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**BRECKLAND COUNCIL**

**At a Meeting of the**

**COUNCIL**

**Held on Thursday, 24 June 2010 at 10.30 am in the**  
**Anglia Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mr S. Askew	Mr R.G. Kybird
Mrs J. Ball	Mr J.P. Labouchere
Mr W.P. Borrett	Mr T.J. Lamb
Councillor Claire Bowes	Mr K. Martin
Mr A.J. Byrne	Mrs S.M. Matthews
Mrs M.P. Chapman-Allen	Mr I.A.C. Monson
Mr R.P. Childerhouse	Mrs L.H. Monument (Chairman)
Mr P.J. Duigan	Mr D.G. Mortimer
Lady Fisher	Mr D.S. Myers
Mr P.S. Francis	Mr J.D. Rogers
Mr K.S. Gilbert	Mr S. J. F. Rogers
Mr R.F. Goreham	Mr F.J. Sharpe
Councillor E. Gould	Mrs P.A. Spencer
Mr J.R. Gretton	Mr A.C. Stasiak
Mrs T. Hewett	Mrs A.L. Steward
Mr A.P. Joel	Mrs L.S. Turner
Mr C.R. Jordan	Mr N.C. Wilkin (Vice-Chairman)
Mr M.A. Kiddle-Morris	

**In Attendance**

Julie Britton	- Senior Committee Officer
Dominic Chessum	- Marketing & Communications Officer
Sheila Cresswell	- Committee Officer
Phil Daines	- Development Services Manager (Capita Symonds for Breckland Council)
Diana Dring	- Committee Officer
Robert Leigh	- Assistant Director, Communications and Communities
Helen McAleer	- Senior Committee Officer
Stephen McGrath	- Member Services Manager
Maxine O'Mahony	- Director of Organisational Development
Mark Stanton	- Head of Economic Development
Mark Stokes	- Interim Chief Executive
Robert Walker	- Director - Community Services

**78/10MINUTES - 13 MAY 2010 (AGENDA ITEM 1)**

- a) Annual Appointment of the Leader, Deputy Leader, Committees, Groups and Other Representatives and Chairmen and Vice-Chairmen 2010-2011 (Minute No. 56/10)

The Chairman pointed out that with regard to the Staff Appointments Panel (as listed on page 19 of the Appendix to those Minutes), "Mrs T Hewett" should read "Mr A. Stasiak".

**Action By**

**Action By**

- b) Former Anchor Hotel and Adjacent Car Park and Bus Station, Thetford (Minute No. 73/10)

The Chairman pointed out an anomaly in the quoted text at paragraph 3, whereby the passage in brackets should read: "... (i.e. Breckland Council would be obligated to buy back at the same figure that it sold the property for)."

- c) Minutes

Subject to these amendments, the Minutes of the meeting held on 13 May 2010 were agreed as a correct record and signed by the Chairman.

**79/10 MINUTES - 8 JUNE 2010 (AGENDA ITEM 2)**

- a) Attendance and Apologies

It was noted that Mr A. Joel and Mr A. Byrne had been present for this meeting and that Mr N. Wilkin and Mr C. Jordan had sent their apologies.

- b) Minutes

Subject to these amendments, the Minutes of the Extraordinary meeting of the Council held on 8 June 2010 were agreed as a correct record and signed by the Chairman.

**80/10 APOLOGIES (AGENDA ITEM 3)**

Apologies for absence were received from Mr P. Balaam, Mr G. Bambridge, Mr S. Chapman-Allen, Mr P. Claussen, Mr P. Cowen, Mr R. Duffield, Mr M. Fanthorpe, Mr M. Griffin, Mrs D. Irving, Mr R. Kemp, Mrs K. Millbank, Mr W. Nunn, Mrs P. Quadling, Mr B. Rose, Mr I. Sherwood, Mr W. Smith, Mr M. Spencer and Mr D Williams JP.

Mrs J. Jenkins, Chairman of the Standards Committee, also sent her apologies for this meeting.

**81/10 DECLARATION OF INTEREST (AGENDA ITEM 4)**

Mr W. Borrett Declared a personal interest in the Moving Thetford Forward Board Minutes No. 23/10 (Academy/Thetford Forum), as a Cabinet Member for Norfolk County Council.

**82/10 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 5)**

The Chairman highlighted the Garden Party at Buckingham Palace as being particularly memorable among her first set of formal engagements.

**Action By**

**Engagements List – Chairman**  
**13<sup>th</sup> May, 2010 – 23<sup>rd</sup> June, 2010**

<b>Date</b>	<b>Event</b>	<b>Host</b>
14 <sup>th</sup> May, 2010	Civic Reception	Mayor of Watton Town Council and Consort, Councillor Margaret Holmes and Mr. David Beeken
16 <sup>th</sup> May, 2010	Civic Service	The Worshipful the Mayor of King's Lynn and West Norfolk
20 <sup>th</sup> May, 2010	Civic Dinner for the outgoing Mayor of St. Edmundsbury, Councillor Mrs. Patricia Warby	Councillor Ian Houlder
27 <sup>th</sup> May, 2010	Long Service Certificate for Magistrates Presentation and reception	Advisory Committee on the Justices of the Peace for the County of Norfolk
4 <sup>th</sup> June, 2010	Visit by His Excellency Mr. Antonia Santana Carlos, Portuguese Ambassador to the Court of St. James	Breckland Council
4 <sup>th</sup> June, 2010	Summer Reception	Colonel Jay Silveria, Commander 48 <sup>th</sup> Fighter Wing, RAF Lakenheath
6 <sup>th</sup> June, 2010	Service in celebration of voluntary service in Norfolk	Lord-Lieutenant
9 <sup>th</sup> June, 2010	Annual General Meeting	Norfolk Older Person's Forum
10 <sup>th</sup> June, 2010	Active Norfolk Youth Games 2010	Active Norfolk and Competition Team
17 <sup>th</sup> June, 2010	Showcase of Postgraduate Research Employers' Reception	Vice-Chancellor of the UEA, Professor Edward Acton
18 <sup>th</sup> June, 2010	Homecoming Parade of the Royal Anglian Regiment followed by civic lunch	The Lord Mayor of Norwich (Councillor Tom Dylan), The Sheriff (Derek James) and the Chairman of Norfolk County Council (Councillor Tony Tomkinson)

**Action By**

20 <sup>th</sup> June, 2010	Annual Civic Service of Celebration	Lord Mayor Designate Councillor Tom Dylan and Sheriff Designate Derek James
21 <sup>st</sup> June, 2010	Flag Raising Ceremony and Cheque Presentation	Breckland Council
22 <sup>nd</sup> June, 2010	Buckingham Palace Garden Party	

**Engagements List – Vice-Chairman**  
**13<sup>th</sup> May, 2010 – 23<sup>rd</sup> June, 2010**

<b>Date</b>	<b>Event</b>	<b>Host</b>
20 <sup>th</sup> May, 2010	Civic Dinner for the outgoing Mayor of St. Edmundsbury, Councillor Mrs. Patricia Warby	Councillor Ian Houlder
13 <sup>th</sup> June, 2010	Annual Civic Service	Mayor of Dereham, Councillor Robert Hambidge
21 <sup>st</sup> June, 2010	Annual Meeting of the West Norfolk, King's Lynn & Wisbech Branch of the NSPCC	West Norfolk, King's Lynn & Wisbech Branch of the NSPCC

At the Chairman's invitation, and in acknowledgement that it was the Chief Executive's last appearance at a Council meeting before his departure at the end of the week, the Deputy Leader then took the opportunity to give a short farewell speech.

He said that Mr Holden would be much missed by both Officers and Members. It had been a difficult period for the authority during the three years that Mr Holden was here. However, much had been achieved and he would be a hard act to follow. The Deputy Leader expressed his thanks, on behalf of the Council and also the residents of Breckland, and wished Mr Holden good luck for the future.

The Leader of the Labour Group concurred, adding that he had found Mr Holden to be unfailingly courteous, helpful and approachable in what was acknowledged to be an extremely difficult role. Mr Holden had also been an excellent Returning Officer, impartial and fair, and he would indeed be much missed.

Speaking on behalf of all the other Members, Councillor Ann Steward took the opportunity to add their thanks and goodwill. Mr Holden had met the various challenges during his term of office with measured responses, as well as humour. He was also highly respected in the wider community.

**Action By**

In response, Mr Holden thanked everyone for their good wishes. It had been an enormous privilege to serve the people of Breckland for the past three years. He was proud of Breckland, especially those working for the Council, but, not least, he was proud of Breckland Council's desire to challenge the status quo and the long-running government model, for all the right reasons. Breckland Council was held in high regard – a fact borne out by the breadth and depth of interest in the forthcoming job vacancy. He spoke of the unstinting and unswerving support of the Officers to Members, and the desire not to compromise service delivery to the wider community.

He would keep in touch and felt confident that Breckland Council would rise to meet the challenges of any future local government restructuring and the forthcoming Spending Review.

**83/10 APPOINTMENT OF REGISTRATION OFFICER AND RETURNING OFFICER (AGENDA ITEM 6)**

The Chief Executive explained that in order to comply with the Representation of the People Act (Sections 8, 28 and 35), the Council needed to formally appoint a Returning Officer and Electoral Registration Officer. These appointments usually come under the remit of the Chief Executive, but as he was shortly due to leave Members needed to ensure the statutory obligation was fulfilled.

**RESOLVED** that Mark Stokes be appointed as Returning Officer and Electoral Registration Officer with effect from 25 June 2010.

**84/10 STAFF APPOINTMENTS PANEL: 21 JUNE 2010 (AGENDA ITEM 6 (I))**

The Chief Executive gave a verbal update to Members, reminding them that at Extraordinary Meeting of Council on 8 June, they had agreed that the two vacant Director posts under the proposed new management structure would, in the first instance, be open to internal recruitment.

He confirmed that interviews had subsequently taken place and, as the Staff Appointments Panel had authority to appoint at that level, he was pleased to announce that Maxine O'Mahony had now been appointed as the Director of Corporate Resources and Robert Walker as Director of Community Services.

He then said that in the interregnum between the departure of the current Chief Executive and the appointment of his successor (which would be undertaken via an external recruitment process), the Staff Appointments Panel had recommended that the current Deputy Chief Executive be invited to take on this role on an interim basis.

**RESOLVED** to appoint Mark Stokes as Interim Chief Executive with effect from Monday, 28 June 2010, until the appointment of a new Chief Executive to the Council.

Mr Stokes then spoke briefly, saying that he was proud and honoured to take on the role of Chief Executive on an interim basis. He

thanked Members for their support and commitment, as well as personally thanking the current Chief Executive for his help and guidance over the past few years.

He said that the forthcoming Spending Review would undoubtedly have an impact here, as on all Local Authorities, but he added that he and the new management team were committed to ensuring that Breckland Council remained at the forefront of innovation, providing high performance services and the best possible value for money for Breckland residents.

**85/10 CABINET MINUTES - 11 MAY 2010 (AGENDA ITEM 7)**

a) Capital Out-Turn 2009-2010 (Minute No. 47/10)

**RESOLVED** that:

- (i) 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
- (ii) funding as detailed in Appendix B of the report to finance the Capital programme for 2009/10 be approved.

b) Extension of the Material Recycling Facility (MRF) Contract with Norfolk Environmental Waste Services (Minute No. 48/10)

**RESOLVED** that

- (i) 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
- (ii) 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.

c) Adoption

**RESOLVED** that the Minutes of the Cabinet meeting held on 11 May 2010 be adopted.

**Action By**

**86/10 CABINET MINUTES - 8 JUNE 2010 (AGENDA ITEM 9)**

**Action By**

a) Dereham Memorial Hall (Minute No. 60/10)

The Leader of the Labour Group commended Cabinet for their support of this flagship project, which he believed offered huge potential, not only for Dereham and Breckland, but also mid-Norfolk and further afield. It would be a splendid arts/leisure complex. He understood that the contractor had been announced and that work was shortly to get underway. He thanked the Council for their support in helping to bring this project forward.

An Independent Member concurred, adding that whilst Breckland Council had a good reputation for supporting village projects, he hoped that support given to the Dereham Memorial Hall boded well for similar projects in other Breckland towns.

The Chairman agreed, adding that the Memorial Hall would be of enormous value and the project was now moving forward fast.

b) Request for the Release of a Restrictive Covenant at Sandy Lane, Dereham (Minute No. 62/10)

The Leader of the Labour Group commented on the Resolution to release the Restrictive Covenant at nil consideration. This would enable the redevelopment of the site to accommodate two new flats for affordable housing. He felt that there was a fine balance between the acknowledged need for social housing, against understandable sensitivities about filling spaces in and around already established estates. He therefore sought assurance from the Deputy Leader that there would be correct scrutiny by the Council before any further Restrictive Covenants were waived.

In response the Deputy Leader pointed out that:

- i) every application was considered on its merits;
- ii) the new Government was clamping down on 'garden grabbing';
- iii) there was a huge housing need, albeit the proposed distribution throughout the District needed to be dealt with in a sensitive way;
- iv) the Ward Rep was in favour of the Sandy Lane proposal; and
- v) the Cabinet needed to be mindful of obtaining the best value for money. In this respect, there would be other small areas of land where it may well prove sensible to proceed along the same route.

The Chairman added that Ward Representatives were always consulted about such pockets of land and had the opportunity to liaise closely with the Planning Department. She agreed that there was a fine balance to be considered in such cases.

**Action By**

c) Brecks Countryside Project – Memorandum Agreement  
(Minute No. 63/10)

A Member said that he had hoped that this matter could have been brought before Council for a Resolution at this meeting. This had been postponed from the Cabinet meeting on 8 June, but would definitely be considered at their next meeting in July, and hence taken to Council in August if additional funds outside of budget are required.

The project, which had been running for over 18 years, had already contributed much towards the Brecks environment and also helped sustain economic tourism in the District. There was much further potential too.

However, urgent and renewed support from Breckland Council would be vital for its future - not just financially, but also via active partnership contributions in the form of knowledge and expertise.

Another Member fully endorsed these comments, adding that in his view Breckland had dragged its feet in the past. This was a very worthwhile undertaking, meriting strong support.

Noting these comments, and the hope that this would progress urgently, the Chief Executive confirmed that he would ensure that this matter would appear before the July Cabinet meeting. He added a note of caution though that if the report sought to use additional funding, then this might not actually be in the budget. If that were the case, then Cabinet would need to recommend this additional expenditure to Council.

A Member then queried why, if this was an acknowledged Partnership project, allowance had not been made in the budget.

The Chief Executive said that he had used his words cautiously: "If there was no provision in the budget...". If there was not, then the decision to spend the money could not be taken at July's Cabinet meeting: it would be necessary to make a recommendation up to Council for a decision in August.

There was some dispute over exactly how helpful Breckland Council had been with regard to the project. The Deputy Leader defended the Council's record, saying that Breckland Council had been extremely generous to the cause over the years. However other Members felt that the Council had dragged its feet and it had taken far too long to resolve this funding issue.

d) Adoption

**RESOLVED** that the unconfirmed Minutes of the Cabinet meeting held on 8 June 2010 be adopted.



**Action By**

**87/10 OVERVIEW AND SCRUTINY COMMISSION - 27 MAY 2010  
(AGENDA ITEM 9)**

**RESOLVED** that the unconfirmed Minutes of the Cabinet meeting held on 8 June 2010 be adopted.

**88/10 DEVELOPMENT CONTROL COMMITTEE - 10 MAY 2010 (AGENDA  
ITEM 10)**

**RESOLVED** that the Minutes of the Development Control meeting held on 10 May 2010 be adopted.

**89/10 DEVELOPMENT CONTROL COMMITTEE - 2 JUNE 2010 (AGENDA  
ITEM 11)**

**RESOLVED** that the unconfirmed Minutes of the Development Control meeting held on 2 June 2010 be adopted.

**90/10 GENERAL PURPOSES COMMITTEE - 12 MAY 2010 (AGENDA  
ITEM 12)**

**RESOLVED** that the unconfirmed Minutes of the General Purposes Committee meeting held on 12 May 2010 be adopted.

**91/10 APPEALS COMMITTEE - 28 APRIL 2010 (AGENDA ITEM 13)**

**RESOLVED** that the Minutes of the Appeals Committee meeting held on 28 April 2010 be adopted.

**92/10 APPEALS COMMITTEE - 26 MAY 2010 (AGENDA ITEM 14)**

**RESOLVED** that the unconfirmed Minutes of the Appeals Committee meeting held on 26 May 2010 be adopted.

**93/10 STANDARDS COMMITTEE - 27 APRIL 2010 (AGENDA ITEM 15)**

In the absence of the Chairman, Mr F.Sharpe presented these Minutes.

**RESOLVED** that the Minutes of the Standards Committee meeting held on 27 April 2010 be adopted.

**94/10 STANDARDS COMMITTEE - 1 JUNE 2010 (AGENDA ITEM 16)**

In the absence of the Chairman, Mr F. Sharpe presented these Minutes.

**RESOLVED** that the unconfirmed Minutes of the Standards Committee meeting held on 1 June 2010 be adopted.

**95/10 MOVING THETFORD FORWARD BOARD - 29 APRIL 2010  
(AGENDA ITEM 17)**

a) Academy/Thetford Forum (Minute No. 23/10)

A Member pointed out that there was a great deal of

**Action By**

contention in Thetford, not about the presence of an Academy or Forum itself, but concerning the proposed location. He argued that there was an overwhelming local view against this site, and wondered if it would be possible for the Council to consider the compulsory purchase of an alternative piece of land. He felt that there were huge sensitivities involved, with the majority of people inside the town feeling that those from the outside were prevailing. He also added that previous talk about the 'rebirth of Thetford Town Centre' should be revisited, and that this project should not be considered in isolation. The proposed land sale was conditional upon the Forum project going ahead on that site.

In response another Member took issue with the statement that the vast majority of Thetford residents opposed this site. The project was subject to a six week formal consultation period which was currently underway. He added that, so far, there had been no representations from the youth of the town and this project would be a much needed facility benefitting future generations in Thetford.

The Chairman reminded Members that the debate was still underway and there was time for further input.

The Chief Executive concurred, but added that with respect to the transfer of land, the decision had already been taken at the Council meeting held on 13 May 2010. Members would also be aware that this was an opportunity for significant inward investment in to the town.

Another Member brought up the concerns of many local residents about the proposed relocation of the bus station. This had been considered back in 2004, in consultation with Norfolk County Council and with the benefit of some EU funding, since the current one had been considered inadequate to cope with the larger modern coaches.

b) Financial Report (Minute No. 25/10) – Harling Path Improvements

A Member registered concern that the Council had declined to take any responsibility for this part of the tow path along a very attractive part of the riverbank. It was another contentious matter in Thetford and he felt that the Council were shirking a responsibility which they had inherited many years ago.

The Chief Executive intervened to explain that there had since been a further meeting of the Moving Thetford Board, at which this matter had been discussed. The recommendation taken to that meeting (i.e. to progress this further, along with Norfolk County Council), had been passed at the personal request of the Leader of the Council. However, he added that this might come under further scrutiny pending the impact of the autumn Spending Review on this type of project.

The Member concerned therefore withdrew his criticism of the

Council on this matter.

c) Adoption

**RESOLVED** that the unconfirmed Minutes of the Moving Thetford Forward Board meeting held on 29 April 2010 be adopted.

**96/10 YOUTH COUNCIL MINUTES - 17 MAY 2010 (FOR INFORMATION)**  
**(AGENDA ITEM 18)**

The Minutes of the Breckland Youth Council meeting held on 17 May 2010 were noted.

**97/10 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA**  
**ITEM 19)**

Mr K. Gilbert (Independent) explained as the nature of his work meant that he was unable to be flexible at very short notice, it would be impractical for him to be considered as a Substitute Member of any Committee.

The Leader of the Labour Group said that as there were only three Labour and three Independent Members available to potentially act as substitutes it would be impractical for them to try to cover all the slots listed. Therefore, in the interests of common sense, and to ensure that important work was not affected, he signalled that he would be happy for these slots to be covered by Conservative colleagues wherever practical.

The Chairman thanked him for his helpful approach and Conservative Members agreed to look again at the issue of substitute Committee Membership.

**Action By**

**Councillor  
Adrian Stasiak**

The meeting closed at 11.35 am

CHAIRMAN