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## BRECKLAND COUNCIL

### At a Meeting of the

### CABINET

Held on Tuesday, 8 January 2013 at 9.30 am in  
Norfolk Room, The Conference Suite, Elizabeth House, Dereham

#### PRESENT

Mr J.W. Nunn (Chairman)	Mr M.A. Kiddle-Morris
Mr M. A. Wassell (Vice-Chairman)	Mr I. Sherwood
Councillor E. Gould	Mr W.H.C. Smith
Mrs L.S. Turner	

#### Also Present

Mr A.P. Joel	Mr T. J. Jermy
Mr K. Martin	Mrs E. M. Jolly
Mr S.G. Bambridge	Mr M J Nairn
Councillor C Bowes	Mrs J A North
Mrs B Canham	Mr W. R. J. Richmond
Mr P.J. Duigan	Mr F.J. Sharpe

#### In Attendance

Dominic Chessum	- Joint Marketing & Communications Team Leader
Robert Walker	- Assistant Director of Commissioning
Terry Huggins	- Chief Executive
Julie Britton	- Senior Committee Officer
Mark Finch	- Assistant Director of Finance
David Spencer	- Joint Deputy Planning Manager
Sharon Jones	- Head of Shared Service (ARP)
Phil Mileham	- Planning Policy Team Leader (Capita Symonds for Breckland Council)

#### Action By

#### **1/13 MINUTES (AGENDA ITEM 1)**

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

#### **2/13 APOLOGIES (AGENDA ITEM 2)**

None.

#### **3/13 URGENT BUSINESS (AGENDA ITEM 3)**

None.

#### **4/13 DECLARATION OF INTERESTS (AGENDA ITEM 4)**

None.

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**5/13 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)**

Mesdames C Bowes, B Canham, E Jolly and J North and Messrs G Bambridge, P Duigan, T Jermy, A Joel, K Martin, M Nairn, W Richmond and F Sharpe.

**6/13 ATTLEBOROUGH AND SNETTERTON HEATH AREA ACTION PLAN AND WIDER LOCAL PLAN REVIEW (AGENDA ITEM 7)**

Members' views were sought on the implications of a revised timetable for the Attleborough and Snetterton Heath Area Action Plan and consequential effects on the Government's requirements for the transition to a Local Plan.

The Executive Member for Assets and Strategic Development put the report into context. In the light of the demise of the Regional Spatial Strategy, all local authorities would now be able to set their own housing targets through this new single District-wide Local Plan, and whilst this work moved forward, if the preferred recommendation was approved, there would not be a vacuum in the planning process as the development plans in place, within the existing Local Development Framework that determined current planning applications, would still be used and would still hold weight. All the reasons for re-examining the approach and timetable had been set out in the report and had been based on the assumption that necessary evidence was produced/delivered in accordance with the current timetables. Members were made aware that the 3 years that it could take to produce a single Local Plan would signal the end of the Attleborough and Snetterton Heath Area Action Plan as a separate entity. The benefits to the Council for the production of a single District-wide document would also allow for the detailed consideration of overall growth rates for the district and provide an opportunity for further consultation with rural Parishes as to their aspirations for future planning i.e. a refresh of settlement boundaries.

The Executive Member for Assets and Strategic Development was pleased to announce that if the Council did go ahead with a single District-wide Local Plan, Breckland would be one of the first in the country to do so.

Mr Martin had attended a recent Attleborough Town Council meeting where the main concern had been on the procedures/timescales. The current procedure had already taken 4 years. This next procedure was going to take a further 3 years but in the meantime, the Council continued to approve sporadic developments in the town.

The Executive Member for Assets and Strategic Development explained that the Regional Spatial Strategy had been removed and therefore the distribution would not be the same. The number of houses in Attleborough could be decreased or increased taking into account the adhoc developments and depending on the outputs from the forthcoming Transport Evidence Study. The transport evidence is likely to be influential in how the Council determines applications in Attleborough. If infrastructure capacity in Attleborough is fundamentally constrained then

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the Council will have to look at alternative options including allocating some development into the villages as part of the Local Plan process.

The Joint Deputy Planning Manager said that the Attleborough Area Action Plan had been the most complex document within the LDF process and needed robust evidence which had taken time to produce. Further traffic surveys had since been completed and all the work that had gone into Attleborough would be moved across to this new Local Plan. In actual fact, the Plan would contain detailed chapters for each town as well as looking at what role other communities in the district would play.

The Chairman had recently had a meeting with Banham Poultry who had recently submitted a planning application that was very much reliant on the Transport Study and he asked if Officers were sure that the Council was going to be in receipt of such information by the end of March 2013 (as highlighted in the report).

The Joint Deputy Planning Manager said that he was confident of that timeline and was happy to share this transport work study with other interested parties once the Council was satisfied with the quality of the work.

The Executive Member for Internal Services asked how many plans the Council actually had in operation. He further asked when the Council would have something definitive - a question he was often asked by his Parish Councils which he could not answer. The Chairman was unsure of the number of iterations but understood everyone's frustration. He knew that the timing of this review was unfortunate. The Executive Member for Assets and Strategic Development pointed out that Breckland only had the one iteration – the Local Development Framework document that had been adopted by Council in 2009. As far as the latter question was concerned, Members were informed that planning in villages would and should still continue as normal. He reminded Members that with this new Local Plan, the Council would end up with something more *Brecklandised* than what it had before.

The Executive Member for Internal Services also mentioned the proposed link road in Attleborough and asked where it was likely to be situated (as highlighted in paragraph 1.17 of the report). The Joint Deputy Planning Manager advised that the preferred link road option for Attleborough would run from Bunns Bank to somewhere near the Breckland Lodge Hotel.

Mrs North felt that development in villages should be encouraged and asked if some of the settlement boundaries could now be ignored. The Executive Member for Assets and Strategic Development stated that if a village required further development it was quite at liberty to produce a Neighbourhood Plan that allowed development outside the development boundary. He did point out however, that many villages during the production of the Local Development Framework had emphasised that they did not want further housing. He, on the other hand, welcomed further development; villages should not be seen as dormitories and he knew that many people preferred to live in the countryside. His vision was for villages to thrive once more and small businesses and shops to

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be resurrected.

Mr Joel was pleased to hear the route of the new link road and he hoped that the Attleborough Task Force would continue as a Group. Members were informed that positive discussions had stemmed from these Forums and the consultations would carry on as Breckland had a duty to confer with its communities. He pointed out that the Transport Plan would be available to view very soon.

Mr Martin raised concern again about the adhoc developments coming through in Attleborough and mentioned the many planning applications that had recently been submitted and hoped that these would be taken into account during the production of the new Local Plan. The Chairman confirmed that the ability to control this rested with the Transport Plan.

Mr Bambridge very much welcomed the aforementioned statement made by the Executive Member in relation to villages having a greater say in growth and he hoped, through the system, that the Council would have regard to future planning applications in villages that had a good case behind them whilst ensuring that villages grew to a rate suitable to the area. The Chairman totally agreed and was thrilled by the new legislation that gave villages more opportunities to grow.

The Executive Member for Planning and Environmental Services asked if villages could apply for their guidelines to be put back. The Executive Member for Assets and Strategic Development asked whether such boundaries were needed as it stifled development. He could not see anything wrong with building reasonable spaced houses along country roads on the outskirts of a village instead of cramming them in within the guidelines as some had already done. The Executive Member for Planning and Environmental Services knew that the smaller villages would not attempt neighbourhood plans where as settlement boundaries allowed development.

The Chairman felt that the creation of a separate Working Group of Cabinet as suggested at paragraph 2.12 of the report was a good idea as this Group would be able to review villages, policies etc to prevent Breckland ending up with urbanised communities.

Mr Bambridge suggested a document being produced showing areas of non-permitted development instead of permitted development. Members were informed that the National Planning Policy Framework did exactly that.

In response to a question in relation to budget issues, it was noted that the Planning Policy Team was supported by the Capita Symonds contract.

In light of the issues raised in the report, there were a range of potential options available to the Council in taking local planning policy forward for both Attleborough and Snetterton Heath and the wider district. These were as follows:

**Option1**

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Continue preparing an ASHLP for consultation in Spring 2013, and carry out a separate consultation on 'Issues for a Local Plan review' in late 2013 that contained options on housing growth scenarios, but acknowledging risks in relation to the justification of housing numbers and traveller pitch provision. A key risk to proceeding with a separate ASHLP in advance of undertaking the wider Local Plan review was that sections of the document would become out of date once the revised Local Plan had been prepared and, for example, if new housing figures were identified for the district.

**Option 2**

Continue the preparation of a further more detailed consultation on growth in Attleborough, but that this be delayed to form part of a more detailed section of a consultation on the preparation of a new District-wide 'Local Plan' in late 2013/ early 2014 (e.g. an 'Issues and Options' paper which could include housing numbers for the rest of the district and more detailed proposals for Attleborough in a separate chapter). A revised Local Development Scheme would be prepared which would set out the remaining timetable for the 'Local Plan' with subsequent milestones to be agreed.

**Option 3**

Prepare a separate ASHLP consultation to 'Preferred Options' stage, but delay the commencement of work on a Local Plan to 2014 and avoid confusion over revised strategic housing choices and allow further 'objectively assessed' evidence to support future housing growth scenarios in the district to be prepared. Pursuing this option would result in the ASHLP being capable of having some limited weight in decision-taking, but existing LDDs being afforded less weight over time as they became increasingly dated and there was an absence of emerging policy covering the wider district to replace them.

**Reasons**

It was recommended that the Council endorsed Option 2 of the report. Option 2 was considered to represent the most sound and deliverable approach in moving towards a new strategic planning framework for the district post National Planning Policy Framework, whilst continuing to make progress on providing certainty of the direction of committed growth in Attleborough. Taking such an approach would allow for the remaining evidence base to be fully completed and understood. It would also allow the Council, the public and other professional stakeholders to have a clearer understanding of the options for strategic growth and change across Breckland.

Should Members endorse either option 2 or 3 of the report and commit to either a migration towards a single 'Local Plan', or a further amended timetable for a 'Local Plan', then this should be prepared utilising a new Member decision-making process, such as a Working Group of Cabinet.

**RESOLVED** that a Working Group be established to scrutinise and review the new 'Local Plan' document going forward.

**DS/MKM**

**Action By**

**RECOMMEND** to Council that Option 2 of the report be endorsed – to continue the preparation of a further more detailed consultation on growth in Attleborough, but that it be delayed to form part of a more detailed section of a consultation on the preparation of a new District-wide ‘Local Plan’ in late 2013/early 2014 (e.g. an ‘Issues and Options’ paper that could include housing numbers for the rest of the District and more detailed proposals for Attleborough in a separate chapter). A revised Local Development Scheme would be prepared which would set out the remaining timetable for the ‘Local Plan’ with subsequent milestones to be agreed.

**DS**

**7/13 LOCAL COUNCIL TAX SUPPORT (AGENDA ITEM 8)**

The Executive Member for Internal Services gave a quick introduction to the report that sought agreement to recommend to Council a new Local Council Tax Support Scheme. Breckland, along with all billing authorities had been required to consult on a new scheme; however, the scheme being proposed was slightly different to what had been consulted on. The improvements that had been made were highlighted (see third paragraph of section 5.6 of the report). The Secretary of State had offered a transitional grant, if accepted, it could mean in the region of £17,800 for Breckland Council. This would be a one-off arrangement and no-one knew if this would be offered again the following year. If this was the case and no offer came forward this scheme might have to be revisited.

Members’ attention was drawn to the highly detailed document attached to the report at Appendix A.

The Assistant Director of Commissioning highlighted the key elements of the report and emphasised the fact that Breckland Council needed to have a support scheme in place by 31 January 2013; if not, the Government would impose a scheme itself. To have a draft scheme that would pay for itself would have led to a reduced level of support across all working age claims by approximately 25%. It would have been possible for the Council to meet the shortfall in funding from the Council’s budget; however, this would have created a pressure on the other major precepting authorities’ budgets and would also be inconsistent with the approach agreed across Norfolk.

The Proforma B highlighted the combined cost of the new scheme and technical changes, the Government Grant and the Transitional Grant – the estimated cost to Breckland would be in the region of an additional £42,627. Members were informed; however, that Norfolk County Council had agreed to provide a one off grant for 2013-14 which ultimately meant that there would be no additional cost to this Council for this particular year.

The recommendations were highlighted. The Executive Member for Internal Services stated that the scheme Breckland Council was proposing was broadly as other authorities in Norfolk the only difference being was the Class C properties (100% discount for the first three months then 0% discount for the next three).

The Executive Member for Assets & Strategic Development was pleased to hear that this scheme worked out to be cost neutral in the first year.

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Members were assured that this was subject to the conditional offers based on this report.

**Options**

**Council Tax Support**

- 1) Do nothing. If the Council did not adopt a LCTS scheme based on agreed local criteria then the Government's "default scheme" would be implemented.
- 2) To agree and recommend to Council that the draft Local Council Tax Support scheme – which formed the basis of consultation – be finalised and adopted in Breckland.
- 3) To apply for a Transitional Grant and amend the draft Local Council Tax Support scheme to reflect the grant scheme criteria.

**Technical Changes**

- 1) Do nothing. If the Council did not make technical changes to Council Tax exemptions then the funding shortfall would have to met by the Local Council Tax Support scheme with less support for working age claimants.
- 2) To agree and recommend to Council that technical changes be made to the collection of Council Tax as described above and in line with the other billing authorities in Norfolk and in agreement with Norfolk County Council.

**Reasons**

It was recommended that Cabinet agreed the new Local Council Tax Support Scheme and recommended it to Council for adoption.

It was further recommended that Breckland Council applied for a Transitional Grant and amended the draft Local Council Tax Support scheme to reflect the grant scheme criteria.

The new criteria were largely consistent with those consulted upon; the only difference being 8.5% limit on increased council tax liability. In applying for the grant, Breckland Council would minimise the impact on benefit recipients, for at least one year, of reductions in council tax support.

There were a number of different criteria which could be used to deliver a local scheme. Other billing authorities were expected to agree some different arrangements reflecting their own local circumstances. The proposals put forward here largely reflected the current policies for the award of council tax benefit but reflected the reduced level of funding available by capping the maximum award [in line with the Transitional Grant Criteria].

To deliver the required saving from changes to the Council Tax scheme alone, without the Transitional Grant and with no income from technical

changes to Council Tax exemptions, would lead to a reduced level of support across all working age claims by approximately 25%.

It would be possible for the Council to meet the shortfall in funding from the Council's budget. However, this would also create a pressure on the other major precepting authorities' budgets and was inconsistent with the approach agreed across Norfolk.

**RECOMMEND** to Council that:

- 1) the new Council Tax Support Scheme be approved;
- 2) an application be made for the Transitional Grant and the draft Local Council Tax Support scheme be amended to reflect the grant scheme criteria; and
- 3) technical changes be made in regard to the collection of Council Tax.

**8/13 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 9)**

Subject to the following recommendations the Minutes of the Anglia Revenues & Benefits Partnership meeting held on 13 December 2012 were adopted.

(a) Partnership Budget 2013-14 (Minute No. 65/12)

The Executive Member for Internal Services stated that the Partnership budget figures had been approved by the Council's S151 Officer. The Chairman said that the figures did not mean a great deal to him, all he wanted to know was whether they had gone up or down. The Assistant Director of Finance (also the S151 Officer) advised that the budget was broadly in line with last years figures taking into account the changes to transition processes and expansion of the computer systems. All the Finance Directors had worked very closely on this budget. The Assistant Director of Commissioning reminded Members of the saving that had been made with the joining of another authority.

**RECOMMEND** to Council that the amount of £1,912,716 from the Anglia Revenues Partnership budget be included in Breckland Council's budget for 2013-14.

(b) Microsoft Licensing (Minute No. 66/12)

**RESOLVED** that:

- 1) a new methodology for future licensing refreshes be approved;
- 2) the amounts needed for the licence to refresh be funded via contributions from the Partner Authorities; and
- 3) the option to purchase by annual subscription over three years be approved.

**Action By**

**RW/SJ**

**RU/MF**

**RU**

	<u>Action By</u>
<p>(c) <u>Business Rates Resourcing (Minute No. 67/12)</u></p> <p>The Executive Member for Internal Services said that this new scheme should enable the Partnership to bring in more revenue.</p> <p><b><u>RESOLVED</u></b> that:</p> <ol style="list-style-type: none"><li>1) the changes to the current legislation be noted; and</li><li>2) the proposed changes to the Business Rates Service be approved.</li></ol>	<p><b>RU</b></p>
<p>(d) <u>Home Working/Home Enabled Report (Minute No. 68/12)</u></p> <p>The Executive Member for Internal Services said that he had been happy with the progress of the Home Working Scheme.</p> <p>Subject to approval by the General Purposes Committee, it was <b><u>RESOLVED</u></b> that:</p> <ol style="list-style-type: none"><li>1) changes to the Home Working Scheme be approved; and</li><li>2) the new Homeworking Policy be approved.</li></ol> <p>At the end of the Minutes, at Appendix D, Members' attention was drawn to the number of successes that had been made by the Benefit Fraud Service.</p>	<p><b>RW</b></p>
<p><b>9/13 <u>MEMBER DEVELOPMENT PANEL (FOR INFORMATION) (AGENDA ITEM 10)</u></b></p> <p>The Minutes of the Member Development Panel meeting held on 22 November 2012 were noted.</p>	
<p><b>10/13 <u>NEXT MEETING (AGENDA ITEM 11)</u></b></p> <p>The arrangements for the next meeting on Tuesday, 12 February 2013 at 9.30am were noted.</p>	

The meeting closed at 10.15 am

CHAIRMAN