

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 1 November 2007 at 2.15 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr S.G. Bambridge	Mr C.R. Jordan
Mr A.J. Byrne	Mr R.G. Kybird
Mr J.P. Cowen (Chairman)	Mr K. Martin
Mr K.S. Gilbert	Mrs S.M. Matthews
Mrs D.K.R. Irving	Mr J.D. Rogers
Mr A.P. Joel	Mr B. Rose

Also Present

Lady Fisher	Mr D.S. Myers
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In Attendance

Mark Broughton	-	Scrutiny Officer
Mark Finch	-	Chief Accountant
Ray Johnson	-	Acting Operations Manager (Commercial Services)
Sandra C. King	-	Internal Audit Manager
Tim Leader	-	Deputy Chief Executive
Andrea Long	-	Environmental Planning Manager
Kim Parks	-	Performance Officer
Gordon Partridge	-	Principal Environmental Health Officer
Alison Sawyer	-	Consultation Officer
Ian Vargeson	-	Democratic Services Manager
Elaine Wilkes	-	Senior Committee Officer

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105/07 MINUTES

The minutes of the meeting held on 27 September 2007 were confirmed as a correct record and signed by the Chairman.

106/07 APOLOGIES

Apologies for absence were received from Mrs. T. Hewett (due to attendance on other Council business), Mrs. S. Howard-Alpe, Mr. J. Gretton and Mr. R. Goreham. Mr. S.G. Bambridge also gave apologies for late arrival (due to attendance at another Council meeting).

107/07 URGENT BUSINESS (AGENDA ITEM 3)

The Chairman announced he had agreed to accept two items of urgent business as follows:

(a) Review of Committee Structures

The Chairman introduced Mr. Tim Leader, the Council's new Deputy Chief Executive.

Mr. Leader explained that the reason for raising this item was to bring

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to members' attention that he had been tasked with undertaking a review of the Council's Committee structures as follows:

1. To look at the decision making procedures to see if the time in taking decisions through the system could be speeded-up and the process made more efficient.
2. To look at the way the Council undertakes its scrutiny process to see if it could be enhanced.
3. To look at how the Council could move towards enabling the role of members as community leaders.
4. To look at adjusting and streamlining the Committee structure to take account of forthcoming changes (for example, to cover impending changes in the regulations governing Standards Committees) and best practice (for example, to establish an Audit Committee and the possibility of combining all licensing functions under a single committee).

These reviews would be undertaken in consultation with all Committee Chairmen and Vice-Chairmen, a cross-section of members (to include new members and opposition members), external stakeholders, members of the Executive and officers to obtain views, following which the findings would be submitted in a discussion paper for consideration towards the end of November/early December with a view to formal consideration of any recommendations through the Committee cycle in the new year.

The position was noted.

(b) Draft Value for Money Strategy

This item had been submitted as urgent business to enable the document to meet a required deadline for approval through the current meeting cycle.

The Chief Accountant explained that the Value for Money Strategy was aimed at ensuring the Council had a sound framework and consistent approach to the way it delivered value for money.

Under the Government's Capital Spending Review, local authorities were now targeted with finding 3% cashable ('Gershon efficiencies') savings, where previously the target had been 2.5% efficiency savings split between cashable and other non-cashable savings.

The draft Strategy drew together all these elements to give a structured approach and action plan towards demonstrating that it was achieving value for money.

Members' feedback was invited prior to the draft Strategy proceeding through the formal Committee process for approval.

It was noted that the 3% target for cashable savings would be a challenge for the Council, which had always had a commitment to value for money. However, the Strategy provided the framework to ensure a stringent approach to value for money was maintained.

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Further guidelines on the details of the new Gershon target were awaited.

RESOLVED that the draft Value for Money Strategy be noted and that members are invited to submit any comments to the Chief Accountant prior to the submission of the document for the Council's formal approval.

108/07 DECLARATION OF INTEREST

The following declarations of interest were made:

- Mr. S.G. Bambridge – Personal interest from professional interest in LDF in regard to Agenda Item 9(a) (Minutes of Policy Development and Review Panel 1)
- Mr. J.P. Cowen – Personal interest as Architect in practice in relation to LDF and planning matters in regard to Agenda Item 9(a) (Minutes of Policy Development and Review Panel 1)

109/07 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

- Lady Fisher, Executive Member for Environment – in regard to Agenda Item 8
- Mr. D. Myers
- Mr. A. Garner – public speaker in regard to Agenda Item 6
- Mr. N. Phillips – public speaker in regard to Agenda Item 6

110/07 WATTON HORSE FAIR (AGENDA ITEM 6)

The Principal Environmental Health Officer presented the report on the results of the monitoring of the Watton Horse Fair on 1st and 2nd September 2007.

There was evidence that residential caravans had been located on the site overnight and the report concluded that there had been a breach of the Caravan Sites and Control of Development Act 1960 in that none of the exemptions contained in Schedule 1 to the Act were applicable to the use of the land, although there was no evidence that the breach was giving rise to any problems.

It was explained that under planning regulations the use of the land did not require planning permission and consequently that meant that a Licence under the above 1960 Act was not applicable to regularise the use of the land.

In regard to the breach of the 1960 Act, in accordance with the Council's Enforcement Policy the owner of the land on which the Horse Fair takes place had been notified of the breach and asked to advise the Council how he proposed to remedy the situation.

Subsequently, the landowner had undertaken to submit an application for a Certificate of Lawfulness for an Existing Use (more generally known as a CLUED or Lawful Development Certificate) for the Horse Fair and it was confirmed that this was in progress. If granted, planning

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permission would be deemed to be granted. It would then be possible for the Council, upon the submission of an application from the landowner, to consider the grant of a Licence under the 1960 Act to regularise the use of the site for residential caravans and to which conditions could be attached.

The Chairman read out comments received from Councillor Claire Bowes, a Watton Ward Member, who expressed the view that local residents' concerns needed to be taken into account and that the report did not make any mention of addressing the impact of the event on the adjoining Wayland Wood. While locally people did not want to see an end to the event, it had to be recognised that the Fair had changed significantly over the years since its origins as a one-day local horse sale.

In answer to questions, it was reiterated that there was no infringement of planning law involved to date.

Mr. Andrew Garner, the owner of the site in question, spoke to concur with the findings of the report and confirmed that, following consultation with the officers, he had agreed to submit an application for a CLUED.

Mr. Norman Phillips, the adjoining land owner, expressed his continuing concerns at the length of time taken to deal with this matter and at what he felt was unequal treatment between his site as a licensed caravan site and the Horse Fair.

Members concluded that the matter had now been well debated and the issue was being properly and constructively dealt with to reach a satisfactory solution. If necessary, the matter could be reviewed again in the future.

111/07 PROGRESS REPORT ON INTERNAL AUDIT WORK 2007/08
(AGENDA ITEM 7)

The Audit Manager presented the report on progress of the audit work between April and October 2007 under the agreed Audit Plan for 2007-08. The report included abridged management summaries of final audit reports issued during the period, together with performance information and some analysis of audit recommendations over the period.

The Audit Manager answered various questions of detail in the report. It was noted that all recommendations had been accepted by the officers and that implementation of these was monitored.

It was also explained that upon the expiry of the existing external contract, a new contractor had been appointed as from 1st October 2007. The new provider was Deloitte & Touche Public Sector Internal Audit Ltd, who had been appointed to deliver Strategic Audit Plan requirements for the next five years. The internal audit service would continue to be managed by South Norfolk Council and it was noted that the Internal Audit Group had expanded to form the Norfolk Internal Audit Consortium, comprising Breckland, Broadland, South Norfolk and Great Yarmouth Councils and the Broads Authority. Further expansion was anticipated in January 2008 with the admission to the Consortium of another local authority from Norfolk.

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A further report would be made to the next meeting which would cover the work of the new contractor, with a further monitoring report due to be submitted in January 2008.

RESOLVED that the report be noted.

112/07 REVIEW OF THE PROVISION OF THE PEST AND DOG CONTROL SERVICE (AGENDA ITEM 8)

This item was withdrawn.

The Executive Member for Environment explained that new information from the Department for Food and Rural Affairs had given rise to additional options that needed to be considered in the way the Council delivered this service, particularly in regard to new legislation and regulations governing the control of dogs.

This was a service which the Council took very seriously. The review was being extended to cover the latest information and the Council was consulting with neighbouring authorities on options for cross-border working with a view to providing as comprehensive and affordable a service for the public as possible.

The review was being given priority and it was anticipated that a report back could be made in the next six weeks or so.

The position was noted.

113/07 POLICY DEVELOPMENT AND REVIEW PANELS (AGENDA ITEM 9)

(a) **Panel 1 - Unconfirmed minutes of the meeting held on 23 October 2007**

The Chairman of the Panel presented the report on what had been a well attended meeting, with a good discussion of the Core Strategy and Development Control Policies Development Plan Document of the Local Development Framework (LDF). The meeting had had to adjourn due to time constraints but would be continued at an all day session on 8th November 2007.

(i) **Local Development Framework (LDF): Breckland Core Strategy & Development Control Policies Development Plan Document (DPD) – Preferred Policy Options Consultation (Minute 68/07)**

In answer to various questions on the issue of local service centres, the following points were noted:

- Whether a non-qualifying village for local service centre status could reverse the position depended on the reasons why it did not qualify. For example, if it failed on the grounds of lack of a bus service, it might be possible to find an alternative to assist qualification. However, if it failed to qualify because there was no primary school, then it would struggle to qualify.
- The list of local service centres had been drawn up based

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on regional planning criteria. The final decision on the list for inclusion would fall to be made by the Cabinet. There was some scope for manoeuvre on this point.

- A member reiterated the importance of ensuring local service centres were best placed for the future. He questioned the fact that Swanton Morley was identified as a local service centre but was a very rural village that looked to Dereham as its service centre, whereas Bawdeswell was not included as a service centre but was well-situated to serve the many villages bordering the area along the Fakenham-Norwich route and was almost certain to develop further.
- The identification of service centres had tried as far as possible to push against the regional criteria to fit the needs of Breckland and there were two types of designation: those centres capable of development and those centres identified for protection of existing service provision.
- On the question of affordable housing, a member reiterated his wish to see the inclusion of affordable self-build within this provision.
- Infrastructure provision remained a concern for members, particularly for the villages who were threatened with the loss of their post office and the impact this could have on other service provision.
- Roads infrastructure was also a concern and the problems in Attleborough were cited as an example where improved traffic management was needed. In this connection, it was explained that there was an Attleborough Transport Working Group which had been taking evidence as part of a wider transport strategy and there were a number of measures going forward as a part of that, including proposals for a station crossing, car parking and regarding traffic flow. It was understood there was some funding available for these measures to go forward.
- A transport review was under way in respect of Dereham and further reviews were planned for Swaffham and Watton in the New Year.

The importance of the discussions on the LDF was stressed and members were encouraged to attend the next Panel meeting on 8th November.

It was noted that there was no provision in the Committee timetable for the matter to come back to the Commission before it went to Cabinet on 20 November 2007 for approval to go to public consultation. It had been provisionally proposed that members of the Commission should be invited to that meeting for joint consideration and it was suggested this option be pursued.

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RESOLVED that the report be noted and the question of enabling further consideration by the Commission before or jointly with the Cabinet be pursued.

(ii) Adoption

RESOLVED that the minutes of the meeting of Policy Development and Review Panel 1 held on 23 October 2007 be adopted.

(b) **Panel 2 - Unconfirmed minutes of the meeting held on 17 October 2007**

The minutes of this meeting were unavailable and would be presented to the next meeting.

(c) **Panel 3 - Unconfirmed minutes of the meeting held on 16 October 2007**

(i) Impact of the re-organisation on the new Primary Care Trusts
(Minute 46/07)

A member highlighted the severe pressures on the service being experienced in Attleborough and the implications from the forecast for housing growth under the Local Development Framework (LDF). It was felt there was a serious need to look at the impact on the town's infrastructure to sustain such growth.

Members concurred that all the district's towns were experiencing similar pressures on their infrastructures and were aware of the present service demands in Attleborough. It was agreed this issue was a fundamental area of the LDF consultation process.

(ii) Thetford Healthy Living Centre (Minute 48/07)

It was noted that the Panel's visit to the Healthy Living Centre had highlighted several issues as follows:

(1) The person responsible for the Travel Plan had only just been made aware that this Plan formed part of their duties. This person was the Business and Performance Manager and members agreed that they should be invited to attend a meeting on the Panel, in three months, to provide further information regarding the monitoring of the Travel Plan.

(2) There was an urgent need for an ambulance turning bay to ensure that the Centre was being used to its optimum level. At present, ambulances could not pick-up or drop-off clients as there was no safe access or egress for an ambulance.

(3) There was a need to provide local signage to the Centre and this needed to be subject to an urgent review

as it was not clear to those visiting the Centre where it was situated. Members were informed that patients were coming in from well outside the district as Papworth Hospital held clinics at the Centre.

With regard to the question of a turning bay, it was suggested that an ideal solution would be to use a double parking bay from the Innovations Centre. It was also noted that LIFT was currently working with Parkwood Leisure regarding the question of extra parking, which might also be able to provide a solution.

The Commission agreed with the concerns raised by the Panel and accordingly

RECOMMENDED to the Cabinet that it lobbies the Norfolk Primary Care Trust regarding the need for a turning bay for ambulances and Norfolk County Council to provide highway signage for the Healthy Living Centre, Thetford.

(iii) Adoption

RESOLVED that the minutes of the meeting of Policy Development and Review Panel 3 held on 16 October 2007 be adopted.

114/07 PERFORMANCE MONITORING (AGENDA ITEM 10)

The Performance Officer gave a demonstration for members on the TEN performance system which now provided a facility for members of the Commission to nominate items for report as part of their performance monitoring role.

An information booklet on the system was being produced for members and further training on the use of the system was being arranged. It was proposed to run a pilot with three members of the Commission and the following three members' names were drawn at random to take part in the pilot: Mr. S.G. Bambridge, Mr. R.G. Kybird and Mr. B. Rose.

It was suggested that it was desirable to have a protocol on the nomination of items for report and how these would be selected for the Commission's consideration.

RESOLVED that the Scrutiny Officer be asked to work up a suggested protocol for the selection and submission of monitoring reports by members for the Commission's consideration.

115/07 CITIZENS' PANEL - RESULTS OF RECENT SURVEYS (AGENDA ITEM 11)

The Consultation Officer circulated a summary of the results of three recent consultation surveys on a) Budget Priority; b) Wave 14 of the Citizens' Panel; and c) The Future of the Citizens' Panel.

In answer to questions, the Consultation Officer confirmed that information was fed back to and used by senior management to inform and their service delivery and undertook to similarly provide feedback

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E Wilkes

M
Broughton

for members. It was also confirmed that information was shared between the various agencies.

Action By
A Sawyer

The Citizens' Panel was nearing the end of its three year contract and the opportunity was being taken to review its future, taking account of its strengths and the current issues affecting consultation. It was agreed the make-up of the Panel needed updating to ensure the inclusion of migrant groups. A report back to the Commission and the Cabinet and other partner organisations would be made at their next meetings.

A Sawyer

RESOLVED that the report be noted.

116/07 WORK PROGRAMME (AGENDA ITEM 12)

With regard to the proposed review item on the "Green Agenda", the Scrutiny Officer was asked to liaise with the Executive Member for Environment and Mr. R.G. Kybird as to content.

M
Broughton

The Scrutiny Officer was asked to investigate the timetable for the next report of the Strategic Alliance to the Create Task and Finish Group.

M
Broughton

RESOLVED that, subject to the above, the work programme be noted.

117/07 NEXT MEETING (AGENDA ITEM 13)

The arrangements for the next meeting on 13 December 2007 were noted.

The meeting closed at 4.45 pm

CHAIRMAN