

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 25 October 2012 at 10.30 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr S. Askew	Mr R.G. Kybird
Mr S.G. Bambridge	Mr T.J. Lamb
Mr W.P. Borrett	Mr K. Martin
Councillor C Bowes	Mrs S.M. Matthews
Mr A.J. Byrne	Mrs K. Millbank
Mrs B Canham	Mrs L.H. Monument
Mr C G Carter	Mr M J Nairn
Mr T R Carter	Mrs J A North
Councillor M. Chapman-Allen	Mr J.W. Nunn
Mr R.P. Childerhouse	Mrs K. Pettitt
Mr P.D. Claussen (Vice-Chairman)	Mr R. R. Richmond
Mr J.P. Cowen	Mr W. R. J. Richmond
Mr P R W Darby	Mr M. S. Robinson
Mr R.W. Duffield	Mr J.D. Rogers
Mr P.J. Duigan	Mr B. Rose
Mr K.S. Gilbert	Mr F.J. Sharpe
Mr R.F. Goreham (Chairman)	Mr I. Sherwood
Councillor E. Gould	Mr B J Skull
Mr S R Green	Mr W.H.C. Smith
Mrs D.K.R. Irving	Mrs P.A. Spencer
Mr T. J. Jermy	Mr A.C. Stasiak
Mr A.P. Joel	Mrs L.S. Turner
Mrs E. M. Jolly	Mr M. A. Wassell
Mr M.A. Kiddle-Morris	Mr N.C. Wilkin

In Attendance

Julie Britton	- Senior Committee Officer
Terry Huggins	- Chief Executive
Helen McAleer	- Senior Committee Officer
Vicky Thomson	- Assistant Director - Democratic Services

95/12 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 20 September 2012 were confirmed as a correct record and signed by the Chairman.

96/12 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mrs Armes, Mr Clark, Mr Jordan, Mr Monument, Mrs Steward and Mr Williams.

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97/12CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 3)

The Executive Member for Localism, Community and Environmental Services had asked the Chairman to make two announcements.

- Mr Carl Clark had been very unwell in hospital for some weeks. Although he had recently been discharged he still needed complete rest. Members agreed that a card should be sent to him, expressing their best wishes for his recovery.
- There were still some 'Keep Warm, Keep Well' packs available for Members to distribute to those that would benefit from them in their Wards. The packs included items like a fleece blanket and hot water bottle and advice on how to stay healthy during the winter.

The Chairman asked Members to note the list of engagements that he had carried out and mentioned an additional event that he had attended at Dereham Station on 20 October 2012 to mark the first scheduled train arrival since 1969. It had been an historic event and he hoped that Mid Norfolk Railway would continue to go from strength to strength.

98/12DECLARATION OF INTERESTS (AGENDA ITEM 4)

No declarations were made.

99/12NORFOLK LOWLAND SEARCH AND RESCUE (AGENDA ITEM 5)

The Chairman introduced Paul Chamberlain (Chairman) and Paul Webber (Vice-Chairman) of the Norfolk Lowland Search and Rescue Charity (NORLSAR). He had invited them to make a presentation as he had been impressed by the valuable work the Charity carried out and wanted to help them raise their profile.

Mr Chamberlain explained that NORLSAR provided specialist search services to the Police throughout Norfolk. They were part of the Association of Lowland Search and Rescue (ALSAR) which had 23 units throughout the country. They assisted in missing persons searches, primarily for vulnerable people such as the young and the old and infirm.

NORLSAR had started in 1999 evolving from the Breckland Landrover Club. They had a team of 40 people of whom 28 were on a callout list. They were available 24 hours a day, 365 days a year for call out and sometimes assisted neighbouring counties.

To supplement foot searches they had 12 people trained in water rescue. Six of those people were trained to an equivalent standard to the Norfolk Fire Service swift water rescue teams.

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NORLSAR members were all volunteers who gave their own time to undertake training and assist with searches. They worked with the Police, Fire Service, Ambulance Service and the RAF. Training took place twice a month.

Mr Webber then painted a verbal picture of how searches were carried out. A risk assessment was always undertaken before each search. Issues such as terrain, weather conditions and whether the search was being conducted in the dark were considered and appropriate clothing and equipment was used. Good clothing and maps were required.

Mrs Matthews asked whether they received any help with the provision of suitable clothing and was advised that NORLSAR had received a grant from the Geoffrey Watling fund and made applications for other grants that were available.

Mrs Spencer asked whether NORLSAR members had diving experience and assisted in river and sea searches. She was advised that they provided a surface resource only – looking for people on the surface or assisting in flooding incidents. They were able to support dive teams if requested.

Mr Sherwood asked if local people were ever requested to help with searches and was advised that because of safety issues and the lack of communications and equipment, that rarely happened. However, they did sometimes give walkers and joggers the description of someone they were looking for.

Mr R Richmond asked if dogs were used for searching. Mr Chamberlain advised that they did sometimes use police dogs and also had 'air scenting' dogs trained to search for missing people. However, it took up to 600 hours to train such a dog which was a massive commitment in time and money. Dogs were not always available. They often had to rely on the ingenuity of their team members, especially in cases where they did not have all the equipment they needed.

The Chairman thanked Mr Chamberlain and Mr Webber for coming and hoped that the presentation had raised the profile of their work.

100/12 CALENDAR OF MEETINGS 2013 - 2014 (AGENDA ITEM 6)

The Executive Member for Finance & Democratic Services presented the report which proposed a calendar of meetings for 2013-2014 which minimised conflicts.

RESOLVED that the schedule of Council and Committee meetings for 2013-2014 be approved.

101/12 CABINET MINUTES (AGENDA ITEM 7)

(a) Allocations Policy (Minute No 112/12)

The Leader of the Labour Group had been involved in the Task & Finish Group (T&FG) which had considered Housing and he supported the recommendation. He was concerned that although the policy would lead to a decrease in the number of people on the waiting list, the people removed from the list would not disappear and would be forced to look elsewhere for accommodation, which might be sub-standard. The aspect of shared ownership had not been covered by the T&FG. He wanted the Council to have greater commitment to enabling home ownership and suggested that the money from the Right to Buy scheme could be used for that.

The Executive Member for Planning and Environmental Services said that it was better for people to be pointed in the direction of other options rather than spend years on the waiting list. She also noted that the Council would not put people into sub-standard private sector housing. With regard to the Right to Buy figures she clarified that over the past four years the Council had spent about £4.5 million on housing.

Mrs Matthews, as Chairman of the T&FG said that the Group had taken everything into account and spent a long time considering eligibility.

Mrs Jolly thought that the move to licence Houses of Multiple Occupation (HMO) was an excellent way to protect the vulnerable.

RESOLVED that the Allocations Policy be adopted subject to the following amendments:

1. Section 3 – Eligibility heading **Notifying an ineligible customer** – amend to read **Notifying an ineligible or non-qualifying customer**
2. Section 4 – Assessment of Housing Need - add a fourth banding, under **Emergency, Gold** and **Silver** entitled **Applicants who do not have a reasonable preference**
3. Section 5 – Assessment of Applications under **Local Connection** - add the word **or** to the end of the first three bullet points.

(b) ICT Shared Services (Minute No 113/12)

RESOLVED that Shared Services arrangements with Norfolk County Council for the delivery of ICT services be approved.

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- (c) Draft Calendar of Council and Committee Meetings (Minute No 114/12)

This recommendation had been approved under Agenda Item 6.

- (d) Proposed Restructure of Housing Service (Minute No 120/12)

RESOLVED that the Housing Service Restructure set out in Appendix 2 to the report be approved.

- (e) Adoption

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 9 October 2012 be adopted.

102/12 OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 8)

RESOLVED that the confirmed Minutes of the Overview & Scrutiny Commission meeting held on 6 September 2012 be adopted.

103/12 PLANNING COMMITTEE (AGENDA ITEM 9)

RESOLVED that the unconfirmed Minutes of the Planning Committee meeting held on 1 October 2012 be adopted.

104/12 GENERAL PURPOSES COMMITTEE (AGENDA ITEM 10)

104 .a 25 July 2012

The Chairman of the General Purposes Committee reminded Members that the recommendation had been deferred at the last Council meeting to allow the Audit Committee to review the proposal. They had done so at their meeting on 28 September 2012 and had supported the recommendation.

RESOLVED that:

- (1) agreement to charge for Breckland's Training Services be approved;
- (2) the staff establishment in the training team be increased by 1 FTE on the basis that it will be funded entirely by the income of the training service; and
- (3) Breckland Training Services be established to provide training internally and externally as set out in the Business Proposal document subject to it being reviewed after one year and not three, and with regard to the establishment of a trading unit an interim report be returned to the General Purposes

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Committee following presentation to the Local Joint Consultative Committee meeting on 13 December 2012.

104 .b 19 September 2012

a) Street Trading (Minute No 57/12)

It was noted that recommendation one had been approved at the previous Council meeting.

RESOLVED to:

1. *Approve in principle the designation of all streets in Breckland as 'Consent Streets' for the purposes of Street Trading***
2. Agree the Street Trading Standard Conditions as set out in Appendix 2 of the report
3. Agree an annual fee of £408 for the initial grant or renewal of a Street Trading Consent (subject to annual review)
4. Authorise the Executive Member for Planning & Environmental Services to vary the fee structure as appropriate
5. Authorise the Licensing and Business Support Manager in consultation with the Executive Member for Planning & Environmental Services to agree a fee of £0 for the grant or renewal of a Street Trading Consent for local charitable fund raising activities, as defined in section 3.1.4 of the report
6. Rescind the existing street trading restrictions in Thetford and Watton as at 28 February 2013 and all streets in Breckland be designated as Consent Streets in accordance with section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 with effect from 1 March 2013
7. Agree that a further report be brought for consideration by Members in the event of problems being identified following the introduction of the revised scheme.

b) Pavement Licensing Policy (Minute No 58/12)

RESOLVED to approve the Pavement Licensing Policy subject to the addition of the words, "by an authorised person" with regard to the enforcement regime to pavement licences, to read:

The following enforcement regime will apply to pavement licences by an authorised person.

c) Adoption

RESOLVED that the unconfirmed Minutes of the General Purposes meeting held on 19 September 2012 be adopted.

105/12 APPEALS COMMITTEE (AGENDA ITEM 11)

RESOLVED that the unconfirmed Minutes of the Appeals Committee meeting held on 17 October 2012 be adopted.

106/12 AUDIT COMMITTEE (AGENDA ITEM 12)

RESOLVED that the unconfirmed Minutes of the Audit Committee meeting held on 28 September 2012 be adopted.

107/12 ELECTORAL REVIEW WORKING GROUP (AGENDA ITEM 13)

The Executive Member for Finance & Democratic Services presented the report which recommended the setting up of an Electoral Review Working Group which would look at the number of Councillors for the Breckland district in 2015.

He emphasised that the Council needed to make recommendations to the Boundary Commission otherwise they would make them on the Council's behalf.

RESOLVED that:

- (1) an Electoral Review Working Group be established; and
- (2) the following Members be appointed to that Group: Mr Askew, Mr Cowen, Mr Jermy, Mr Nairn, Mr Robinson and Mr Wassell.

108/12 THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 (AGENDA ITEM 14)

The Monitoring Officer presented the report which informed Members of changes that came into effect on 10 September 2012.

Mr Kybird asked if the changes applied to Tier Three authorities and was advised that they did not.

The report was noted.

109/12 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 15)

None.

110/12 BRIEFING BY THE BOUNDARY COMMISSION (AGENDA ITEM 16)

Dr Peter Knight and Mr Arion Lawrence from the Boundary Commission gave Members a PowerPoint presentation on the Review of the Electoral Arrangements.

Mr Lawrence explained the background of the Commission which was independent of all Parties and reported to the Government, which in turn implemented its recommendations.

The criteria and reasons for making the recommendations were explained. Two Wards within the District had triggered the review due to having significant variances of more than 30%. They were shown on a map and copies of that map were available for Members on request.

The review would consider the size, Wards and boundaries of the District taking into account:

- Electoral Equality
- Community Identity
- Effective and Convenient Local Government

The review could not consider Parliamentary Constituencies, District Wards or political implications. It could not be based upon administrative units (such as school catchment areas) which did not reflect communities. It could not abolish or create Parishes. If a boundary was moved and a Parish was split, the Parish would be divided into Parish Wards.

The size of the Council was the starting point for the review and Members were asked to consider what the optimum size was by looking at their responsibilities and workloads and providing evidence.

In January/February the Commission would hold a meeting with Group Leaders and the Electoral Review Working Group to discuss proposals. After that they would go out to consultation for six weeks seeking representations. Both supporting and alternative views would be considered.

During the review process information would be gathered on ward patterns which would involve all interested parties. The Commission would deliberate on the representations received and then publish draft recommendations which would be subject to a further period of consultation, before the final recommendations were published. It was important for Members to provide evidence to either support or object to the recommendations.

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The final recommendations would then be laid before Parliament for 40 days, after which time they would be implemented by an Order.

It was stressed that all representations, either for or against the recommendations, would be taken into account. They would also be published on the website and Officers would be provided with a copy.

If Members disagreed with the recommendations they were asked to put forward alternative ideas which needed to consider any knock-on effects they might have on the wider area.

A good review would provide a detailed but succinct rationale to support the proposed Council size. Key issues to consider were whether the electoral figures were accurate and to include as many groups as possible. Information was needed on areas of agreement and disagreement.

Mr Lamb sought clarification on the changes the Commission was empowered to make and was advised that the external boundaries could not be changed but the Ward boundaries within the district could be moved.

Mr Sherwood asked whether any public meetings would be held and whether the Town and Parish Councils would be visited and would be able to present verbal evidence. Dr Knight explained that they did not usually hold public meetings or accept verbal evidence due to resource constraints. They needed written information. They would tour the district looking at the boundaries and visiting contentious areas but that would be done privately to ensure political neutrality.

It was clarified that representations would be published at the end of each respective stage, with personal information redacted.

Mr Sherwood was concerned that members of the public might not be engaged in the process and asked how the Commission publicised the review.

Mr Lawrence advised that there would be two briefings for Town and Parish Councils later that day. The local media had been contacted and would be kept informed at every stage of the process. Posters were available and would be distributed to the Town and Parish Councils. There was also information on the website. The aim was to have as far reaching a consultation process as possible.

With regard to electoral equality Mr Sharpe asked how large developments, due to take place during the five year forecast, were taken into account.

It was acknowledged that that was a difficult area. The Commission would speak to the Planners about applications that were in the pipeline. They would visit those areas to see if development had

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commenced. If they were not likely to start within the five year period, they could not be included in the consideration. Forecasting was not an exact science, but they tried to get as close as possible based on the evidence available.

Mr Smith asked how electoral equality could be achieved in large Wards with disparate communities. Previously there had been a criteria covering sparsely populated areas. If that was no longer the case school catchment areas might be an important factor.

It was confirmed that there was no criteria in the legislation relating to sparsity. Rural and town Wards were treated exactly the same. Community identity might be evidenced by school catchment areas and could be considered if that was the case.

Dr Knight explained that the Commission published the information from previous reviews and he suggested that Members should look at what had happened in other districts and use that information for research purposes. The Borough of Gedling in North East Nottingham which had a good rural/urban mix was a good example. The Borough of Uttlesford which comprised rural/commuter suburbs had looked at the minimum number of Councillors and then added a safety net and representational role to determine its optimum number.

There were cases where Councils had provided evidence to avoid a reduction in size. No two councils were the same and he advised that an individual approach should be adopted, within the criteria provided.

Mr Jermy raised concerns about multi-Member Wards like his own. He asked if the review would consider the possibility of dividing such a Ward for individual Councillors.

Dr Knight said there was no agreement on the best way forward. If the Council was able to take a resolution for single Member Wards, that would add another criteria to the Commission's work. In the absence of such a request they would carry out the review on the existing three criteria. He asked Members to draft proposals in a way that conformed with those statutory criteria.

Mr Lamb asked if there was a 'standard' number of electors per Councillor and was advised that there was no ratio whatsoever.

The Chairman concluded by saying that the Working Group would formulate a response on behalf of the Council. He thanked Dr Knight and Mr Lawrence for their presentation.

The meeting closed at 11.45 am

CHAIRMAN