

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 12 September 2013 at 2.00 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr J.P. Cowen (Chairman)	Mr R.G. Kybird
Mr T. J. Jermy (Vice-Chairman)	Mr R. R. Richmond
Mr C G Carter	Mr J.D. Rogers
Mr K.S. Gilbert	Mr B. Rose
Mrs D.K.R. Irving	Mr S.G. Bambridge (Substitute Member)
Mr A.P. Joel	

Also Present

Mrs S Armes	Mr. T. Needham – Clerk to Dereham Town Council
Mr T Birt – Dereham Town Councillor	Mr M. S. Robinson
Mrs B Canham	Mrs A.L. Steward
Mr M.A. Kiddle-Morris	
Mrs K. Millbank – Mayor of Dereham	

In Attendance

Ralph Burton	- Strategic Property Manager
Helen McAleer	- Senior Committee Officer
Teresa Smith	- Committee Officer (Scrutiny & Projects)
Mark Stokes	- Deputy Chief Executive
Steve Udberg	- Asset Manager
Robert Walker	- Assistant Director of Commissioning

44/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 18 July 2013 were confirmed as a correct record and signed by the Chairman.

45/13 APOLOGIES AND SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence were received from Mr A Byrne and Mrs S Matthews.

Mr Bambridge was present as Substitute for Mrs Matthews.

**46/13 NON-MEMBERS WISHING TO ADDRESS THE MEETING
(AGENDA ITEM 5)**

Mrs S Armes, Mrs B Canham, Mr M Kiddle-Morris, Mr M Robinson and Mrs A Steward were in attendance.
Mrs K Millbank was present in her role as Mayor of Dereham Town Council.

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47/13 EXECUTIVE MEMBER PORTFOLIO UPDATE (AGENDA ITEM 6)

The Executive Member for Communications, Organisational Development and Performance was unable to attend. The Deputy Chief Executive (DCE) gave Members the Portfolio update on his behalf.

The DCE suggested that as Performance was an area within the Portfolio, he would cover the next agenda item within the briefing. He then went on to give a brief overview of the work being carried out.

Organisational Development was driving the Council's Medium Term Financial Strategy. The Business Development Manager had recently left the Authority and Rob Blanden had been appointed as his Interim replacement. Efficiencies were being identified and then incorporated into the budget. Part of that process was using the information gathered by the Could We Should We survey.

The Council was undergoing two forms of transformation, one shared with South Holland and the other specific to Breckland. A programme of projects and initiatives was being looked at by Members assisted by Managers to prioritise them to ensure maximum value. The draft programme was expected to be ready by the end of September and would be seen by CMT and then the Commission.

Communications were busy raising the Council's profile. The Festival on the Farm had been a great success and the use of social media was being increased as a tool for passing on information. An internal questionnaire was currently being circulated to determine the best way of communicating information to staff.

Performance Management was an area currently under review. Performance Plus, the shared system with South Holland had not been considered to be fit for purpose and its use had ceased. Other means of providing a wider Corporate Management system to incorporate additional services and maximise economies of scale were being investigated. Officers were already working on providing the new system and a draft Project plan was in place and the system was expected to go live for quarter three – September to December 2013. It would include projects and performance indicators and also risks and audit recommendations as well to give a fuller picture. The first live report was expected in January.

Councillor Gilbert acknowledged that the Council was good at getting its message out to the public. He asked how the Member / Officer protocol was getting on and the DCE advised that having been approved by the Member Development Panel a full training programme had been developed and was being delivered to all

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Breckland staff to raise awareness of the role of Members and the importance of communicating with them. The aim of the training was to ensure Officers knew the importance of informing Members of matters occurring within their Wards and thereby equipping them to fulfil their role in the community.

Councillor Bambridge asked whether there was any intention to reinstate the Business Improvement Sub-Committee and the Star Chamber and whether backbench Members could be involved.

The DCE explained that as part of the Performance Management system there was a governance framework which included a Performance Board which met quarterly and would critically challenge underperforming areas. That was already in place. There would also be a Programme Board with a similar governance framework which would look at each Portfolio and it would be up to the Portfolio Holder to decide on wider Member involvement in that.

The Vice-Chairman thought it was a poor show that the Executive Member had not been able to attend and that his Executive Support Member had not attended in his place either.

The Chairman advised that it had been difficult timing with the new Leader of the Council and the potential for changes to the Executive. He noted that the Performance Board should report to the Commission quarterly and that they would want to see the reports before they went to Council. He thanked the DCE for the update.

48/13 GOVERNANCE & PERFORMANCE MONITORING (AGENDA ITEM 7)

This item was discussed under Agenda Item 6.

49/13 DEREHAM MEMORIAL HALL (AGENDA ITEM 8)

Mr Tony Needham, Clerk to Dereham Town Council was in attendance with Mr Tim Burt, Dereham Town Councillor and Mrs Kate Millbank Dereham Town Mayor.

Papers provided by the Clerk had been circulated to Members in a Supplement to the Agenda which explained the journey of Dereham Memorial Hall since it had been awarded a £250,000 grant by the District Council.

Mr Needham recapped the background and detail of the grant award and also the strategy to see the Hall used more regularly by more people. The first two years had seen a year on year increase. The Hall was 'fit for the next 100 years' and was excellent value for money and of benefit to the whole community.

Mr Burt asked why the matter had been brought to Scrutiny and the

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Chairman explained that it was the Commission's duty to review the Council's business and its relationship with other partner organisations. The Memorial Hall had received a much larger grant than was usually given by the Council and the Commission was interested to see that it had delivered what it said it would.

Mrs Millbank was aware that one Councillor had raised issues and Mr Bambridge said he was probably that Member. He had written to Dereham Town Council about some concerns and although he had received an answer he had not been happy that his questions had been answered. He had written again and was still awaiting definite answers. Since asking for the matter to be brought to Scrutiny he had received many enquiries from the public asking what was happening. The gist of their concerns was that the Hall was expensive to hire and difficult to contact because it was not open enough and not enough was going on. There had also been a letter to the press suggesting that a paid individual, together with volunteers, should run the Hall as a part commercial, part community owned venture.

Mr Needham confirmed that he had received correspondence from Mr Bambridge which had been answered in a timely manner. The complaints he referred to had not been specified and so it had been difficult to respond without further details which had not been forthcoming. The request to attend the Commission had put any further correspondence on hold.

Mrs Millbank advised that people could book the Hall in the town, on line or by telephone and there was an advertisement in the Hall with that information.

Mr Burt said it was a general purpose Hall and it would be inappropriate to have a booking office open all the time.

The Vice-Chairman had run Community Centres and was encouraged to see that the Hall was not costing Dereham Town Council a lot of money relatively speaking; in fact it was more or less breaking even. The hiring figures were good and so was the website. It was the sort of worthwhile project the Council should support.

The Chairman had received a note from Councillor Goreham (Dereham Ward Representative) who was unable to attend but wanted to say that the Hall was running very efficiently.

Councillor Gilbert thought the Hall was a wonderful venue. He was aware of an issue where a proposed school visit was to be charged £60. He knew that the Queens Hall in Watton accepted school parties free of charge and asked whether there were times when fees could be waived.

Mr Needham advised that there were two sides to every story and

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he did not wish to go into detail about individual cases. If Members heard a rumour or complaint he asked that they contact him direct.

Mr Burt advised that they preferred to keep consistency with charging. Instead of offering discounts they offered grants to groups that they wanted to encourage to use the Hall.

The Chairman asked how the Gallery and Bar were functioning and Mr Needham advised that it was a difficult space to fill because it was used by other Hall hirers to access the toilets, etc. The initial licensee had left and a new licensee had recently been found in partnership with Norfolk County Council. It would re-open again soon as a training project for adults with learning difficulties. Mr Burt added that the Town Council were actively promoting that area and had recently ratified an agreement to use it as an exhibition space.

Mrs Millbank passed out the Autumn/Winter brochure for Members' information and Councillor Armes noted that there were no concessions for senior citizens. She also advised that in Thetford the Mayor had the right to allow three occasions of free use of their Hall by Charities. She asked if the same was true for Dereham.

Mrs Millbank said they did not have a similar scheme but now that they had heard about Thetford they would look into it.

Councillor Bambridge applauded the excellent job of refurbishing the Memorial Hall but was aware of various complaints about its functioning and also about the lack of youth events especially for the 15-18 and 18-25 age groups.

Mr Needham acknowledged that the number of youth events was low and said that the Town Council was looking at ways to improve that.

Councillor Kybird pointed out that the matter under consideration was whether the £250,000 grant had been a good use of money. It was not for the Commission to question the running of the Hall. He thought that the work had been high quality and had provided a good facility for the community.

Councillor Irving asked about the Cultural Strategy and Mr Needham said that the strategy was in place.

Councillor Richmond remembered the Hall in the 1960s and thought that it had been transformed. It was doing a good job and offered a varied range of activities at a very low cost per head of the community.

The Chairman asked Senior Officers for their comments and the Assistant Director for Commissioning responded. His name had been on the initial report to Cabinet requesting the grant. It had

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been the largest grant ever given for community use and had received full Cabinet approval. The terms and conditions of the grant had been satisfied. If there were concerns about the usage of the Hall they fell outside the scope of the original grant. As far as he was concerned the grant had been a success.

The Executive Member for Assets & Strategic Development recalled that it had been a long debate at Cabinet as it had been considered a risky thing for the Council to do, but having seen the results he was satisfied that it had been the right decision. The conditions of the loan had been met in full and it was a good investment by the Council.

The Chairman had also been present at the Cabinet meeting and confirmed that it had been a detailed debate. Some of the concerns raised by the community could not be answered by the Commission and should be raised with Dereham Town Council and he urged the Town Council to respond to questions raised by the public. With regard to the loan, it had done what it said it would do. He thanked Mrs Millbank, Mr Birt and Mr Needham for their attendance.

50/13 HEALTH SCRUTINY (STANDING ITEM)(AGENDA ITEM 9)

Councillor Kybird advised that he had been unable to attend the last Norfolk Health Scrutiny meeting as it had clashed with the Council meeting. However, he would forward an e-mail with the meeting's outcomes to Members in due course.

51/13 SCRUTINY CALL-INS (STANDING ITEM)(AGENDA ITEM 10)

The Strategic Property Manager was in attendance to update Members on the progress of the Mackenzie Road Delegated Decision previously called in to the Commission.

The Commission had referred the matter to Cabinet and they had agreed that enforcement action should be taken to remove the encroachment. The person doing the encroaching had alleged that they had prescribed rights but had refused to provide any evidence. Before incurring costs by taking action the Council had contacted that person's solicitor requesting evidence and Statutory Declarations had been provided which formed the basis of the case for prescribed rights.

The Council did not continue with the enforcement action. However, somebody had reinstated the land, removed the gravel and re-grassed the area. The parked vehicles had also been removed. In effect the land had been put back to its original use.

The Council's legal advisors were currently reviewing the Statutory Declarations to determine if there was a case before action which would incur costs was carried out. Once their advice was received

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the Council was in a position to put up the bollards and to remove any vehicles if necessary.

The Vice-Chairman was grateful for the update. From the Ward Councillors' point of view the residents' complaints had ceased. He asked when the legal advice was expected to be received and the Strategic Property Manager thought that it would come within the next week or so.

Councillor Armes thanked the Asset department for their hard work. She had been kept informed of progress and she kept an eye on the site and had only seen one car parked there since the matter was raised. She said it was strange that the shingle had been cleared and the land re-seeded if they did indeed have a right to use the land.

The Chairman looked forward to receiving an update once the legal advice had been received.

52/13 WORK PROGRAMME (AGENDA ITEM 12)

The Chairman advised Members that after many months of trying to get the Utility companies to come to a meeting to discuss the anticipated growth in Breckland, the Scrutiny Officer had been successful in arranging for Anglian Water and the Environment Agency to attend the next meeting. Sadly he would be away on holiday, but he urged Members to provide questions in advance of the meeting. It was a golden opportunity to get answers about the significant challenges regarding water supply, drainage issues and how they were preparing to meet future demands.

Councillor Gilbert thought it would be a good idea to contact the Parish Clerks as the District Councillors did not know all the problems faced by their constituents. The Chairman thought that was a good idea but that Members should contact the Clerks.

The Executive Member for Assets & Strategic Development asked about the UK Power networks attending as there was a 'black hole' there and the Chairman agreed that was another big issue to be addressed.

Councillor Joel congratulated BT as faster Broadband was coming to the south of the district.

Councillor Irving asked which Executive Member would be attending the next meeting and after discussion it was agreed that as there was a new Leader it would be a good opportunity to invite him.

Councillor Kybird suggested that the Housing Associations could be invited to a future meeting.

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53/13 NEXT MEETING (AGENDA ITEM 13)

The arrangements for the next meeting on 17 October 2013 were noted.

54/13 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 14)

RESOLVED that under Section 100(A) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

55/13 LOCAL ASSET BACK VEHICLE (LABV) - PROCUREMENT PROJECT (AGENDA ITEM 15)

The Executive Member for Assets & Strategic Development presented the item and explained the background to the proposals. He then handed over to the Asset Manager who introduced the Council's professional external legal and property advisors working on the project.

Members were given a clear understanding of the reasons behind the proposals and the implications involved. Certain points within the report were explained in detail and Members' questions were answered.

The recommendations to Council in the report were supported by the Commission.

The Chairman thanked everyone for their time.

The meeting closed at 4.06 pm

CHAIRMAN