
BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 29 October 2013 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

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

Also Present

Mr T R Carter	Mr A.P. Joel
Mr P.J. Duigan	Mr K. Martin
Mr M J Nairn	Mrs J A North
Mr S.G. Bambridge	

In Attendance

Geoff Rivers	- Interim Chief Executive
Dominic Chessum	- Joint Marketing & Communications Team Leader
Mark Finch	- Assistant Director of Finance
Dale Robinson	- Interim Environmental Services Manager
Robert Walker	- Assistant Director of Commissioning
Julie Britton	- Senior Committee Officer
Teresa Smith	- Committee Officer (Scrutiny & Projects)
Philip James	- Planning Policy Team Leader
Phil Mileham	- Deputy Planning Manager
Sarah Robertson	- Planning Policy Officer (Capita Symonds for Breckland Council)
Jamie Smith	- Environmental Planning Officer (Capita Symonds for Breckland Council)

Action By

76/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 17 September 2013 were agreed as a correct record and signed by the Chairman.

77/13 APOLOGIES (AGENDA ITEM 2)

None.

Action By

78/13 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None.

79/13 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Councillors J North, G Bambridge, T Carter, P Duigan, A Joel, K Martin and M Nairn.

80/13 BRECKLAND COMMUNITY FUNDING APPLICATIONS (STANDING ITEM) (AGENDA ITEM 7)

The Vice-Chairman highlighted the various Match Funding and Pride Broad grants that had been awarded in September 2013 which included:

- Xen Arts – Black History Month Dance Project - £2387.50
- Weasenham Memorial - £5000.00
- Icen Challenge – Project about shopping locally with 30% of food being purchased within 30 miles - £500.00
- Icen Free Festival – Music Festival - £2450.00
- Old Buckenham Church – restoration of Medieval window - £5000.00

81/13 ATTLEBOROUGH NEIGHBOURHOOD PLAN AREA DESIGNATION (AGENDA ITEM 8)

The Executive Member for Assets & Strategic Development presented the report which asked Members to consider any strategic issues or consultation responses and to formally designate the Attleborough Neighbourhood Plan area.

One of the first key stages in the process was for the extent of the plan area put forward by the community to be designated by the Local Planning Authority. This would occur before the Plan could begin to be developed, and would set the area within which the policies in the Neighbourhood Plan would apply.

Three parishes, Attleborough Town Council, Besthorpe Parish Council and Old Buckenham Parish Council had submitted a proposal for the designation of a Neighbourhood Plan area to the Council on 20 August 2013. The consultation/publication period ended on 27 September 2013. This had been the first formal application for a Neighbourhood Plan area that the Council had received under the provisions of the Localism Act.

The publication period elicited one response from Old Buckenham Parish Council. The response from this Parish had indicated that they no longer wished for the land in the Old Buckenham Parish Council to be included

Action By

in the Attleborough Neighbourhood Plan area. Therefore, in the light of this response, Breckland Council had designated an amended boundary and removed the land within Old Buckenham (see Appendix B of the report). This was considered to be an appropriate response and would negate the need for the community to resubmit an amended area and undertake a further 6 week publication period. Following designation of the plan area, the Council was required by Regulation 7 of the Neighbourhood Planning Regulations to publicise this fact that this would be carried out in the same manner as per the previous consultation.

In response to a question, the piece of land taken out did include the area of land at Old Buckenham Airfield.

Referring to the proposed Transport Plan that was going to be considered at the Local Plan Working Group following the Cabinet meeting, the Executive Member for Internal Services said that one of the options for the relief road could have an impact on Great Ellingham and asked that the Parish be kept informed.

Although the land in question had been removed, Councillor Martin felt that the prospects for industry would still be there and the proposed relief road would attract further businesses to the area.

Option 1

To consider the content of the report and to confirm the Neighbourhood Plan area as submitted by the three Town and Parish Councils as set out in Appendix A of the report.

Option 2

To consider the content of the report and confirm the amended Neighbourhood Plan area as set out in Appendix B of the report.

Reasons

It was recommended that Cabinet endorsed Option 2 of the report. This was due to the representations made during the publication period by Old Buckenham Parish Council who no longer wished for land within their Parish to be included within the Plan area boundary.

Therefore, the proposed amended boundary reflected the original submission with the exception of any land within Old Buckenham Parish.

RESOLVED that the amended Neighbourhood Plan as set out in Appendix B of the report be approved.

PM

82/13 BRECKLAND CIL - DRAFT CHARGING SCHEDULE AND VIABILITY ASSESSMENT (AGENDA ITEM 9)

The Breckland CIL draft Charging Schedule and Viability Assessment had been due to go to the Full Council meeting on 14 November; however, the Department for Communities and Local Government (DCLG) had since proposed further changes to the CIL Regulations with the objective of

Action By

laying new regulations in Parliament before the end of the year to come into effect, subject to the Parliamentary process, by the end of January 2014.

Councillor North was aware that further parishes had been included in the higher value charging zone (see page 17 of the agenda) and felt that the parishes of Swaffham and Watton should also be considered for inclusion. Members were reminded that Community Infrastructure Levy (CIL) monies would be put into a combined 'pot' and distributed across all communities. Councillor North said that she would prefer the two parishes to have a 'pot' of their own.

In response to the above concern, the Executive Member for Communications, Organisational Development & Performance reminded Members that there would still be funding provided through S106 Agreements. The Executive Member for Assets & Strategic Development advised that S106 monies would not be able to be spent in the same manner when the CIL regulations came into effect. S106 monies could only be spent within the development itself and not to any part of the parish.

Accordingly, it was

RESOLVED that the approval of the Draft Charging Schedule be deferred until after January 2014.

PM

83/13 ENVIRONMENTAL SERVICES ORGANISATIONAL AND SERVICES REVIEW (AGENDA ITEM 10)

The Interim Environmental Services Manager presented the report which summarised the formal consultation responses received and sought authority to implement a re-structure of Environmental Services at Breckland District Council and South Holland District Council. Members were reminded of the review process thus far.

Further work in relation to senior management capacity was still on-going.

Option 1

Do nothing, leaving both the organisational structure of Environmental Services as existing and not proceeding with the suggested headline service improvements.

Option 2

Not proceeding with the organisational re-structure proposal, making the current secondments permanent and choosing which of the suggested headline improvements to proceed with.

Option 3

To proceed with the organisational re-structure, together with the suggested headline service improvements, as proposed within the report.

Action By

Reasons

The recommended organisational re-structure, together with the suggested headline service improvements, would ensure that Environmental Services at both Councils was positioned to be able to effectively deliver what was required of it; address the areas of improvement identified; maximise the sharing of staff, skills and other resources between the Council's, thereby increasing effectiveness and efficiency, improving customer service and service delivery and provide potential cost savings.

RECOMMEND to Council that:

DR

- 1) the implementation of the restructure of Environmental Services within both Breckland District Council and South Holland District Council as detailed in the report be approved; including
 - a) the provision of the senior management capacity for Environmental Services via the appointment of a Corporate/Strategic Manager; jointly shared between the two Authorities. Officers are requested to investigate further and report back on the most appropriate organisational structure/service arrangements to be managed by this position taking into account the potential synergies, weaknesses noted within paragraphs 1.19-1.20 of the report;
 - b) the further sharing of posts namely the proposed Senior Environmental Services Officer and Senior Waste & Recycling Services Officer;
- 2) the Environmental Services Statement of Purposes at paragraph 1.7 of the report be agreed; and
- 3) the headline improvements as at paragraphs 1.33-1.35 of the report be agreed.

84/13 TOWN/PARISH COUNCIL LOCALISED COUNCIL TAX GRANT
(AGENDA ITEM 11)

The Executive Member for Finance & Democratic Services asked if the report title could be changed to Local Council Tax Support Grant.

Government changes to the council tax benefit scheme that led to the introduction of the Local Council Tax Reduction Scheme (LCTRS) in April 2013 had resulted in a general reduction in the tax base across the district. This impact on the tax base had been recognised and a government grant had been passed on to partly compensate for this change, with an element of this grant (£305,000 for 2013-14) allocated to town and parish councils to offset their precepts. There was no legal obligation to pass this grant on.

Members were being asked to re-consider the amount passed on for future years bearing in mind the level of funding cuts and budget saving requirements that Breckland Council faced in forthcoming years. It was

Action By

noted that out of the 92 town/parish councils that had received grants, 31 (35%) reduced their precept request but the remainder of the town/parish councils (65%) took the grant payment in addition to their precept. If Members were mindful to remove or reduce the grant it was likely that these parish/town councils would have to increase their precept request to compensate.

The Executive Member for Internal Services agreed that the report heading should be changed as it was misleading. He reminded Members that Cabinet had previously agreed that the grant would be paid for one year only and Breckland Council was just one of a few Councils that had made such a contribution. Councillor Duigan said that he had explained to Dereham Town Council that the grant would be for one year only and this had been the reason why it had increased its precept.

Councillor North stated that Attleborough Town Council had reduced its precept on receipt of the grant but was asking for support again this year. She asked if there could be a further option for Members to consider such as a small subsidy to be granted to the 31 parish/town councils that had reduced their precepts.

Councillor Joel mentioned the possibility of precepts being capped and asked if parishes/towns would be stuck with 2% in their precepts if the Parliamentary Bill came into effect before January 2014. The Chairman was not aware of any such legalisation and said that it was very unlikely that a cap would be introduced. He explained that it was very difficult to pass anything across as it was unknown if any funding would be available. He highlighted the fact that all the town councils and six of the parishes charged more for its council tax than Breckland. Further to this, he was unaware of any publicity in relation to parishes/towns making efficiencies unlike the District Councils and Norfolk County Council.

Councillor Duigan drew attention to South Norfolk Council's 'Band D' council tax amount which was a great deal more compared to Breckland's.

The Executive Member for Assets & Strategic Development said that parishes had stated that they would be in financial difficulty if a grant was not received and he asked where the figures came from in options B, C, D and E under paragraph 2 of the report as he did not know how the Cabinet could make a decision based on these figures.

The Executive Member for Communications, Organisational Development & Performance was a great advocate for localism and local democracy and felt that towns and parishes had to start making savings. Swaffham, of which he was a Ward Member, had taken on services such as street lighting, toilets and play areas which had been what the people of Swaffham had wanted and had accordingly been reflected in the precept.

Councillor Bambridge stated that parishes and towns were informed last year that this would be a one-off grant and should be making decisions on setting their precepts without such grant provisions. He felt; however, that any grant that Breckland received should be shared out and he would be happy to pass that message on.

Action By

Options

- a) Continue grant at current levels;
- b) Reduce 60% of grant in line with forecast Revenue Support Grant reductions (i.e. 25.1%);
- c) Reduce grant by 11%, meaning no Town Council/Parish Council would need to increase its precept by more than 2% to compensate;
- d) Remove the grant completely;
- e) Phase the grant out over 2 years (or a number of years).

Reasons

To inform the budget setting process for 2014-15 and future years.

RESOLVED that the Town and Parish share of the Local Council Tax Support Grant be removed completely.

MF/AC

NB: Since the publication of the decision notice on 31 October 2013, this item has been called-in and will be discussed at the Overview & Scrutiny Commission meeting on 21 November 2013.

85/13 NNDR POOLING (AGENDA ITEM 12)

The Executive Member for Finance & Democratic Services presented the report that asked Members to review the potential for the establishment of a Business Rates Pooling arrangement for Breckland Council jointly with Norfolk County Council and other Norfolk District Councils.

A question was asked as to whether Breckland Council had carried out a risk analysis on the other partners in case of 'pull out' or if business rates fell below the baseline. The Assistant Director of Finance explained that many discussions had taken place between the Chief Executives involved and the Finance Officers and he was confident that all would sign up to this Pool with the exception of Norwich and Great Yarmouth as both had significant business rates. There was an option to withdraw but it was unlikely that this would happen as it would 'scupper' the arrangements for another year. Members were informed that all involved were significantly above the baseline safety net.

Option 1

To support that in principle Breckland Council agrees to join a Business Rates Pool with Norfolk County Council and other Norfolk District Councils; subject to further negotiation of the detailed financial and governance arrangements.

Option 2

Not to support that in principle Breckland Councils agrees to join a Business Rates Pool with Norfolk County Council and other Norfolk District Councils.

Action By

Reasons

To meet the Department for Communities and Local Government (DCLG) deadline of 31 October 2013 to apply for a Business Rates Pool; and

To maximise the amount of additional business rates income generated in Norfolk and re-invested in the Norfolk economy.

MF/AC

RESOLVED to support in principle that Breckland Council joins a Business Rates Pool with Norfolk County Council and other Norfolk District Councils; subject to further negotiation of the detailed financial and governance arrangements.

86/13 CALENDAR OF MEETINGS 2014/15 (AGENDA ITEM 13)

The report recommended a calendar of meetings for 2014-15 for the Council's approval.

Option 1

To recommend the Schedule of Meetings as attached to the report for the Council's approval.

Option 2

To suggest amendments.

Reasons

To comply with standing Orders and the Scheme of Delegation for the recommendation to Council for adoption of a Calendar of meetings for 2014-15.

RECOMMEND to Council that the Schedule of Council and Committee meetings for 2014-15 be approved; subject to any changes made by the Constitution Review.

JB

87/13 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 14)

None.

88/13 MEMBER DEVELOPMENT PANEL (FOR INFORMATION) (AGENDA ITEM 15)

The Minutes of the Member Development Panel meeting held on 26 September 2013 were noted.

89/13 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 16)

1) Partnership Working (Minute No. 42/13)

See Minute No. 92/13 below.

Action By

2) Adoption

RESOLVED that the Minutes of the Anglia Revenues and Benefits Partnership meeting held on 3 October 2013 be adopted.

90/13 NEXT MEETING (AGENDA ITEM 17)

The arrangements for the next meeting on Tuesday, 3 December 2013 at 9.30am in the Anglia Room were noted.

91/13 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 18)

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

92/13 PARTNERSHIP WORKING (AGENDA ITEM 19)

The Executive Member for Internal Services presented the report and provided Members with a detailed overview of the further money saving opportunities in relation to the Anglia Revenues Partnership.

Options

See report.

Reasons

See report.

RESOLVED that the third recommendation as listed in the report be approved.

PC

The meeting closed at 10.15 am

CHAIRMAN