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BRECKLAND COUNCIL

At a Meeting of the

CABINET

Held on Tuesday, 12 June 2018 at 10.00 am in
Attleborough Town Council, Town Hall, Queens Square, Attleborough, Norfolk, NR17
2AF

PRESENT

Mr S. H. Chapman-Allen (Vice-Chairman)	Mr J.P. Cowen
Mr S.G. Bambridge	Mr M. S. Robinson
Mr P.D. Claussen	Mr A.C. Stasiak

Also Present

Mr W.P. Borrett	Mr A.P. Joel
Councillor M. Chapman-Allen	Mr K. Martin

In Attendance

Christine Marshall	- Executive Director Commercialisation (S151 Officer)
Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Greg Pearson	- Corporate Improvement and Performance Manager
Teresa Smith	- Democratic Services Team Leader
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Rob Walker	- Executive Director Place

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55/18 MINUTES

The minutes of the meeting held on 1 May 2018, together with the restricted minutes, were confirmed and signed by the Chairman.

56/18 APOLOGIES

Apologies were received from Councillors Nunn and Webb.

57/18 URGENT BUSINESS

None.

58/18 DECLARATION OF INTERESTS

None.

59/18 NON-MEMBERS WISHING TO ADDRESS THE MEETING

Councillors Borrett, M Chapman-Allen, Joel and Martin. The Vice-Chairman

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welcomed members of the public in attendance.

60/18 CHAIRMAN'S ANNOUNCEMENTS (IF ANY)

The Vice-Chairman shared the news that Cliff Jordan had sadly passed away after a short period of illness. He was a Norfolk man, who did a lot of work for Breckland in particular, and encouraged local democracy through all tiers of local government. He would be sadly missed.

61/18 BRECKLAND COMMUNITY FUNDING APPLICATIONS (STANDING ITEM)

(a) Large Match Funding Application - Parochial Church Council of the Ecclesiastical Parish of Thetford

The Executive Member for Place explained that the application outlined how the church would like to carry out a range of works within the church hall and the church to expand its use to allow more community functions within the buildings. It would include providing a fully equipped kitchen to allow a range of food related services such as providing meals during school holidays for children who receive free meals during term time, and provision of a soup kitchen for the homeless.

Councillor Martin queried that funding had been secured from a number of charities, and asked that as the building was a community asset of Thetford Town Council why there was no mention of a contribution from them.

Councillor Robinson spoke as a member of the Thetford Town Council and was not aware of an application being received, but encouraged the applicant to put one forward.

Options

- 1) Fully fund the application set out in the report
- 2) Part fund the application set out in the report
- 3) Do nothing

Reasons

The grant application meets the criteria of the scheme. This is project which although being delivered by a church is strongly focused on delivering community activity and benefit. The project appears to be well planned and led, and fundraising is well advanced. The project also responds well to the identified needs in Thetford. The assessor gave some consideration to the potential for overlap between this project and the recently funded project at the Charles Burrell Centre to increase opportunities for work experience. However the assessor concluded that the Thetford PCC's focus on catering training means that this project is complementary to the Charles Burrell project.

RESOLVED that the grant award of £19,817 (or 8.1% of the project costs, whichever is the lower amount) to the Parochial Church Council of the Ecclesiastical Parish of Thetford to update facilities to make the church more suitable for community activities be approved.

(b) Large Grant Funding Application - Holme Hale Playing Field trust

The Executive Member for Place presented the report and pointed out how

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the Playing Field Trust had consulted with local residents about the projects. The contribution was sought towards the cost of upgrading equipment on the playing field.

Options

- 1) Fully fund the application set out in the report
- 2) Part fund the application set out in the report
- 3) Do nothing

Reasons

The grant application meets the criteria of the scheme.

RESOLVED that the grant award of £7,500 (or 29.5% of the project costs, whichever is the lower amount) to the Holme Hale Playing Field Trust to update play facilities in the village be approved.

62/18 DATA PROTECTION POLICY

The Executive Member for Governance reminded members of the work that had taken place to prepare the Council for the introduction of the General Data Protection Regulation that took effect from 25 May 2018.

One of the key changes was the requirement for 'accountability' which was a duty to evidence compliance. An important part of meeting that obligation was to have clear policies and procedures in place. The draft Data Protection Policy was appended to the report together with two procedures; one for dealing with breaches of data protection and the other for dealing with requests from data subjects to exercise their rights.

The policy made it clear that it applied to the employees and members of the Council. A query had been raised about the fact that Members were currently required by the Information Commissioner to be registered as data controllers. The Executive Member for Governance had asked the Executive Manager for Governance to investigate this point with other authorities and the Local Government Association.

He asked Members to approve the current draft policy and to note that as queries were resolved and further guidance was received there would be the need to make changes to the policy and asked for delegated authority to the Executive Manager for Governance, in consultation with the Executive Member for Governance to make such amendments as required.

Options

- 1) Approve the Policy and Procedures as written
- 2) Approve the Policy and Procedures with amendments
- 3) Do nothing.

Reasons

Approval would ensure that the Council had a fit-for-purpose Policy to assist in compliance with GDPR.

RESOLVED that:

- 1) The new draft Data Protection Policy, Data Security Breach Procedure and Response Procedures for Data Subject Requests be approved and adopted.

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- 2) That the Shared Executive Manager and Data Protection Officer be authorised, in consultation with the Executive Member for Governance, to make amendments to the Policy and Procedures so far as is necessary to reflect legislative changes, emerging guidance and to incorporate links to other relevant documents.

63/18 FINANCIAL OUT-TURN 2017-18

The Executive Member for Finance explained that variances were outlined in the report and said that the revenue account was in a healthy position.

He commended the recommendations to Members and asked that £1.7m be carried forward into 2018-19 to support projects in progress.

Councillor Borrett congratulated the Finance team on producing a balanced budget particularly in the difficult financial climate.

Options

- 1) That the report and appendix be noted and that Cabinet recommends to Full Council that capital budgets (& associated funding sources) of £1,694,731 be carried forward into 2018-19 to support projects in progress.
- 2) That the report and appendix be noted and that changes are made before recommending to Full Council that the capital budgets (& associated funding sources) be carried forward into 2018-19 to support projects in progress.

Reasons

- 1) To provide timely information to Members on the overall financial position of the Council, enabling resource re-allocation to priorities where necessary.
- 2) To enable approved capital projects to continue to deliver in the new financial year.

RESOLVED that:

- 1) That the report and appendix be noted.

RECOMMEND to Full Council:

- 2) that capital budgets (& associated funding sources) of £1,694,731 be carried forward into 2018-19 to support projects in progress be approved;
- 3) that the final capital out-turn and funding for 2017-18 as detailed in appendix B be approved.

64/18 Q4 2017-18 PERFORMANCE OVERVIEW REPORT

The Deputy Leader and Executive Member for Strategy, Governance and Transformation presented the report which had recently been to the Overview and Scrutiny Commission. He was pleased to report that Quarter four performance had been assessed as 'good'.

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The areas of improvement included the number of complaints upheld or partially upheld was slightly over target at 28% in the reporting period however this was an improvement from the previous quarter. The commercial property occupancy rates had fallen under 90% and work was being undertaken to seek alternatives to allow commercial return to be achieved.

Members noted the content of the report.

65/18 COMMUNITY RESERVE PROTOCOL

The Deputy Leader and Executive Member for Strategy, Governance and Transformation outlined that Members agreed the establishment of a Community Reserve to support projects and initiatives in Breckland. The fund had been generated by the removal of the Council's reliance on the New Homes Bonus from the general fund. The report outlined the protocol on how the funds could be allocated and the criteria that would be used to deliver the benefits to the community.

Members were asked to note that £250,000 would be ring-fenced to allow ongoing investment of the Market Town Initiative.

The report outlined the parameters for how the community reserve would be spent, rather than specific projects or initiatives. Members were asked that any proposals for initiatives should be submitted to the relevant Executive Director by 22 June.

Councillor Borrett supported the idea and added that Breckland had a history of investing in the community in order to produce a good return for the Council and increase the attractiveness of the area which members represent.

The Executive Member for Finance suggested that it could be an opportunity for Members to consider how rural communities accessed health facilities.

Options

- 1) Do nothing
- 2) Agree the protocols around what the newly established Community Reserve can be used for as set out in this report.

Reasons

By utilising the Community Reserve as set out in the report would bring significant benefits to both the Council and the residents. It would enable the council to invest in its community in a sustainable way that would bring long term financial benefits through either additional income or cost reduction. It would benefit residents by improving skills and income levels across the district.

The Council had already made the decision to establish the Community Reserve. The budget for 2018-19 had made a provision that the money would be spent and Council Tax rates had been set taking this into account. By not spending the reserve the Council would have in affect set its Council tax rates too high.

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RESOLVED that:

- 1) The protocols around how the Community Reserve could be used as set out in the report be approved.

RECOMMEND to full Council:

- 2) The sum of £250,000 be ring-fenced from the Community Reserve to be used by the Market Town Initiative and this to be agreed in line with the Council's Financial Regulations.

66/18 NEXT MEETING

The arrangements for the next meeting on Tuesday 24 July at 9.30am in the Norfolk Room, Elizabeth House, Walpole Loke, Dereham were noted.

67/18 EXCLUSION OF PRESS AND PUBLIC

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.

68/18 BRECKLAND BRIDGE BUSINESS PLAN UPDATE

Members were updated on the annual performance of the partnership with Land Group LLP that delivered property development schemes on council owned property assets.

Options

- 1) Cabinet recommends to Council to approve the updated Breckland Bridge Ltd Business Plan for 2018-2023 as set out in appendices A to D.
- 2) Cabinet does not recommend to Council to approve the updated Breckland Bridge Ltd initial Business Plan for 2017-2022 as set out in appendices A to D.

Reasons

Overall performance of activity is good. The Riverside project is now complete having started in 2015 and reaching completion in October 2016. Breckland Bridge Ltd successfully delivered this scheme on time and as per the authorised budget. The second project, Mileham Phase 1 houses are constructed and all sold or under offer and the scheme is reporting a surplus overall. The third project in Attleborough has achieved planning permission and is planned for delivery within the first five year period of the partnership. All project activity is due to complete by 2019 and therefore within the first 5 year period of the partnership as planned.

Subject to the risks identified which continue to be monitored the overall return to the Council is still positive in terms of regeneration and financial outturn.

RESOLVED to **Recommend** to full Council to approve the updated Breckland Bridge Ltd Business Plan for 2018 - 2023.

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69/18 INTER AUTHORITY AGREEMENT – WASTE SERVICES

Members were asked to consider approving the key terms of a draft agreement that needed to be in place between the three authorities that were participating in a joint procurement, and to grant delegated authority to the Executive Director for Strategy and Governance (in consultation with the Deputy Leader and Portfolio Holder for Place) to approve any final amendments, complete the agreement, and to commission legal support and subsequently approve further documents related to the procurement.

Options

- 1) Proceed with the joint procurement but do not approve the IAA.
- 2) Do not proceed with the joint procurement and do not approve the IAA.
- 3) Proceed with the procurement and approve the IAA.

Reasons

To enable the procurement to proceed jointly with the three Authorities.

It was **RESOLVED** that Members approved the recommendations as set out in the report to approve the key provisions of the Inter-Authority Agreement, allocate funds for the commissioning of legal support and grant the necessary delegations (in consultation with the Deputy Leader and Executive Member for Place) to approve contractual and procurement documents.

The meeting closed at 10.55 am

CHAIRMAN