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At a Meeting of the

COUNCIL

Held on Thursday, 30 July 2009 at 10.30 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham

PRESENT

Mr S. Askew	Mr J.P. Labouchere
Mr G.P. Balaam	Mr T.J. Lamb
Mrs J. Ball	Mr K. Martin
Mr S.G. Bambridge	Mrs S.M. Matthews
Mr W.P. Borrett	Mrs K. Millbank
Mrs M.P. Chapman-Allen	Mr I.A.C. Monson
Mr S.H. Chapman-Allen	Mrs L.H. Monument (Vice-Chairman)
Mr R.P. Childerhouse	Mr D.G. Mortimer
Mr J.P. Cowen	Mr J.W. Nunn
Mr P.J. Duigan	Mrs P. Quadling
Mr P.S. Francis	Mr J.D. Rogers (Chairman)
Mr R.F. Goreham	Mr S. J. P. Rogers
Councillor E. Gould	Mr B. Rose
Mr J.R. Gretton	Mr F.J. Sharpe
Mr M.J. Griffin	Mr I. Sherwood
Mrs T. Hewett	Mr W.H.C. Smith
Mrs D.K.R. Irving	Mrs P.A. Spencer
Mr A.P. Joel	Mr A.C. Stasiak
Mr C.R. Jordan	Mrs L.S. Turner
Mr M.A. Kiddle-Morris	

In Attendance

Sheila Cresswell	- Member Services Officer
Phil Daines	- Development Services Manager
Trevor Holden	- Chief Executive
Tim Leader	- Deputy Chief Executive
Stephen McGrath	- Member Development Team Leader
Ian Vargeson	- Member Services Manager

89/09 MEN AND WOMEN IN SERVICE IN AFGHANISTAN

The Council rose to observe a Minute's silence to remember those who had recently lost their lives whilst serving in Afghanistan, as well as those still out there, and all those who had suffered injury during the current conflict.

90/09 MINUTES (AGENDA ITEM 1)

It was noted that the date of the last Minutes should be amended to read Thursday, 9 July 2009.

Subject to that amendment, the Minutes of the meeting held on 9 July 2009 were agreed as a correct record and signed by the Chairman.

91/09 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillor C. Bowes, Mr A. Byrne, Mr P. Claussen, Mr R. Duffield, Mr M. Fanthorpe, Lady K.

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Fisher, Mr P. Hewett, Mr R. Kemp, Mr R Kybird, Mr D. Myers, Mr M. Spencer, Mrs A. Steward and Mr N. Wilkin.

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92/09 DECLARATION OF INTEREST (AGENDA ITEM 3)

Mr J Labouchere Personal and Prejudicial interest on any LDF matters concerning North Elmham, by virtue of being a landowner; and

Personal interest on any LDF matters regarding Hermitage Ward.

93/09 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

Engagements List – Chairman
9th July, 2009 - 29th July, 2009

Date	Event	Host
9 th July, 2009	High Sheriff's Summer Party	High Sheriff of Norfolk and Mrs. Robert Carter
11 th July, 2009	Lord Mayor's Celebrations	Lord Mayor of Norwich, Councillor Evelyn Collishaw and Sheriff Professor Tim O'Riordan
17 th July, 2009	Chairman's Civic Reception	Chairman of Forest Heath District Council, Councillor Mr. Malcolm and Mrs. Coleen Smith
19 th July, 2009	Mayor's Civic Service	The Mayor of St. Edmundsbury, Councillor Mrs. Patricia Warby
22 nd July, 2009	Snetterton Dogs Trust – Visit by HRH The Princess Royal	Chairman and Trustees of the Dogs Trust
22 nd July, 2009	Reception for the 25 th Anniversary of Breckland's Talking Newspaper for the Blind	Mr. J. Kitson – Chairman – Link-Up
25 th July, 2009	Summer Reception	Chairman of North Norfolk District Council, Councillor Simon Partridge

The Chairman drew particular attention to the 25th Anniversary of Breckland's Talking Newspaper for the Blind, which he had been delighted to support.

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The Member Services Manager then also reminded Councillors that:

- The meeting would be followed by a short briefing by the Member Development and Scrutiny Officer on the Councillor Call for Action Protocol.
- Members were invited to attend a demonstration which showed how bids could be made by applicants for available properties under the new "Breckland Key Select" scheme.
- The target for completion of their Personal Development Plans for 2009/2010 was the end of the month. Outstanding forms were requested as soon as possible.

**94/09 OVERVIEW AND SCRUTINY COMMISSION - 23 JULY 2009
(AGENDA ITEM 5)**

RESOLVED that the unconfirmed Minutes of the meeting of the Overview & Scrutiny Commission held on 23 July 2009 be adopted.

**95/09 DEVELOPMENT CONTROL COMMITTEE - 13 JULY 2009 (AGENDA
ITEM 6)**

RESOLVED that the unconfirmed Minutes of the meeting of the Development Control Committee held on 13 July 2009 be adopted.

**96/09 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA
ITEM 7)**

- (a) Norfolk Health Overview and Scrutiny Committee

Having been duly moved and seconded, Members

RESOLVED that the Council's current representative, Mr Kybird, and the substitute member, Mr Labouchere, exchange places.

- (b) Audit Committee

Having been duly moved and seconded, Members

RESOLVED that Mr P. Balaam replace Mr Fanthorpe as the Labour Group representative on this Committee.

**97/09 ADDITIONAL BUDGET PROVISION TO FUND THE DELIVERY OF
THE LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 8)**

In the absence of Councillor A. Steward, the Deputy Chief Executive presented this report.

He confirmed that the production of the Council's Local Development Framework (which was one of the Council's main priorities) was

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progressing positively. The Public Enquiry into the soundness of the Core Strategy and development control policies had gone well, and the Inspector had been impressed with the work done thus far. The Inspector and his team were optimistic that the report would be positive.

The Deputy Chief Executive confirmed that Capita were at an advanced stage in terms of the Thetford Area Action Plan and the Council's site-specific policies. Good work was also in hand on the Area Action Plan for Attleborough.

He praised the work of the officers concerned, saying that they could not have worked any harder. He stressed that the request for additional funds was in no way a reflection upon them, or their output. Indeed, the Inspector had indicated that in some areas the project had made more progress than would have been expected at this stage.

Instead, the request for further money was being put to the Council in order to retain momentum on the project. Drawing Members' attention to paragraph 4 of the report, the Deputy Chief Executive explained four factors which had particularly stretched planning services' current resources to their limits:

- 1) The negotiation and roll-out of the Council's contract with Capita had absorbed a considerable amount of officers' time. It would also continue to impact upon resource levels whilst the new arrangements settled-down.
- 2) The uncertainty created by the LGR and outsourcing had contributed to some key personnel leaving.
- 3) A number of complex technical issues relating to the European Habitats Regulations and protected birds had been unexpectedly time-consuming.
- 4) The Inspector and his team had required the Council to bring forward, or commission, work that had either not been envisaged or which had been assumed could be undertaken later in the process. (He cited studies on energy, water and stone curlews as examples here.)

Thus it could be seen that what had initially been envisaged as a smooth business profile had now been altered. The new funds requested would have had to have been spent at some point during the exercise. He apologised if, in a recent statement to press, he had not made himself clear and took the opportunity to reiterate once more that no "additional" money was being requested. He drew Members' attention to Table 1 at paragraph 6 of the report, which gave the budget breakdown for support of the planning service in 2009-2010, together with a detailed analysis of the requirement for a further budgetary allocation.

Finally, he highlighted the point made in paragraph 9 of the report i.e. that the additional funds requested would not be used to make any increased payments to Capita.

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On the subject of the Capita contract, which had come into force on 29 June 2009, their first month's bill, covering consultancy and planning services work, had been "significantly smaller" than the salary payments which the Council would have had to pay over the same period. He also said that Capita were well advanced with work on the Ocella system. Thus far, therefore, in terms of revenue and capital, Capita were delivering.

In response to a question and concerns about how there could be a dramatic difference in terms of Breckland's payroll to staff and that outlaid by Capita, he explained that staff who had TUPEd across to Capita now came under the latter's terms and conditions. Capita had also made efficiency savings which were off-set against in-house costs. To some extent, Capita were actually subsidising the Council at the moment since they were already generating business from other local authorities, thus already helping to make savings to Breckland Council Tax payers. Capita were therefore delivering a top class planning service at a lower cost, as well as meeting service delivery targets. As far as he was aware, the staff who had TUPEd across to Capita and were now having the opportunity to work with other local authorities, were enjoying the new opportunities and experiences.

RESOLVED that the Council approve the use of funding totalling £116,030 for work required to deliver the Breckland LDF in 2009-2010.

98/09 STRUCTURAL REVIEW (AGENDA ITEM 9)

The Chief Executive presented this report, which sought Council's approval for a revised management structure.

He explained that since the adoption of the Council's current management structure in December 2008, two of the Council's Chief Officers (the Deputy Chief Executive, Mr T. Leader, and the Director of Transformation, Mr. P. Calkin) had either left or decided to leave.

Bearing in mind the possible reorganisation of local government in Norfolk and the possible effects this could have on senior recruitment, the recommendation before Council was for an internal recruitment process, with appointments made on an interim basis only at this stage. They would be reviewable on a six-monthly basis (with the exception of any appointee who already held Chief Officer status). A further review would then be undertaken following a decision on the LGR.

It was proposed that the new structure should take effect from 10 August 2009 and, subject to the Council's ratification of these proposals, interviews had been scheduled for the week commencing 3 August.

Adoption of the proposed restructuring would result in revenue savings of about £100,000 per full financial year. It was proposed that £50,000 of these savings should be retained within the Council's overall budget for the time being, in order to support the development of the contracts management function and the Regeneration and

Planning Directorate.

The Chief Executive drew attention to the fact that, aside from the regrouping of services, it was also proposed that:

- the Licensing function should be moved to the Services Directorate;
- Emergency Planning and Business Continuity should be moved to People First; and
- Housing and Environmental Health should be merged to become a single service area.

He confirmed that the proposed management structure would allow maximum flexibility in terms of future local government developments, since the Council could decide to either confirm key appointments or else open them up to the external market at the next scheduled six-monthly review.

It was felt that there was also a need to protect senior officers: if the LGR went ahead, there could be a collapse of management structure and it was important to preserve the Council's position in terms of management appointments as far as possible. There was also a chance that in the event of there being a Unitary/Greater Norfolk arrangement, then there could essentially be no change involved.

A Member felt that it was important that senior posts should be opened to the wider market: they should not just be internal appointments, even on a temporary basis.

The Chief Executive drew attention to paras 3.3.2 and 3.3.3 of his report, highlighting that the proposal did allow for flexibility, for example in the light of a final decision on LGR or any other changes, such as increased shared services etc, which might lead to a reduction in the number of chief officer posts required across the county.

RESOLVED

- 1) to adopt the revised management structure, as detailed at Annex A to the report, with effect from 10 August 2009;
- 2) to conduct internal recruitment only; and
- 3) to allow any savings identified to be retained.

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The meeting closed at 10.55 am