process.;
- 14) **Norfolk County Council undertake further local promotion and advertising of both the Harling and Wayland flexibus services in order to try to increase patronage and in doing so ease local parking problems;*
- 15) should there be scope to do so, the Council should look to address provision of adequate parking for future developments in town centres (particularly in relation to flats) by amending its planning policies accordingly;
- 16) permit parking schemes should not be sought at present in Attleborough but that the issue remain under review, in conjunction with the future ongoing development of the town; and
- 17) an action plan be devised in order to track implementation of the recommendations and report progress into the Overview and Scrutiny Commission in December 2010.

**Recommendation (6) is directed at J Sainsbury Ltd, Recommendation 7 is directed at Norfolk Constabulary and Recommendation 14 is directed at Norfolk County Council.*

(b) Review of Committee Structure

See Minute No. 46/10 above.

51/10 BUSINESS IMPROVEMENT SUB-COMMITTEE: 6 APRIL 2010
(AGENDA ITEM 12)

RESOLVED that the Minutes of the Business Improvement Sub-Committee meeting held on 6th April 2010 be adopted.

52/10 NEXT MEETING (AGENDA ITEM 13)

It was noted that the next meeting of the Cabinet would be held on Tuesday, 8 June 2010 at 9.30am.

53/10 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 14)

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 disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act.

Action By

54/10 PROCUREMENT OF HOUSING MANAGEMENT AND HOUSING SUPPORT SERVICES FOR JOHN ROOM HOUSE, THETFORD (AGENDA ITEM 15)

The Principal Officer for Housing Advice and Homelessness presented the report which sought Members' approval to appoint a contractor for housing management services at John Room House in Thetford.

The preferred contractor had demonstrated the ethos that the Council was looking for.

Options

- 1) To accept the recommendation for the successful bidder to be appointed as housing management contractor for John Room House.
- 2) To reject the recommendation in favour of another bidder.
- 3) To retain management of John Room House 'in house' at the Council.

Reasons

It is believed that the successful bidder is the most suitable contractor for the role because they exhibit good value for money, high quality and a reasonable contract price.

If the Council chooses to reject the recommendation in favour of another bidder, it will create a situation in which two separate organisations are providing housing management services and housing support services respectively at the scheme, losing the benefits listed in paragraph 3.2.2 of the report. It is also likely to trigger a further invitation to tender as all bidders submitted tenders on the basis that they would be performing both roles.

If the Council chooses to retain management 'in-house' at the Council, it will create the same issues as favouring another bidder in terms of the split responsibilities.

RESOLVED that the successful bidder be appointed for the contract provision of housing management services at John Room House for three years in the first instance at an annual value as highlighted in the report.

John Walker

The meeting closed at 10.40 am

CHAIRMAN