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BRECKLAND COUNCIL

At a Meeting of the

CABINET

Held on Tuesday, 22 February 2011 at 9.30 am in
Norfolk Room, The Committee Suite, Elizabeth House, Dereham

PRESENT

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

Also Present

Mr S.G. Bambridge	Mrs L.S. Turner
Mrs D.K.R. Irving	

In Attendance

Mark Stokes	- Deputy Chief Executive
Julie Britton	- Senior Committee Officer
Mark Finch	- Head of Finance
Stephen McGrath	- Member Services Manager
Mark Stanton	- Head of Economic Development
Robert Walker	- Director - Community Services
Andrew Grimley	- Principal Environmental Health Officer
David Spencer	- Principal Planning Policy Officer (Capita Symonds for Breckland)
Zoe Footer	- Land Management Officer
Maxine O'Mahony	- Director of Corporate Resources
Natalie King	- HR Manager
Phil Mileham	- Senior Planning Policy Officer (Capita Symonds for Breckland Council)
Robert Leigh	- Assistant Director, Communications and Communities
Kevin Ward	- Growth Programme Manager

Action By

16/11 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 11 January 2011 were confirmed as a correct record and signed by the Chairman.

17/11 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from two non-Members, Mr R. Goreham and Mr P. Cowen.

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18/11 DECLARATION OF INTEREST (AGENDA ITEM 4)

Lady K Fisher declared a personal and prejudicial interest in agenda items 9 and 10 and left the room whilst these items were being discussed.

19/11 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mrs D. Irving, Mrs L. Turner and Mr G. Bambridge.

20/11 MATCH FUNDING GRANT PANEL - ROUND 4 (AGENDA ITEM 7)

The Assistant Director for Communications & Communities presented the report which asked Members to consider the Match Funding applications for Hardingham Village Hall and Billingford Village Hall, and to note the Match Funding applications that had been approved by Delegated Decisions, and the grants awarded under the Pride in Breckland, Activity, Access Arts and Gifted and Talented schemes. He mentioned Declan Davis one of the successful applicants who was the fastest cycling time triallist for his age category in the country for 2010. His bicycle had been assembled from spare equipment found in his Grandfather's garage and the funding would be put towards a new one.

The Vice-Chairman had great pleasure introducing the 4th and final round of Match Funding for this financial year. He was pleased with the wide range of applications presented and was constantly impressed with the applications received. He knew that these grants provided unique opportunities for villages as they allowed projects to be obtained but was disappointed that this type of funding, due to the cuts, was being reduced or could altogether disappear.

With regard to the Hardingham and Billingford applications, the Executive Member for the Corporate Development and Performance Portfolio fully supported the enhancement of Halls for the viability of village life. He was intrigued about the adult exercise equipment that Necton Rural Community Centre had applied for and asked what it consisted of and further asked if there were such facilities linked to Parkwood. In response, Members were informed that this type of equipment was installed in an adult playground for more serious exercise and although an unproven facility there had been some evidence of support for such a facility in the village. This type of unique external equipment was not available at any indoor leisure centre. In response to a further question, it was noted that insurance liabilities would not lie with Breckland Council.

The Executive Member also asked if the activity grant for 'Embrace', a project that was based within the Icen Partnership, took up much of the Breckland Sports Development Officer's time. The Assistant Director of Communications & Communities advised that the Officer's time would purely be to secure further future funding. The Member could not understand why the Council still had such an Officer when it had outsourced its leisure facilities. Members were informed that the Officer in question ran activities that were community focused year on year. The Executive Member for Planning, Health & Housing pointed out that this post helped the Council to bolt onto Sports England.

Action By

The Executive Member for the Corporate Resources Portfolio was glad that this Match Funding round had covered such a broad range of applicants.

The Executive Member for the Economic & Commercial Portfolio fully supported the monies given to the Village Halls. He reminded Members of the grant given to Gt Dunham in a previous Match Funding round and was pleased to announce the grand opening of the new Village Hall which was taking place on Saturday, 26 February 2011.

Options

- To approve individual Match Funding applications for the full amounts requested.
- To award individual Match Funding applications at a lesser amount.
- To reject individual Match Funding applications.

Reasons

To meet the Council's objectives.

RESOLVED that:

- 1) The Capital Match Funding application of £20,000 towards a £222,000 project to build and extension and help improve the kitchen and disabled facilities for Hardingham Village Hall be approved, subject to:
 - (a) a maximum sum of £20,000 or 9% of the cost of the project whichever is the lower from the Capital Match Funding Reserve; and
 - (b) confirmation that other funding sources were in place prior to release of any funding.
- 2) The Revenue Match Funding application of £4,709 towards improvements to Billingford Village Hall be approved, subject to:
 - (a) a maximum sum of £4,709 or 30% of the cost of the project whichever is the lower from the Revenue Match Funding budget; and
 - (b) the balance of all other funding being confirmed.

**Catherine
Lang,
Robert
Leigh**

**21/11 TRANSFER OF PLAY AREAS - RELEASE OF MONIES (AGENDA
ITEM 8)**

Approval was sought for the release of £234,545.75 to transfer Breckland equipped play areas to Swaffham Town Council and Thetford Town Council.

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The Executive Member for the Economic & Commercial Portfolio drew Members' attention to the recommendation at paragraph 2.2 of the report which, if approved, would allow a mechanism to be put in place for all new play areas to be transferred to the Town or Parish Councils directly from the developer giving them total control of their play areas.

The Executive Member for the Corporate Development & Performance Portfolio asked how many play areas remained in Breckland's ownership. In response, the Land Management Officer reported that there were 24 in total but only 14 would remain if the aforementioned recommendations were approved. She advised that discussions were on-going with the remaining three Town Councils.

The Chairman felt that the recommendation at paragraph 2.2 of the report was critical as it would provide Town Councils with a greater understanding of all the responsibilities that went with the transfer.

Options

To approve or not approve the release of £234,545.75.

Reasons

To ensure the facilities in the play areas are kept to a standard acceptable by the Town Councils and the facilities available could be changed in response to the town appraisals.

RESOLVED that:

- 1) the amount of £234,545.75 be released to transfer the current equipped play areas to Swaffham Town Council and Thetford Town Council; and
- 2) the Environmental Services Department, in conjunction with Capita Symonds, be authorised to lead on the production of a framework to allow new play areas to be transferred directly from the developer to the Town or Parish Council in which the site is located.

**Zoe
Footer,
Margaret
Bailey
Sarah
Bruton**

22/11 CONTAMINATED LAND STRATEGY (AGENDA ITEM 9)

The Council had a duty to inspect its District for potential contaminated land and the existing Contaminated Land Strategy needed to be reviewed. A revised Contaminated Land Inspection Strategy had been produced by a Task & Finish Group composed of Members and Officers under the direction of the Overview & Scrutiny Commission.

The Principal Environmental Health Officer explained that at the Cabinet meeting in November 2010, the financial implications to Breckland Council in dealing with land it owned or might have responsibility towards was requested. The details of these were highlighted at Appendix B of the report. This appendix included details of current DEFRA funded investigations being pursued by the Environmental Team. A Hazard Risk Assessment method had been used which sought to limit the liability to the Council.

Action By

Since the review of the strategy document, Central Government had identified the need for additional savings to be made by the Council from 1 April 2011. Posts that had been vacant had been deleted from the establishment and a full time permanent Contaminated Land Officer post had also been deleted. The reduced staffing resources would now mean that in delivering the Strategy, the resources would be targeted in the following way:

- Investigating and remediating Brownfield sites through the planning process
- Complete investigations into three current sites with the funding from DEFRA
- No further contaminated land investigations under the Strategy would be carried out unless it was clear that further grant aid or additional resources were available from DEFRA or through the Council.

Preliminary desk studies would not take place if DEFRA funding did not come forward.

The Principal Environmental Health Officer asked for a slight adjustment to be made to the recommendation to avoid having to return the report to Council unnecessarily, which was agreed.

The Executive Member for the Corporate Development & Performance Portfolio asked if the liability would still lie with the Council if the original polluter could not be found. Members were informed that negotiations and talks would be had with the existing land owner so that the original polluter could be located.

The Vice-Chairman asked if there were any businesses in Breckland that could produce contamination in future. The Principal Environmental Health Officer explained that more regulated methods of waste disposal were now in place which was controlled by the Environment Agency. Lesser issues would be addressed through Nuisance Provision Orders by Breckland Council.

Options

To adopt the revised Strategy with any amendments Members wished to make and include any appropriate changes as a result of the external consultation as identified in item 3.2.5 of the report but noting the resource implications as identified in paragraph 3.2.6 of the report.

Reasons

The Council's current Strategy was out of date and in accordance with auditor requirements needed to be reviewed and updated. Members were recommended to adopt the revised Strategy subject to any amendments suggested by external consultees as appropriate.

RESOLVED that the draft revised Contaminated Land Inspection Strategy be accepted, subject to any external consultation comments.

Action By

RECOMMEND to Council that:

- 1) the Contaminated Land Inspection Strategy be adopted as a Council working policy to commence 1 June 2011; and
- 2) any significant amendments or challenges to the adoption of the Policy during the consultation period to be reported back to Cabinet before the document goes live.

**Andrew
Grimley**

23/11 INTEGRATED DEVELOPMENT PROGRAMME LOCAL INVESTMENT PLAN (AGENDA ITEM 10)

The report sought Council's approval to publish the Authority's inaugural Integrated Development Plan and Local Investment Plan (IDP/LIP) document (see Appendix A of the report). The document was, in summary, a means of prioritising infrastructure investment and delivery aligned to the Council's adopted Housing, Economic and Planning Strategies as well as reflecting the funding opportunities available going forward and the asset investment activities of utility companies within the area.

The final document had been prepared in liaison with the Homes and Communities Agency (HCA) in order to meet its requirements for a Local Investment Plan (LIP). Future HCA funding going forward would be dependent on the agreement of the LIP and consequently the document had been through a consultation process with the HCA including peer review.

The final document also met the requirements of an Integrated Development Plan which was principally an Infrastructure Planning document designed to underpin economic development investment. Local Enterprise Partnerships (LEPs) and Regional Growth Fund (RGF) proposals were required to promote those projects identified in IDP/LIP documents in their area.

The adopted IDP/LIP document was a delivery document. It would provide a focus for Council investment and activity as well as influencing the activities of others to ensure that a set of deliverable local Council priorities were taken forward as part of a "single conversation" with key partners. The document was a 'live' document with a recommendation that it be reviewed on an annual basis.

The Executive Member for the Economic and Commercial Portfolio stated that the document identified critical housing need. The following overall recommendations had been put forward as the basis of the wider single conversation Breckland would need to engage in:

In the immediate short term (the 15 months to April 2012):

1. Work to include Snetterton Utilities and Thetford Electricity Sub Station as priorities for the New Anglia Local Enterprise Partnerships (LEPs) going forward;

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2. Develop and finalise a CIL document for the District with specific CIL tariffs for Thetford, Attleborough and Snetterton Heath;
3. A formal decision would be taken to pursue an LABV for Breckland subject to further investigation on viability;
4. Adopt the LDF Site Specific Policies and Proposals document to help deliver 2,743 homes;
5. Review the Sustainable Community Strategy with 6 key tangible local projects to take forward; and
6. Work closely with the HCA on the Thetford Planning Performance Agreement process and estate regeneration and the growth plans in Attleborough.

In the short-medium term (by April 2014):

1. Investigate Tax Incremental Financing (TIFs) in relation to the Attleborough Distributor Road and Snetterton Utilities;
2. Finalise the Thetford Area Action Plan (TAAP) and Attleborough and Snetterton Heath Area Action Plan (ASHAAP); and
3. Maintain a dialogue with Anglian Water Services in respect of Attleborough Waste Water Treatment Works.

The Principal Planning Policy Officer stated that in the time of increased financial pressures this piece of work would be part of a single conversation delivering against housing and wider infrastructure priorities.

Page 91 of the report (the top table) identified 24 projects which had been put against three types of packages, spatial, thematic and long-term. The total cost of delivering these projects would be in the region of £72m (page 177 of the report demonstrated how each project had been broken down and the funding provider/options for funding). The Principal Planning Policy Officer emphasised that, at this stage, there was no one funding solution for Breckland and that a menu of funding options would be required. Developer contributions in themselves were unlikely to cover the cost of all the investment priorities and therefore continued public sector intervention would be required from Central and Local Government. There were many good ideas surrounding the various Council projects and he hoped that this formed a key basis for future work going forward.

The Executive Member for the Corporate Development and Performance Portfolio queried the aforementioned first short to medium term recommendation in relation to the development of the Attleborough southern distributor road (see page 161, section A5 of the report) which would link the A11 with the A1077 Buckenham Road. He stated that the consequences of the routeing of an Attleborough southern by-pass could be catastrophic for the village of Great Ellingham. A by-pass from Breckland Lodge would encourage increase in the quantum traffic user through the village centre and would be grossly inequitable in relieving traffic for the town of Attleborough, only to place the burden on a neighbouring village. Norfolk County Council described Great Ellingham as being a 'sensitive location', as much of the length of the road had no pavements and was unsuitable for development as a distributor route as it had poor road alignment and was of varying widths. He also felt that routing such a distributor road would impose great problems on

Action By

neighbouring villages. He asked how this document linked in with the Attleborough Action Plan (AAP).

In response to the above concern, the Growth Programme Manager pointed out that no actual route had yet been agreed and the Transport Study that was being undertaken would highlight what was required.

The Principal Planning Policy Officer explained that the provision of a distributor road had already been set out in the Core Strategy but the precise route would be determined through the AAP. However, the cost and how it would be funded was dependent on recommendation at 2.2 of the report. It was a requirement of the Council to formally submit the document to the HCA to allow for funding to be drawn down.

The Executive Member for the Corporate Resources Portfolio was delighted to see that Snetterton energy supplies had been mentioned several times in the document as this would be critical to unlock the potential for employment. The Vice-Chairman agreed and pointed out that the energy solutions were crucial to the whole development/expansion of Attleborough. Referring to the CIL, he asked at what point the Officers would be able to provide the Council with an indicative figure. The Executive Member for the Planning, Health and Housing Portfolio advised that a Working Group had recently been set up for just that and would be meeting in early March.

Option A

Members agree that the Council published the IDP/LIP document including any amendments from Cabinet. Members further agree to submit the IDP/LIP document to the Homes and Community Agency (HCA).

Option B

Members do not agree that the Council publishes the IDP/LIP and not submit the document to the Homes and Community Agency.

Reasons

Members were asked to approve Option A of the report to enable the Council's prioritised housing and infrastructure projects to be submitted to the HCA for sign off. Agreeing the contents of the IDD would also help the Council to steer future project investment decisions and underpin the emerging work on a Community Infrastructure Levy (CIL) document, as well as any Local Asset Backed Vehicle (LABV) or investment activity that it might wish to pursue.

Not agreeing and submitting the document to the HCA would result in the Council not being able to agree a Local Investment Agreement in respect of the future projects that the HCA could contribute funding towards. This was likely to adversely impact upon the delivery of housing projects in the District. Not agreeing the document would also fail to take advantage of the opportunity to use the IDD to shape future Council investment decisions.

	<u>Action By</u>
<p><u>RECOMMEND</u> to Council that the Integrated Delivery Document be endorsed and published and be formally submitted to the Homes & Communities Agency (HCA).</p>	David Spencer, Kevin Ward
<p>24/11 <u>REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 11)</u></p> <p>The Deputy Chief Executive stated the recommendation from the Overview & Scrutiny Commission meeting on 10 February 2011 would be reported to the Council meeting in March.</p>	Teresa Smith, Helen McAleer, Rory Ringer
<p>25/11 <u>ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 12)</u></p> <p>The Minutes from the meeting held on 10 February 2011 would be reported to the next Cabinet meeting in April.</p>	Helen McAleer, Julie Britton
<p>26/11 <u>BUSINESS IMPROVEMENT SUB-COMMITTEE: 18 JANUARY 2011 (AGENDA ITEM 13)</u></p> <p>The Executive Member for the Corporate Resources and Performance Portfolio was pleased to announce that Kevin Rump had been appointed to manage the ICT in-sourcing project and the situation in regard to ICT security had been achieved. He congratulated all Officers involved.</p> <p><u>RESOLVED</u> that the Minutes of the Business Improvement Sub-Committee meeting held on 18 January 2011 be adopted.</p>	
<p>27/11 <u>NEXT MEETING (AGENDA ITEM 14)</u></p> <p>It was noted that the next meeting of the Cabinet would be held on Tuesday, 5 April at 9.30am in the Norfolk Room.</p>	

The meeting closed at 10.10 am

CHAIRMAN