

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 25 October 2007 at 10.30 am in
The Anglia Room, Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr P.S. Francis (Chairman)	Mr R. Kemp
Mr S. Askew	Mr M.A. Kiddle-Morris
Mr G.P. Balaam	Mr R.G. Kybird
Mrs J. Ball	Mr J.P. Labouchere (Vice-Chairman)
Mr S.G. Bambridge	Mr K. Martin
Councillor Claire Bowes	Mrs S.M. Matthews
Mr A.J. Byrne	Mrs K. Millbank
Mr P.D. Claussen	Mr I.A.C. Monson
Mr J.P. Cowen	Mrs L.H. Monument
Mr R.W. Duffield	Mr D.G. Mortimer
Mr P.J. Duigan	Mr D.S. Myers
Lady Fisher	Mr J.W. Nunn
Mr K.S. Gilbert	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
Mrs T. Hewett	Mrs P.A. Spencer
Mrs S.R. Howard-Alpe	Mr A.C. Stasiak
Mrs D.K.R. Irving	Mrs A.L. Steward
Mr A.P. Joel	Mr N.C. Wilkin
Mr C.R. Jordan	

In Attendance

John Chinnery	- Solicitor & Standards Consultant
Julie Britton	- Committee Services Officer
Mary Palmer	- Marketing & Communications Manager
Trevor Holden	- Chief Executive
Tim Leader	- Deputy Chief Executive
Ian Vargeson	- Democratic Services Manager
Ray Johnson	- Acting Operations Manager (Commercial Services)
Keith Stevens	- Acting Business Transformation Director
Mark Stokes	- Operations Manager (Cabinet Office)

109/07 MR W MATHEWS

A minute's silence was held in memory of Wilf Mathews, former Councillor and Chairman of the Council.

110/07 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 20 September 2007 were confirmed as a correct record and signed by the Chairman.

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111/07 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr B Borrett, Mrs M Chapman-Allen, Mr S Chapman-Allen, Mr R Childerhouse, Mr M Fanthorpe, Mr P Hewett, Mr T Lamb, Mrs P Quadling, Mr M Spencer, Mrs L Turner and Mr D Williams.

112/07 DECLARATION OF INTEREST (AGENDA ITEM 3)

The following declarations of interest were noted:

- Mr R Kybird – personal interest as recorded under Minute No. 50/07 of the Policy Development and Review Panel 1 meeting of 30 August 2007.
- Mr P Cowen – personal interest as recorded under:
 - Minute No. 111/07 of the Cabinet meeting of 9 October 2007,
 - Minute No. 93/07 of the Overview and Scrutiny Commission meeting of 27 September 2007; and with regard to
 - Minute No. 151/07 of the Development Control Committee meeting held on 24 September 2007.
- Lady Fisher – personal interest in Minute No. 96/07 of the Council meeting held on 20 September 2007 and Minute No. 99/07(b) of the Overview and Scrutiny Commission meeting held on 27 September 2007. The nature of her interest related to the ownership of land in the Thetford area.
- Mr Bambridge and Mr Rogers – personal interests as recorded under Minute No. 99/07(a) of the Overview and Scrutiny Commission meeting held on 27 September 2007 and anything else recorded in the Minutes that related to the Local Development Framework.
- Mr Claussen – personal interest in Minute No. 99/07(d) of the Overview and Scrutiny Commission meeting held on 27 September 2007 by virtue of him being a non-executive director of the ARP.
- Mr Duigan – declared a prejudicial interest as recorded under Minute No. 160/07 of the Development Control Committee held on 15 October 2007.
- Mr Labouchere – declared a personal interest in anything recorded in the Minutes that related to the Local Development Framework.

113/07 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The following announcements were made:

The Chairman welcomed the new Deputy Chief Executive, Mr Tim

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Leader, who had recently commenced his employment with Breckland Council. Tim had a wealth of experience in local government, both as a Barrister and also in senior management positions at King's Lynn and West Norfolk and, most recently, South Holland Council in Lincolnshire. The Deputy Chief Executive said that he had massive ambitions for the Council and that he looked forward to meeting everyone over the next few weeks.

The Chairman urged Members to encourage people to vote in the Breckland Pride of Place poll, in order to obtain some national recognition for the area. It was a good campaign that highlighted some of the top spots in the region and also encouraged people to think of all the good things that Breckland had to offer.

Members were reminded of the 'Welcome Home to the Troops' parade which was taking place in Dereham at 10.40am on Monday 19 November. All Members were encouraged to attend.

Members were encouraged to attend the Standards training session that would be held following the full Council meeting.

The Chairman reminded Members that the next Council meeting scheduled for 6 December would take place in the afternoon at 2.30pm. After the meeting, Members and Officers connected with Council were invited to attend a Christmas reception which would be followed by an Auction of Promises (all proceeds raised would be in aid of the Quidenham Children's Hospice). The Chairman was pleased to announce that Councillor Stephen Askew had offered to run a half marathon and Members were encouraged to sponsor him as all the proceeds would be donated to the Hospice. The Chairman thanked him for his kind gesture. A Member challenged the Leader to participate in the run. In response, the Leader felt that it was important for everyone to think of something to auction and, as a gesture of goodwill, he announced that he would auction himself for the day and that he was happy to be purchased.

The Chairman was pleased to announce the following achievements:

- The latest un-audited Information Profile from the Audit Commission showed that, over the past three years, Breckland Council was one of the most improved performers in the country. The Council was now ranked 14th out of 388 authorities in terms of improvements. Breckland had improved 87% of its performance indicators.
- Breckland Council's future was in good hands, according to the Local Government Challenge held on 4 October. Two teams of seven had represented Breckland Council in the annual National Local Government Challenge which had been designed to test and develop management skills and abilities. Breckland finished 2nd and 18th out of some 50 teams. The Council conveyed their congratulations to the participating teams. A Member suggested that a photograph

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of the contestants be taken and included in the next edition of the Breckland Voice. Mark Stokes, the Operations Manager (Environment) provided Members with an overview of the teams' activities.

- The first Breckland Schools project delivered by the Theatre Royal in Norwich had started on 4th October. There were three primary schools involved: Great Dunham, Narborough and Necton. The Chairman was pleased that this project had been a direct result of the monies that Breckland Council had put into this venture.
- Three Breckland Council Members, Diana Irving, Gordon Bambridge and Adrian Joel, had been back to school as part of Local Democracy Week to help get young people more involved with, and aware of, their local Council. The Chairman felt that there was much more work to be done to encourage youngsters to take an interest in democracy; any help or ideas should be passed onto the Young People's Champion, Councillor Diana Irving.

A list of engagements attended by the Chairman and Vice-Chairman was tabled, for the period 21 September to 24 October 2007, this included:

<u>Date</u>	<u>Event</u>	<u>Host</u>
20 th Sept	EDP Pride In Norfolk Awards Ceremony	Chairman of Norfolk County Council, Michael Carttiss, and Chairman of EDP Pride in Norfolk Awards Committee
23 rd Sept	Opening of new pitch at Dereham Hockey Club	Dereham Hockey Club
28 th Sept	Installation of The Rt. Hon. Lord MacGregor of Pulham Market OBE as High Steward of Norwich Cathedral	The Dean and Chapter of Norwich Cathedral
29 th Sept	Official opening of Great Cressingham Village Green	Great Cressingham Parish Council
10 th Oct	Official opening of new creative and media block at Northgate High School	Northgate High School, Dereham

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24 th Oct	Official Opening of Dereham Railway Station	The Trust Council of Mid Norfolk Railway
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Vice Chairman

<u>Date</u>	<u>Event</u>	<u>Host</u>
24 th Oct	Ceremony for the 65 th Anniversary of El Alamein	Lord Lieutenant of Norfolk, Richard Jewson

114/07 COMMITTEE MINUTES

(a) Cabinet: 9 October 2007 (Agenda item 5a)

i). Council's Project Match Funding Reserve Review (Minute No. 113/07)

A Member was delighted that this project had been approved and he hoped that this would encourage Members, on behalf of their Wards, to become more involved. Another Member agreed with this comment and he was pleased that the monies were now ring-fenced and that there was funding available for individuals. He felt that Breckland Council should be congratulated.

ii) Planning and Building Control Request for Funding (Minute No. 114/07)

The Executive Member for Commercial Services was pleased that this request for funding had been resolved. The next stage would be to look at new ways of working, such as mobile working, which would assist and improve the Council in many ways. Members were informed that a new Business Transformation Director had been appointed and would be commencing his employment with the Council in December 2007.

iii) Medium Term Financial Strategy (Minute No. 116/07)

A Member conveyed his congratulations to the team responsible for maintaining an excellent record in financial management. Another Member was pleased to see the mention of Climate Change in the recommendation; however, she did suggest that the wording be amended so that it made more sense. Members were informed that the Council would be addressing the challenges of Climate Change and reducing its carbon footprint as part of the Council's

'Green' agenda.

RESOLVED that the Medium Term Financial Strategy be approved with the inclusion of the reduction of Climate Change as a key objective.

iv) Capital Strategy (Minute No. 117/07)

The Executive Member for Cabinet stated that through gaining income from commercial properties the Council had capital of £20m and was able to re-invest in its services. He was pleased to announce that following investments in the Housing section to improve services Breckland had just been awarded Homelessness Champion Status.

RESOLVED that the Capital Strategy be approved.

v) Land Management Framework (Minute No. 119/07)

RESOLVED that the Land Management Framework be amended to allow surplus land to be sold, without prospective purchaser(s) having to firstly obtain planning permission for change of use.

vi) Restrictive Covenant – Right to Buy Properties (Minute No. 120/07)

RESOLVED that

- (a) the scheme of delegation be varied and power be given to the appropriate Operations Manager in conjunction with the Lead Member to approve requests for the release of the restrictive covenant requiring that the purchaser did not 'use of occupy the Property, or suffer or permit the same to be used for any purpose other than as a private dwelling house in the occupation of one family...' (if the Property was purchased under the 'right to buy' provisions) subject to officer and ward representative(s) consultation being carried out and providing the occupier/purchaser has obtained the necessary planning consent; and
- (b) the legal costs be recovered with the approval of such matters.

vii) Restrictive Covenants – Garage Blocks, Garage Forecourts and off Street Parking Areas on Barnham Cross Estate and Croxton Road Estate, Thetford (Minute No. 121/07)

RESOLVED that the scheme of delegation be varied and power be given to the appropriate Operations Manager in conjunction with the Lead Member to approve the release of the restrictive covenant on the Peddars Way Association's title (transfer dated 30 March 1993), in

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favour of Breckland District Council stating that “subject to Clause 7, in respect of any part of the Property described in Parts III, IV, V and VI of Schedule A (garages, garage forecourts, off street parking areas and amenity areas) not to develop or redevelop that part of the Property and not to permit the same to be used as other than garages, parking areas or amenity areas, respectively, serving residential dwellings”, at nil consideration but with the funds to be ring fenced for investment in regeneration schemes in Thetford.

viii) Review of Health and Safety Policy (Minute No. 124/07)

The Executive Member for Environment drew Members attention to the document and advised that it was important that everyone read it and that Officer’s kept it up to date.

ix) References from Overview and Scrutiny Commission (Minute No. 125/07 (a) – Post Office Network Change Programme)

A Member was pleased that the Overview and Scrutiny Commission was involving Ward representatives in this process and was surprised that Post Office Limited was working in what appeared to be an underhand manner. The Member felt that sub-post offices were very important to the communities and should not be taken away. He encouraged every Ward Member to be involved in this review.

The Opposition Leader agreed with the aforementioned comments. He informed Members that the stark reality was that the Post Office was expecting to lose four million customers over the next few years; therefore the public must be encouraged to use their local post offices or lose them.

The Executive Member for Environment encouraged Members to sign the on-line petition.

The main concern raised by Members was the effect on rural communities which already suffered from poor public transport provision by commercial operators, which would be compounded if the loss of a post office meant that the local retail outlet also closed as a consequence.

The Chairman of the Overview and Scrutiny Commission drew Members’ attention to the Commission’s recommendation to Cabinet on page 25 of the Agenda and urged Members to take this matter seriously as the combined effect could ultimately stifle economic growth in the rural districts and could affect the future viability of Breckland.

On a lighter note, a Member was pleased to announce

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that the Post Office in North Pickenham was due to re-open.

x) Adoption

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 9 October 2007 be adopted.

(b) Overview and Scrutiny Commission: 27 September 2007 (Agenda item 5b)

i) Policy Development and Review Panels – Panel 3 (unconfirmed Minutes of the meeting held on 11 September 2007) (Minute No. 99/07 (d))

The Overview and Scrutiny Commission Chairman wished to endorse the recommendation to Cabinet.

The Executive Member for Community Services felt that Claire Salley, the Arts Development Officer, should be congratulated as she had improved the availability of arts and sporting facilities within Breckland.

ii) Adoption

RESOLVED that the unconfirmed Minutes of the Overview and Scrutiny Commission meeting held on 27 September 2007 be adopted.

(c) Development Control: 24 September 2007 (Agenda item 5c)

RESOLVED that the confirmed Minutes of the Development Control Committee meeting held on 24 September 2007 be adopted.

(d) Development Control: 15 October 2007 (Agenda item 5d)

i) Schedule of Planning Applications (Minute No. 167/07)

Members were informed that the Watton application that a Member had mentioned had not appeared on the Schedule as the application had been approved as recommended.

ii) Notes to the Schedule

It was noted that Councillor Duffield had spoken on Schedule item 11 on behalf of the Parish Council and not as the Ward Representative.

It was further noted that Mr Birt, who had spoken on item 12 of the Schedule, had not been authorised to speak on behalf of the Town Council. In his defence, the Mayor of

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Dereham stated that Mr Birt had been authorised to read out the resolution of the Town Council meeting. The Chairman of the Development Control Committee advised that he had not restricted his comments to that resolution and therefore this was a matter for Dereham Town Council to investigate.

iii) Adoption

RESOLVED that the unconfirmed Minutes of the Development Control Committee meeting held on 15 October 2007 be adopted.

(e) General Purposes: 19 September 2007 (Agenda item 5e)

i) Apologies (Minute No. 57/07)

Members were informed that the absence of Councillors D Myers and I Sherwood from this meeting was due to their attendance at a Licensing Sub-Committee on that day.

ii) Revised Policies and Procedures (Minute No. 59/07)

RESOLVED that

- a) the revised Policies be implemented with immediate effect and that all employees be informed that the amended policies would be easily accessible on HR Net; and
- b) the Officer delegations be amended to enable Officers to hear both Hearings and Appeals under the Disciplinary, Capability and Sickness Absence procedures, where these could lead to dismissal.

iii) Out of Hours Service (Minute No. 60/07)

The Chairman of the General Purposes Committee requested that this item be deferred and referred back to the next meeting of the General Purposes Committee for further discussion.

iv) Adoption

RESOLVED that the unconfirmed Minutes of the General Purposes Committee meeting held on 19 September 2007 be adopted, subject to the recommendation of the Out of Hours Service being deferred (see Minute No. 104(e)(iv) above).

115/07 LOCAL GOVERNMENT REVIEW (AGENDA ITEM 6)

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The Chief Executive provided Members with a presentation on the Norfolk Local Government Review process. Copies of the presentation would be made available for Members subject to permission being granted by the Boundary Committee.

On Wednesday 17 October 2007 Norfolk Leaders and Chief Executives had met with the Boundary Committee to learn about the principles, timetable and procedures for the review.

Any organisation or individual could put forward proposals for change in Norfolk. However, the organisations or individuals must produce hard evidence that the five criteria to bid for unitary status that had been set by Government could be met.

The review would be confined to Norfolk only and any proposals crossing the county boundary would not be considered.

The Boundary Committee was clear that although this would be a challenging time for local government in the county, Norfolk councils should work together as closely as possible in the interests of all its residents.

Work could only start when the current Local Government and Public Involvement in Health Bill became an Act; however, this was expected to happen within the next few weeks. Councils would then be invited to submit outline proposals that they wished the Boundary Committee to consider by the end of November 2007.

There would then be an involved process of discussion, examination and information before final business cases were submitted in March 2008.

Between March and the beginning of July 2008, the Boundary Committee would carefully consider proposals and agree what recommendations to put out for public consultation during July and August 2008. It would then consider the results before submitting a final recommendation to the Secretary of State in December 2008.

The Secretary of State would then have about four weeks to seek views on the Boundary Committee's recommendation before a decision could be made, probably in January 2009.

A Member asked, based on what he had heard during the presentation, why the Council was being forced into Unitary Status, when it was clear that Breckland Council was quite capable of 'holding its own'. Another Member agreed with the aforementioned comments and felt that Breckland Council should not be dictated to as this Council, in his opinion, was already effective and efficient. He asked how much this review was going to cost. In response, the Chief Executive advised that the Boundary Committee had made it quite clear that if Councils preferred not to be engaged in this process, the process would continue without them. In terms of cost, he could not speculate;

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the only options available to the Council were to try and engage in the process and try to influence it.

Members were concerned with the costs and felt that the public would not support a change.

Whilst appreciating the Chief Executive's comments, another Member felt that the term "cost" should be changed to "value". However, he was concerned that the Council was currently involved in so many other projects such as the Local Area Agreement, Local Development Framework and the Sustainable Communities agenda which were all driving Breckland forward to 2020. He asked whether any of the above issues had been mentioned to the Boundary Committee. The Chief Executive advised that these matters were raised but unfortunately had not been given a very sympathetic ear. He appreciated that there was never a 'good time' for such a huge project to happen but it was happening and Breckland would have to 'step on board' to try and achieve the best possible solution for Norfolk in the future.

Another Member asked what would happen to the Town Councils if the District Councils should disappear. The Chief Executive advised that the substructure and how it worked would be pivotal to a unitary system.

During the debate the Leader requested that delegated authority be approved for him to promote a unitary proposal for Norfolk Local Government to the Boundary Committee on behalf of Breckland. The timetable for the review required proposals to be submitted by the end of November and the Council did not meet again until 6th December.

RESOLVED that authority be delegated to the Leader to promote a unitary proposal for Norfolk local government to the Boundary Committee on behalf of Breckland Council and that the details be reported to the Council meeting on 6th December 2007.

116/07 DESIGNATION AS MONITORING OFFICER (AGENDA ITEM 7)

RESOLVED that the new Deputy Chief Executive, Mr Tim Leader, be designated Monitoring Officer of the Council with immediate effect.

117/07 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 8)

RESOLVED that Ann Steward be appointed as the Council's representative on the Governors of the Queen Elizabeth Hospital, Kings Lynn.

The meeting closed at 12.05 pm