
BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 1 December 2015 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr M. A. Wassell (Chairman)	Mr P M M Dimoglou
Mrs L.S. Turner (Vice-Chairman)	Mrs E. M. Jolly
Mr C G Carter	Mrs K. Pettitt
Mr T R Carter	Mr P S Wilkinson

Also Present

Mr S.G. Bambridge	Mr T. J. Jermy
Mr W.P. Borrett	Mr A.P. Joel
Councillor M. Chapman-Allen	Mr K. Martin
Mr P.D. Claussen	Mrs S.M. Matthews
Mr J.P. Cowen	Mr P.J. Duigan
Mr P R W Darby	Mr F.J. Sharpe

In Attendance

Neil Campbell	- Planning Policy Manager *
Alison Chubbock	- Chief Accountant (Deputy Section 151 Officer) (BDC)
Paul Durrant	- Asset Technical Officer
Anna Graves	- Chief Executive
Kirsty Mallett	- Land Management Officer
Tim Mills	- Executive Manager Growth (Interim)
Maxine O'Mahony	- Executive Director of Strategy & Governance
Teresa Smith	- Democratic Services Officer
Rob Walker	- Executive Director Place
Iain Withington	- Planning Policy Team Leader*
Martin Pendlebury	- Director of Planning & Business Manager *
Phil Adams	- Executive Manager Public Protection

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104/15 MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 3 November 2015 were confirmed as a correct record and signed by the Chairman.

105/15 APOLOGIES (AGENDA ITEM 2)

None.

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106/15 URGENT BUSINESS (AGENDA ITEM 3)

None.

107/15 DECLARATION OF INTERESTS (AGENDA ITEM 4)

Councillor Wilkinson declared an interest in Agenda Item 10, as Ward Member.

108/15 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Councillors Bambridge, Borrett, Claussen, Cowen, M Chapman-Allen, Darby, Duigan, Jermy, Joel, Martin, Matthews and Sharpe were in attendance.

109/15 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 6)

None.

110/15 BRECKLAND COMMUNITY FUNDING APPLICATIONS (AGENDA ITEM 7)

The Executive Member for Place advised that there was currently one application under consideration. It was for a grant to strengthen the roof of Tittleshall Village Hall.

111/15 DRAFT BUDGET SETTING, MEDIUM TERM PLAN (MTP) AND CAPITAL STRATEGY (AGENDA ITEM 8)

The Executive Member for Finance introduced the report which was presented at the last Overview & Scrutiny Commission meeting.

The draft budget presented no issues and a balanced budget for 2016/17. The recent Government Autumn Review Statement had announced a phased reduction of the Revenue Support Grant (RSG). This had been budgeted for and therefore caused no issues. The New Homes Bonus (NHB) would be phased out over 4 years. The revenue from the RSG and the NHB would provide funding for an Investment Fund and a Growth Fund. A gap of £806k needed to be met by savings/additional income over the coming four years, but it was thought this would be met by generation projects from Breckland Bridge.

Councillor Jolly congratulated the Section 151 Officer and the team for anticipating the budget. Breckland was in a strong position, not only with a balanced budget but also for the future in the setting up of the Investment and Growth Funds.

Councillor Cowen agreed and said the budget had been presented at the last Overview and Scrutiny meeting and it had been the most easily understood presentation he had seen on Finance.

The Chairman said this demonstrated the Council were looking to the future, and it was a credit to the Portfolio Holder and the Officers involved.

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OPTIONS

1. That the draft capital and revenue budget estimates, the medium term financial plan and the capital strategy are released for consultation.
2. There are no alternative options presented, however amendments may be made before release for consultation.

REASONS FOR RECOMMENDATION

To comply with the budgetary and policy framework.

RESOLVED that the draft capital and revenue budget estimates, the medium term financial plan and the capital strategy be released for consultation.

112/15 QUARTER 2 FINANCIAL PERFORMANCE REPORT 2015-16 (AGENDA ITEM 9)

The Executive Member for Finance presented the report and informed Members there was a capital budget true underspend of £190k as a result of projects not continuing. These underspends would be utilised for future years capital budgets.

The Chairman said this was sound financial management, and the Council were on top of the financial performance.

OPTIONS

1. To note the report and approve the virements in table 4 of section 1 of the appendix.
2. To note the report and not approve the virements in table 4 of section 1 of the appendix.

REASONS FOR RECOMMENDATION

To provide timely information to Members on the overall finances of the Council and to make the best use of resources available, anticipating future year's expenditure.

RESOLVED that:

1. That the report and appendix be noted.
2. That the revenue virements in table 4 of section 1 of the appendix be approved.

113/15 LAND AT DENNY'S WALK, NARBOROUGH (AGENDA ITEM 10)

The Executive Member for Place presented the report and informed Members that Flagship had approached the Authority with a proposal to redevelop the site; replacing the existing units with 33 properties, 31 of which would be affordable homes.

In order for the development to continue, Flagship had requested the release of restrictive covenants.

The District Valuer originally provided a figure of £50,000 but following changes this had been revised down to £26,000 based on Flagships proposals. Flagship were unable to proceed for more than £1 in order to obtain funding for the redevelopment.

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Breckland needed housing to be built and it was recommended that the council waiver the £26,000.

Councillor Dimoglou said it was a good proposal and the Council would receive new Homes Bonus and the properties would be included in the Council Tax base in the future.

Councillor Bambridge approved of the proposal but asked if there would be other forms of affordable housing.

The Executive Director for Place said that there would be two Private houses and the remaining would be social housing. The makeup and style of the application had been to the recent Planning Committee where it was approved subject to conditions.

OPTIONS

1. Release the relevant Restrictive Covenants contained in the Conveyances for 8 and 12 Denny's Way, Narborough for £1 and impose new covenants requiring the land be used for affordable housing. In taking this option the Council foregoes £26,000 in exchange for the wider regeneration and housing supply benefits that are created in that area.
2. Release the relevant restrictive covenants for £26,000. This option would significantly limit the willingness of the Homes and Communities Agency to directly invest new grant funding into the scheme, and therefore call into question both the financial viability and local authority support for the scheme
3. Do nothing.

REASONS FOR RECOMMENDATION

The following reasons support **Option 1**:

- Enable the provision of 33 new homes, 31 of which are much needed affordable housing units. Flagship has confirmed that 4 of the affordable homes will be direct lets to Flagship customers already living in existing properties that are to be redeveloped and the remaining 27 affordable homes will be allocated through people on the Breckland Council housing waiting list. Flagship has confirmed that they are unable to pay anything more than £1 to release the covenants, due to the nature of the Homes and Communities grant funding regime for new affordable housing.
- This will allow the re-development of an area in Narborough (subject to planning permission) and makes better use of sites.
- Provision of energy efficient housing.
- Enables development of two new private residential units.
- There are currently approximately ,3 3000 households across the entire waiting list for Breckland with approximately 550 households in the priority bands of Gold and Silver (being those in most need of re-housing). Approximately 2400 of those households have expressed a

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wish to reside in Narborough.

- An increase in Council Tax revenue and potential New Homes Bonus to support further development of this nature.

RESOLVED that:

1. The release of the relevant Restrictive Covenants contained in the Conveyances for 8 and 12 Denny's Walk, Narborough, for £1 be approved;
2. New covenants be imposed requiring the land to be used for affordable housing.

114/15 SMOKE FREE PLAY AREAS AND ZONES (AGENDA ITEM 11)

The Executive Member for Public Protection proposed to introduce smoke-free zones in play areas across the district. This was not about preventing people from smoking, but asking them to smoke more responsibly away from where children may be affected and exposed to harmful tobacco smoke.

The project would be delivered over two phases. Phase 1 would introduce a voluntary code for smoke-free play areas across the district. This would require consultation and co-operation with owners of the play areas and the Town & Parish Councils. Phase 2 would introduce a voluntary code for smoke free areas outside school entrances and children's nurseries. It was anticipated Phase 1 would be launched in March 2016 with Phase 2 commencing in April 2016.

Councillor Bambridge thought it was a good idea and had already contacted the Executive Member to say that he recently attended an event in Thetford where a member of the public had approached him overjoyed with the idea.

The Chairman said that there had been publicity about this, and the Executive Member for Public Protection had been interviewed on Radio Norfolk.

Councillor Jermy added this would have an impact on littering in that it would stop people from dropping cigarette butts. He asked if there would be fines introduced as part of the campaign.

The Executive Manager for Public Protection said that at this stage the campaign would be voluntary and felt that imposing fines would impact on what the voluntary code was trying to achieve.

OPTIONS

1. Do nothing. This will result in no further action being taken.
2. To approve the proposed project.
3. To approve the proposed action in principle but make minor amendments.

REASONS FOR RECOMMENDATION

Smoking in the presence of children 'normalises' smoking behaviour. It is widely accepted that children are more likely to smoke, if they see adults around them smoking. By introducing voluntary smoke free areas it will help reduce the prevalence of smoking in young persons and adults.

Medical and Scientific Opinion is that there is no safe level of second hand

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tobacco smoke. Successful implementation of this proposal will enable children to play in a healthy place without exposure to harmful second hand tobacco smoke. This will lead to a particular improvement in play areas which are walled, solidly fenced or poorly ventilated

Introducing a voluntary smoke free code in these areas will reduce the amount of tobacco related litter. Therefore improving the local environment and generally making the area more attractive and pleasant.

Encouraging local children to design signs to be displayed, will encourage Pride in Breckland and the environment generally.

RESOLVED that the introduction of a voluntary smoke free code at all public play areas/parks, entrances to schools and children's nurseries throughout the district of Breckland be appointed.

115/15 LOCAL PLAN PREFERRED DIRECTIONS (AGENDA ITEM 12)

The Executive Member for Growth introduced the report. He updated Members on changes that had been made to the documents including the use of pastel shades; all maps would be included in the documents when they were sent out for consultation; and, the documents reflected the rural nature of Breckland District.

The Planning Policy Team Manager thanked Members for their input into the documents, which were now ready for consultation with stakeholders and the public. The report provided Members with a detailed outline of how the Local Plan had been set out.

The purpose of the Preferred Directions Consultation was to outline the Council's preferred policy direction on strategic issues, its preferred development management policies and the range of emerging site options.

A key area was Strategic policy which was based on the level of growth and represented a reduction from the current Core Strategy target of 780 dwellings per year to 597. 68% of growth remained directed towards Thetford and Attleborough and a number of settlements had also become Local Service Centres. A Settlement Boundary review of the rural settlements currently with Settlement Boundaries would be carried out as part of the process at later stages.

The Emerging Site Options document (Appendix 2) contained maps of the site options in the settlements identified as the proposed development hierarchy including Local Service Centres. Following a request from the Executive Member an assurance was given by the Policy Team Leader that the maps would be reviewed and the rural maps included before the document went out to consultation.

It was proposed that the Affordable Housing target would be 36% which reflected information provided from the Strategic Housing Market Assessment. However the final figure would be subject to a viability assessment and would be reported to the Local Plan Working Group.

The Development Management Policies had been reviewed and updated against the requirements of the National Planning Policy Framework and

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would remain flexible.

Parking standards had been incorporated as requested by the Executive Member and incorporated into the principles of Housing Policy where the issues of off-street parking provision would be addressed during the application process.

A Technical Standard Policy had been introduced with a requirement for 5% of properties to include disabled access and adaptability to properties in order to evoke a requirement in Building regulations through the Local Plan; however this percentage remained flexible and recommendation could change following the consultation and further evidence.

Updated maps of Swaffham and Dereham had been circulated to Members and would be included in the consultation documents.

It was proposed that a six-week consultation process would commence on 11 January – 22 February 2016. A communications plan was in the process of being developed and Members would be informed in due course.

Councillor Bambridge asked if there would be public meetings within Breckland to discuss the proposals. In addition he asked if the developments would include affordable housing and not just social rented housing. The Chairman said that the communications plan would be discussed at the next Overview and Scrutiny meeting. The Planning Policy Team Leader said the policies covered the rural economic aspect and it was recognised that a proportion of growth would come through that route.

Councillor Cowen raised concerns about the communications of the consultation process and felt that Members should see it before it was released. The Chairman emphasised that no decisions had been made.

Councillor Cowen went on to say that the definition of Agricultural workers should be re-considered as it was now a highly skilled job and this needed to be looked at. He also said that Settlement Boundaries defined the character of a village and therefore serious consideration was needed before they were reviewed.

Councillor Borrett said this was an enormous piece of work which would shape Breckland for the future. Residents would have an interest in it and he hoped that everyone would engage in the consultation. He was pleased to see some small scale developments in some villages and felt it responded to Parish Council needs in that they could be involved in the development of their villages.

Councillor Joel advised there were three areas of affordable housing but this needed to include starter homes. He said it was very important for the rural areas to consult, and asked that Parish Councils received printed copies of the Local Plan as some would not have or be able to access it online. The Chairman said he would expect to see this added in the Communications Plan.

Councillor Darby said the documents focussed on the development of the A11; however Members should not lose sight of developing in and around the A47.

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Councillor Matthews was interested in building houses for the future, and said that she had learned of new homes being developed in Necton which had space to build a lift in the property. She asked if it was down to the developers to do this, or could the Council make this a requirement.

Councillor Duigan asked for a glossary to be added to the Appendix 2 document. He also asked if the numbers included those that had already been allocated. The Planning Policy Team Leader said the allocation table included a residual number as well as the total number of commitments already made.

Councillor Claussen asked if the document would hold weight if applications should go to appeal. The Chairman said that Members should be aware that the Council were required to develop a Local Plan by the end of 2016.

Councillor Jermy asked if the section on retail and Town Centres included proposals to support town centres and control out of town retail development. It was confirmed that the policy introduced a lower threshold than the NPPF for an impact assessment requirement in relation to Thetford and was intended to support town centres.

Councillor Cowen felt the developers should seriously consider homes for life when marketing the development. He suggested that developers should also ensure that houses included access to all utilities including broadband. He was aware changes would be coming from Government regarding affordable housing and asked how the Local Plan would change to reflect this. The Planning Policy Team Manager said the policy had been written in a way to allow hooks to reflect any changes that would come from National Policy, which was due April 2016.

The Chairman added that work was underway with developers to look at making access to Broadband standard within the properties.

Councillor Jolly was concerned to see additional development in areas where amenities were oversubscribed, and therefore no longer sustainable. Education and Health were not a District function but she asked how Breckland could address the issue of oversubscribed services. She was glad to see there was an influence on parking as this had become an issue within villages.

The Planning Policy Team Leader said it was a balancing act to manage expectations. It was expected that infrastructure providers would input into the plan and he would report back to the Local Plan Working Group the outcome. The Director of Planning & Business Manager added that as the Local Plan progressed an infrastructure delivery plan would seek to identify areas of infrastructure requirements and therefore would seek developer contributions in order to improve infrastructure development.

Councillor Cowen expressed concern particularly with health care services. He said the surgery catchment areas were not the same as planning boundaries, and he felt this would create serious congestion at Doctors surgeries. The Health Service was not a statutory consultee within the planning service, and he said more development would create serious pressure on the health services. He was keen to encourage lobbying of MP's

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that boundaries were changed to ensure that all residents gained access to primary services.

OPTIONS

1. The Cabinet to approve the Local Plan Preferred Direction Development Plan documents and Sustainability Appraisals for six weeks' public consultation;
2. The Cabinet to approve the Local Plan Preferred Direction Development Plan documents and Sustainability Appraisals for six weeks' public consultation in principle and to authorise the Strategic Planning Manager and Portfolio Holder to make any necessary minor corrections, factual updates, formatting changes and other non-material changes that are identified prior to the publication of the Preferred Directions Changes consultation;
3. The Cabinet do not approve to publish the Local Plan Preferred Direction Development Plan documents and Sustainability Appraisals for public consultation.

REASONS FOR RECOMMENDATION

The development of the single Local Plan is a complex, iterative and interrelated process which must also confirm to the legislative parameters. The Preferred Directions document represents a suitable stage in which to progress the Local Plan through the scheduled regulation 18 consultation in line with the anticipated time line required in order to ensure the plan is adopted by the end of 2016.

RESOLVED that the Local Plan Preferred Direction Development Plan Documents and Sustainability Appraisals be approved for six weeks' public consultation in principle and to authorise the Strategic Planning Manager and Portfolio Holder to make any necessary minor corrections, factual updates, formatting changes and other non-material changes that are identified prior to the publication of the Preferred Directions Changes consultation.

116/15 NEXT MEETING (AGENDA ITEM 13)

The arrangements for the next meeting to be held on 5 January 2016 were noted.

The meeting closed at 11.15 am

CHAIRMAN