

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 6 November 2014 at 10.00 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

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

In Attendance

Julie Britton	- Senior Democratic Services Officer
Julie Kennealy	- Executive Director (Place) (S151 Officer)
Helen McAleer	- Senior Democratic Services Officer
Mark Stinson	- Legal Services Coordinator
Vicky Thomson	- Democratic Services & Legal Manager

73/14MINUTES (AGENDA ITEM 1)

The Chairman clarified that Standing Order No 8 referred to the full Council Minutes and restricted comments to points of accuracy only. However, discussion of other Minutes on the Agenda was covered by Standing Order No 7 which allowed a Member to speak for three minutes.

The Minutes of the meeting held on 25 September 2014 were confirmed as a correct record and signed by the Chairman.

74/14APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Claussen, Duffield, Green, Millbank, Pettitt, Robinson and Steward.

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75/14CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 3)

The Chairman advised Members that the Special Council meeting arranged for 25 November 2014 had been cancelled. The next scheduled meeting of the Council on 18 December had been brought forward to Tuesday 9 December 2014 and would include the Local Asset Backed Vehicle (LABV) report. All Members would be invited to a separate briefing about that, prior to the Council meeting.

He then proposed to trial a new item for the agenda of Leader's Announcements at which the Leader of the Council would provide an update on key issues and take questions on those. If the trial was successful he proposed an amendment to the Constitution to formalise the inclusion of 'Leader's Announcements' on future Council agendas.

The time for questions to the Leader would be limited to 15 minutes in total and questions could only be on the content of the verbal report. The Leader would have the option of providing a written response.

Before moving on to the trial, the Chairman noted that he had had a busy month of engagements in October. He drew attention to the Bernard Matthews Youth Awards and noted that one winner had been Jade Chapman from Dereham. She had campaigned to get sign language taught in schools.

Finally he referred to the ceremony at Wretham which had highlighted the number of Polish, Czech and Slovak nationals involved in World War II.

The Leader of the Council then provided his verbal update which included information of the following key issues:

- the Corporate and Financial Plan;
- the Issues & Options consultation for the development of the Local Plan
- the delivery of a LABV based solution for the Council's assets
- the recycling revolution which went live on 1 October 2014
- the Council's ambition to enable and support growth and development using place based methodology;
- the intention to involve all interested groups in initiatives such as developments in Thetford and Attleborough
- determination to provide the right development in the right place, such as the Attleborough link road;
- creating an 'open for business' approach;
- working with the New Anglia Local Enterprise Partnership to ensure bids for projects were strong;
- commitment to Superfast Broadband
- continuation of payment of Town & Parish Council Tax support grant
- utilising Pride funding to run a participatory budgeting award scheme; and

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- with the Chief Executive, holding a program of meetings with Town Councils.

The Leader thanked the Chairman for giving him the opportunity to address the Council. Members were then invited to ask questions.

The Leader of the Labour Group said that the principle of asking the Leader of the Council questions was greatly welcomed. He was pleased that the Council was using place based planning, as mistakes had been made in the past due to a lack of links to local community views. He asked how that would be maintained for future growth.

The Leader of the Council responded saying that was the reason for holding meetings with the Town Councils and ensuring that all relevant parties were involved.

Councillor Cowen agreed that place based methodology was welcome and in Breckland it was clear how it would work for half of the population – those in the market towns, but the other half lived in rural areas and he was keen to understand how the Council would engage with those people to the same degree. Superfast Broadband was critical to people who worked in rural areas.

The Leader agreed but said that one issue with Broadband was that it wasn't only rural areas that lacked coverage; some parts of the towns had problems too. Place based methodology was equally relevant to rural areas and Ward Members could identify who needed to be contacted.

Councillor Lamb was concerned that growth would provide housing first. He felt that jobs should be the priority.

The Leader said that providing people with a place to live, work and go to school was of equal importance although it was unlikely that it could all be delivered at the same time. The Council's aim was to provide a better place for a brighter future.

Councillor Kiddle-Morris clarified that the Local Plan Issues and Options consultation would commence on 17 November. The first stage of understanding what local people wanted would come from their responses to that consultation. He suggested that Ward Reps should think about grouping parishes together to make them sustainable.

Councillor Jolly referred to the meeting with Thetford Town Council which had involved greater consultation with community groups. That process also meant that the groups had a clearer understanding of what was realistically possible.

The Leader confirmed that it was necessary to temper aspirations with realism.

Councillor Borrett heartily supported the idea of questions to the Leader. He

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was pleased about the match funding for Broadband in rural villages which was excellent news and would give value for money.

Councillor Canham raised concerns about the recycling revolution. The Council had previously assisted the residents of Thetford to set up bottle banks which provided them with an income to help keep the Residents Groups going. She asked how the Council could help now that that source of income was going.

The Leader advised that the Council would be providing a grant to top-up the money such groups would be expecting for the current year. However, they could still utilise the bottle banks and explain to their residents that they could continue to use them to raise funds.

The Deputy Leader noted that some communities had bottle banks funded by Norfolk County Council (NCC) and they had stopped their funding. The Council would also support those communities for the current year and then review future options.

Councillor Williams referred to the mention of parishes grouping together and asked how the Council would help with the cost of producing Neighbourhood Plans.

The Leader explained that there was a misconception about the amount of money the Council received from the DCLG for Neighbourhood Plans. The Council received £30,000 in total and that was across the whole district, not per Plan. They were therefore constrained by that.

Councillor Kiddle-Morris clarified that the money from the Council was used to pay for the work associated with the new Local Plan and to pay for the Examination in Public and any parish polls.

The Chairman noted that the 15 minutes for questions was over. Members agreed to an extension to allow all Members wishing to speak to do so.

Councillor Bambridge was pleased that the Council was supporting Broadband but said there was also an issue with mobile phone coverage.

The Leader said that he would look into that but it might not be within the Council's control.

Councillor Sherwood said that he would defer his question until the next meeting.

The Deputy Leader asked Members to check with their Parish Clerks as they should have received letters explaining about the new recycling regime and bottle banks.

At the conclusion of questions a show of hands by Members unanimously supported having Leaders Announcements and Questions as a Standing Item on the agenda.

76/14 DECLARATION OF INTERESTS (AGENDA ITEM 4)

Councillor Bambridge reiterated the declaration he had made for item 91/14 of the Cabinet Minutes on page 10 of the agenda.

77/14 CABINET MINUTES (AGENDA ITEM 5)

Councillor Armes noted that her name had been omitted from the attendance list.

a) Breckland Community Funding Applications (Minute No 88/14)

Councillor Goreham was staggered to read the comment in the fifth paragraph about the tipping of rubbish and hoped it could be substantiated. The Leader confirmed that it was part of the resolution to investigate that matter.

b) Local Council Tax Parish Support Grant (Minute No 89/14)

The Leader of the Labour Group was glad that the confusion of the previous year had been avoided and that parishes had been informed in time to allow them to set their budgets.

RESOLVED that £305,000 support grant to town and parish councils in 2015/2016 be committed on the same proportional basis as in 2014/2015.

c) Local Council Tax Reduction Scheme (Minute No 90/14)

Councillor Jolly requested an amendment to the first paragraph. She had said that the maximum entitlement of benefit for those of working age was 91.5%; there would be protection for Pensioners; and there would be protection for all in receipt of a war pension.

d) Anglia Revenues and Benefits Partnership (Minute No 93/14)

Councillor Canham sought assurance that the increase in the number of partners would not have a detrimental effect on people applying for benefits.

The Leader of the Council advised that the ARP had actually been administering revenues and benefits for the two additional councils for the past two years and the proposal was just to give them full partnership status.

Councillor Williams asked if the Partnership was growing so much that the Council's part would be diluted and the Leader advised that it was not.

RESOLVED that:

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- (1) Waveney District Council and Suffolk Coastal District Council become full members of the Anglia Revenues Partnership; and
- (2) The Operational Improvement Board be given delegated authority to negotiate a new Anglia Revenues Partnership agreement to include Waveney District and Suffolk Coastal District Councils as full members of the Anglia Revenues Partnership.

e) Attleborough Link Road Delivery (Minute No 95/14)

Councillor North requested an amendment to the fourth paragraph on page 12 to replace Councillor Stasiak with '*all Attleborough Ward Representatives present expressed the hope that Cabinet would approve option 3.*'

Councillor Joel supported route three but noted that it joined Bunns Bank. He hoped the link road would help to overcome the problems with heavy goods vehicles in Old Buckenham.

The Leader agreed that that needed to be considered to ensure the best result for residents.

The Leader of the Labour Group asked if the wording of the recommendation was right, in a Member-led Council, as it delegated power to the Chief Executive in consultation with the Leader.

The Leader confirmed that the wording had been amended to meet the required legal terminology. He assured Members that he had regular meetings with the Chief Executive and he was sure she would take his views on board.

RESOLVED that delegated authority be given to the Chief Executive in consultation with the Leader to approve and release the required funding for land purchase of route option 3.

f) Adoption

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 22 October 2014 be adopted.

78/14 PLANNING COMMITTEE (AGENDA ITEM 6)

RESOLVED that the now confirmed Minutes of the Planning Committee meeting held on 29 September 2014 be adopted.

79/14 GENERAL PURPOSES COMMITTEE (AGENDA ITEM 7)

RESOLVED that the unconfirmed Minutes of the General Purposes Committee meeting held on 17 September 2014 be adopted.

80/14 AUDIT COMMITTEE (AGENDA ITEM 8)

RESOLVED that the unconfirmed Minutes of the Audit Committee meeting held on 26 September 2014 be adopted.

Overview & Scrutiny Commission

The Chairman of the Overview & Scrutiny Commission (O&SC) advised Members that the Minutes from the meeting held on 9 October 2014 were not available as the Committee Officer had been signed off sick. The meeting had received a presentation and questions about ICT. The Minutes would be presented to the next Council meeting.

At the next O&SC meeting to be held on 20 November 2014 the Police & Crime Commissioner (PCC) had been invited to attend. All Members had been asked to submit questions for the PCC and were also invited to attend the meeting.

81/14 AMENDMENT TO CONTRACT PROCEDURE RULES (AGENDA ITEM 9)

The Legal Co-ordinator presented the report which proposed a minor change to the Contract Procedure Rules which was designed to allow the Council to comply with EU Procurement rules in a prompt and timely manner.

Councillor Armes had found the report very valuable in providing good guidance to both District and Town Councillors in applying the procedures and rules.

Councillor Lamb asked if the new rules made it harder for the Council and the Legal Co-ordinator explained that the EU rules had applied for many years but the Council's procedures had not identified an easier way to apply them. The proposed amendment would provide a fast and efficient means of procurement which was compliant with the law.

RESOLVED that Part 4B of the Constitution be amended as follows:

- a) Contract Procedure Rules, rule 3 – insert “(a)” before first paragraph and immediately after insert new paragraph “(b) A contract may, where considered expedient by a Chief Officer, be let through any framework agreement to which the Council has access. Where the contract to be let is subject to the EU Procurement Rules, use of such framework agreement shall be subject to compliance with EU Procurement Rules.
- b) Contract Procedure Rules, rule 8(b) – in the last line, before the words “where applicable” insert the words “or through any framework agreement that is compliant with EU Procurement Law in either case”

Alterations to Standing Orders would stand adjourned for approval until 18 December 2014 and would come into force on that day.

82/14 CALENDAR OF MEETINGS (2015-2016) (AGENDA ITEM 10)

Members were asked to consider the proposed Calendar of Meetings for 2015-2016 and amendments to the previously approved Calendar of Meetings for 2014-2015.

Councillor Jermy was disappointed that the Overview & Scrutiny Commission (O&SC) meeting date on 28 May 2015 was proposed to be deleted. He thought it would be wise to save that date for training new Scrutiny Members.

Councillor Cowen, Chairman of O&SC advised that the reason the date was being deleted was because the Calendar was for public meetings. The date was indeed to be used for an informal training day following the election, but that would not be open to the public.

The Senior Democratic Services Officer noted that the formal O&SC meeting had been put back one week and would take place on 4 June 2015.

The Leader of the Council explained that meetings had been moved to give a reasonable timeframe to appoint and train Committee members following the elections.

The Senior Democratic Services Officer advised that all the proposed changes to the previously approved Calendar had been included on an amended Calendar of Meetings for 2014-2015 which was attached to the Council agenda. One additional change needed to be made to that Calendar, to move the Council meeting on 18 December to 9 December 2014.

RESOLVED that:

- (1) the schedule of Council and Committee meetings for 2015-2016 be approved; and
- (2) the amendments to the Council and Committee meetings for 2014-2015 itemised in the report, be approved.

83/14 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 11)

The following amendments to Committee membership were confirmed:

Audit Committee

Councillor Bowes to replace Councillor Childerhouse

General Purposes Committee

Councillor Millbank to replace Councillor Bambridge

Councillor Darby to be a Substitute Member

Member Development Panel

Councillor Darby to replace Councillor Bambridge

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Overview & Scrutiny Commission

Councillor Stasiak to replace Councillor Gordon Bambridge as Substitute Member.

Outside Bodies – Norfolk Health Scrutiny Committee (NHSC)

Councillor Robert Richmond appointed as Substitute Member.

The meeting closed at 11.00 am

CHAIRMAN