

Public Document Pack

BRECKLAND COUNCIL

At a Meeting of the

CABINET

Held on Tuesday, 4 August 2009 at 9.30 am in
Norfolk Room, The Committee Suite, Elizabeth House, Dereham

PRESENT

| | |
|-------------------------|------------------|
| Mr J.W. Nunn (Chairman) | Mr W.H.C. Smith |
| Mr S. Askew | Mrs A.L. Steward |
| Mr P.D. Claussen | Mrs T. Hewett |
| Lady Fisher | |

Also Present

| | |
|----------------|-------------------|
| Mr J.P. Cowen | Mrs D.K.R. Irving |
| Mr F.J. Sharpe | |

In Attendance

| | |
|---------------|--|
| Ian Vargeson | - Member Services Manager |
| Robert Barlow | - Assistant Director (Governance) |
| Julie Britton | - Senior Member Services Officer |
| Mark Stokes | - Strategic Director (Services) |
| Mr R. Bishop | - Town Clerk, Swaffham Town Council |
| Robert Walker | - Sustainable Communities Manager |
| Trevor Holden | - Chief Executive |
| Tim Leader | - Deputy Chief Executive |
| Robert Leigh | - Head of Marketing and Communications |
| Caroline Cox | - Community Development Officer |
| Daniel Cox | - Economic Development Officer |

Action By

63/09 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 23 June 2009 were confirmed as a correct record and signed by the Chairman.

64/09 APOLOGIES (AGENDA ITEM 2)

An apology for absence was received from Mr R. Goreham.

65/09 URGENT BUSINESS (AGENDA ITEM 3)

The Chairman agreed to take an item relating to a property matter as urgent business. As this issue contained exempt information it was discussed following the exclusion of press and public.

66/09 DECLARATION OF INTEREST (AGENDA ITEM 4)

The following declarations were made:

Action By

- Lady K Fisher declared a personal interest in Agenda item 12 if matters relating to Thetford Growth Point were discussed.
- Paul Claussen declared a personal interest in Agenda item 16.

67/09 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mrs D. Irving, Mr P. Cowen and Mr F. Sharpe.

68/09 CHAIRMAN'S ANNOUNCEMENTS (IF ANY) (AGENDA ITEM 6)

None.

69/09 ADVANCE SWAFFHAM - A MATCH FUNDING APPLICATION (AGENDA ITEM 7)

The Economic Development Officer presented the report which set out the need for a conditional Match Funding contribution from Breckland Council for the continuation of the current Swaffham Project Coordinator post, due to end in August 2009, to deliver the Swaffham Town Regeneration Plan which was due to be launched in August 2009.

Councillor F Sharp, a Ward Member for Swaffham, was in attendance to support the application.

He was disappointed with one of the conditions listed at 3.3.2 of the report and urged the Cabinet to remove this condition or, at the very least, amend the wording of it to: "Breckland Council *may* not financially support the post after the six month period". He knew that the Advance Swaffham programme would not be able to continue without this funding and felt that it was unfair not to allow Swaffham to reapply for assistance after the six month period.

Councillor Sharpe provided details of the work that had been achieved so far by Dr Bek and his army of volunteers.

The Executive Member for the Planning and Environment Portfolio had worked in Swaffham for a long while and had seen many shops and businesses close over the last few years. She wholly supported the application as she could see what Dr Bek and his team were trying to achieve for the town. She agreed that the wording of the condition at 3.3.2 should be changed as suggested above.

The Executive Member for the Business Transformation Portfolio felt that one of the reasons for this particular condition was because of the evidence that Breckland required after the said six months with regard to sustainability and outcomes. He asked whether the Town Council would be able to demonstrate what it had achieved after that time. In response, Councillor Sharpe pointed out that many projects had already happened, for example: Duck Island and the Town's Newsletter. He also mentioned the new website that was currently being developed which would provide a steady stream of income from advertising.

Action By

The Executive Member for the Transformation Portfolio was content with the response and agreed that the wording to condition 3.3.2 should be amended as requested, and that the matter would be reviewed after six months depending on the outcomes achieved.

Options

The options available to Members were:

- 1) To approve the Match Funding application providing a revenue contribution of 35.5% of the costs as an un-ring fenced grant towards the Advance Swaffham programme, supporting it for a six month period from August 2009 subject to the agreed conditions being satisfied.
- 2) To decline the Match Funding. The post of Swaffham Town Project Co-ordinator ceases at the end of the current term (August 2009). This would result in an uncertain future for the project as there would be nobody to take the project forward strategically undoing much of the hard work which had already gone into the project.
- 3) Members to offer an alternative contribution.

Reasons

It would be difficult for the Advance Swaffham programme to continue without Breckland Council Match Funding. A dedicated Project Officer would provide the leadership and direction to enable the town to achieve its objectives.

The Economic Development Service commends the extensive research and work that had gone into the Advance Swaffham programme. The priority of the Service is Moving Thetford Forward, the REV project and the A11 corridor. Supporting another market town whilst enabling it to carry out the objectives in the Advance Swaffham programme would be an effective use of the Council's resources.

RESOLVED that an un-ring fenced revenue contribution of £8,250 for an initial six month period be approved, subject to:

- 1) specific conditions being satisfied as outlined in paragraph 3.3 of the report;
- 2) the wording of the condition at 3.3.2 of the report being changed to read: Swaffham Town Council to understand that Breckland Council *may* not financially support the post after a six month period; and
- 3) the funding to be reviewed depending on outcomes achieved.

Daniel Cox

70/09 ECCLES GARNIER HALL MATCH FUNDING (AGENDA ITEM 8)

The report outlined the reasons for requesting £5,000 from Capital Match Funding to refurbish Eccles Garnier Hall. The funding would allow for the

Action By

final stage of the refurbishment to take place.

The Community Development Officer reported that most of the funding that Garnier Hall Management Committee had applied for had already been approved and that the project met three of the Council's objectives.

The Executive Member for the Communities Portfolio supported the application as it would not only benefit local residents but several other parishes as well. Eccles Garnier Hall had seen many improvements over the years, including a new play area; this funding would allow for the final stage of the refurbishment to take place.

The Member Services Manager advised that the funding would be subject to all the conditions listed on the Proforma B.

Options

The options available were to support or reject the application.

Reasons

The reason for the recommendation was that the project met three of the Council's objectives.

RESOLVED that a Capital Match Funding sum of £5,000 towards the refurbishment of Eccles Garnier Hall be approved; subject to

- 1) a maximum sum of £5,000 or 29% of the cost of the project, whichever is the lower;
- 2) confirmation of the total cost of the project;
- 3) the balance of all other funding being confirmed.

**Caroline
Cox**

71/09 REVIEW OF COUNCIL'S GRANT FUNDING APPLICATIONS (AGENDA ITEM 9)

The Sustainable Communities Manager presented the report.

The report set out the arrangements for grant funding across the Authority and recommended a more strategic, joined-up approach be taken to grant funding across all departments, including the administration of the Green Grants Scheme, the creation of a Pride in Breckland Grants Scheme and the establishment of a Grant Funding Panel and competitive bidding rounds for all grant funding. Any decisions would be taken through Cabinet or delegated to the relevant Executive Member.

The Executive Member for the Planning and Environment Portfolio welcomed the idea of Breckland Council taking care of the Green Grants Scheme but was concerned that a similar Panel was already in existence. The Sustainable Communities Manager said that he did not think that two similar Panels running together would be a problem as long as all the information fed into the Grant Funding Panel.

Action By

The Chairman of the Overview and Scrutiny Commission appreciated everything that had been said but had concerns about how the monies and how much money would be allocated for each bidding round. He suggested that a fixed sum for each round should be introduced.

The Chairman agreed with the aforementioned suggestion but felt that there should be extra monies put by for exceptional circumstances so that any community applying for bids would not be disadvantaged.

The Executive Member for the Business Transformation Portfolio asked how long an applicant would have to wait to re-apply if unsuccessful in the first bidding round. He also asked how the bids would be judged as he was afraid that smaller bodies such as Parish Councils without adequate resources would be able to compete against such organisations as the Town Councils who had plenty of full-time staff to produce much more attractive bids.

In response to the first question, Members were informed that an applicant would have to wait a year before re-applying. As far as the latter questions was concerned, every application that was made would have officer support to ensure that there was a level playing field.

The Chief Executive thought it unfair that unsuccessful applicants should have to wait a year before they were able to re-apply and felt it appropriate to include in the rules and regulations that the application would be re-considered in the next bidding round.

The Sustainable Communities Manager agreed with the aforementioned suggestions. He explained that the current method lacked structure and that there was always a rush for bids in the early part of the year; to include a quarterly schedule of bidding rounds where unsuccessful applicants could re-apply as well as introducing fixed sums for each round would prevent such a rush.

The options available were as follows:

- 1) to agree or not agree that Breckland Council administered the Green Grants Scheme in-house;
- 2) to approve or not approve the establishment of a Pride in Breckland small grants scheme
- 3) to approve or not approve the establishment of a Grant Funding Panel and introduce competitive bidding rounds for grant funding.

Reasons

It was recommended that the Authority takes responsibility for administration of the Green Grants Scheme to ensure a strategic approach to the giving of grants and to save the costs paid to a third party for administration.

It was recommended that a pride in Breckland small grants scheme be established to ensure a clear and transparent process was in place for the allocation of funds.

Action By

It was recommended that a Grant Funding Panel and competitive bidding rounds for grant funding be introduced. This would ensure a strategic and joined up approach to all giving of grants and would make the process competitive and achieve best value. No additional resource would be necessary to administer the recommendations as outlined in the report. The new arrangements would be more streamlined and less resource intensive than the current arrangements.

RESOLVED that

- 1) the Green Grants Scheme be administered by Breckland Council in-house;
- 2) a Pride in Breckland small grants scheme be established;
- 3) a Grant Funding Panel be established and the introduction of competitive bidding rounds for all grant funding be approved;
- 4) a fixed sum be allocated to each bidding round.

Robert Walker

72/09 RECONSTITUTION OF BUSINESS IMPROVEMENT BOARD (AGENDA ITEM 10)

The Executive Member for the Business Transformation Portfolio presented the report which concerned the reconstitution of the Business Improvement Board as a Sub-Committee which would report directly to Cabinet and to delegate decision making powers.

The ICT Strategic Board had recently been to become the Business Improvement Board (BIB) with revised terms of reference. The BIB had certain spending powers. To ensure that decisions involving such expenditure were constitutional, ratification of such decisions by the Cabinet was necessary.

The recommendation therefore was that the BIB be converted to a sub-committee of Cabinet.

It was proposed that the relevant Executive Member be elected to sit on the new Sub-Committee together with relevant officers and someone from Finance. The Deputy Chief Executive advised that for decision making purposes only Executive Members could be included in the membership. Other Members and Officers could contribute as they did before.

Referring to the terms of reference, it was agreed that clause 4 should be amended to include the Capital Project Group and that an additional clause be included to ensure the use of Green procurement.

Options

- 1) The Business Improvement Board be left as currently constituted, with the risk of decisions involving expenditure being open to challenge.

- 2) The Business Improvement Board be converted to a sub-committee of Cabinet. This would restrict the membership to Cabinet Members only.

Reasons

The reason for the recommendation was that the Business Improvement Board (BIB) reports to the informal Executive Board. The replacement of the BIB with a Cabinet Sub-Committee for this purpose would put the Board's functions on a formal footing, with a clear audit trail and the removal of any possibility of challenge of decisions. Detailed work between Members and Officers would in practice carry on unaffected.

RESOLVED that

- 1) a new Business Improvement Board be appointed;
- 2) the membership of the new Sub-Committee comprise Mr P Claussen, Lady Fisher and Mr W Smith;
- 3) the new Sub-Committee be given delegated powers in accordance with the proposed terms of reference attached at Appendix 2 of the report;
- 4) the Capital Project Group applications be added to clause 4 of the Terms of Reference; and
- 5) an additional clause be included in the terms of reference to ensure the use of Green procurement

73/09 MEDIUM TERM FINANCIAL STRATEGY AND CAPITAL STRATEGY (AGENDA ITEM 11)

The Executive Member for the Governance Portfolio introduced the Medium Term Financial Strategy and Capital Strategy and believed that the Council was well placed to deliver its aims and ambitions to its citizens.

The Assistant Director (Governance) advised that both Strategies were significant documents for the Council and both had been well received by the Audit Commission in 2008. However, both documents had been carefully revised to reflect the current economic circumstances.

Members' attention was drawn to the two most significant changes. Firstly, the Council's policy on future Council Tax increases had been amended to aspire to a 0% increase for a three year period (subject to this Policy not hindering the provision of services). Secondly, the core to the Medium Term Financial Strategy has had a new element added that addressed how the Council would seek to assist its community during periods of economic hardship.

Neither document was intended to be technical, but it was hoped they would be informative to the reader. The recommendation was for both documents to be placed on the Council's website for consultation for a

Action By

**Robert
Barlow,
Ian
Vargeson**

Action By

period of one full cycle of Cabinet and returning in September before recommending them both to Council.

Members were encouraged to review these documents during the consultation period so that when the Cabinet met again in September it would have documents that accurately reflected the ambitions of the Council.

The Executive Member for the Transformation Portfolio knew that the Breckland area had pockets of deprivation; therefore, it was the Council's aspiration not to increase its Council Tax. Breckland Council did recognise that it had a responsibility to its citizens but to aspire to a 0% increase would have to be subject to qualification.

The Chairman of the Overview and Scrutiny Commission drew attention to page 98 of the document – Section 106 Planning Applications. He felt that the monies paid by the developer were not always used for the purposes they were intended. He asked if there was a risk analysis held for the balance sheet.

Members were informed that it was fair to assume that not every council was au fait with risk management when it came to S106 agreements as each was controlled by periodic payments. The Council had to get it right from the start, as it was very difficult to change something once a condition had been set. The Assistant Director (Governance) advised that the Council should have a Capital Programme to make the best use of S106 monies.

It was noted that all Ward Members would be updated on S106 Agreements in their area.

The Executive Member for the Transformation Portfolio expressed his gratitude to the Assistant Director for his excellent reports.

Options

To recommend or not to recommend the Strategies for consultation.

Reasons

The reasons for the recommendation were to gain useful feedback through effective consultation on the Council's Medium Term Financial Strategy and Capital Strategy and to meet the requirements of the Use of Resources Key Lines of Enquiries.

RESOLVED that the Medium Term Financial Strategy and the Capital Strategy be approved for consultation

**Robert
Barlow**

**74/09 RATIFYING THE EXPENDITURE OF GROWTH POINT MONIES
(AGENDA ITEM 12)**

The report highlighted the need to formally record and ratify decisions to spend Growth Point monies provided by the Department for Communities and Local Government (DCLG) to fund investment in key infrastructure to

Action By

support substantial new development in Thetford.

The Deputy Chief Executive explained that the Moving Thetford Forward (MTF) Board Partnership was a decision making body; however, formal responsibility for the authorisation of expenditure rested with Breckland's Cabinet or was subject to the Council's arrangements for delegated decision making.

This report was to create a governance trail to ratify any expenditure. Where money had been spent it must be demonstrated as a success.

Appendix 1 of the report illustrated that to date the MTF Board had endorsed the actual expenditure or commitment of £3,625,000 worth of DCLG Growth Point monies on seven projects having a total cost of £4,560,000. Cabinet was asked to ratify expenditure on each project in the sum indicated in column 5 of Appendix 1 of the report. It was also recommended that the release of such funding be contingent upon the receipt of match funding specified in columns 6 to 8 of this Appendix.

Appendix 2 of the report illustrated that to date the MTF Board had endorsed the actual expenditure or commitment of £266,886 worth of DCLG Growth Point monies on seven revenue projects having a total cost of £407,516. The Cabinet was asked to ratify expenditure on each project in the sum indicated in column 5 of Appendix 2 of the report. It was further recommended that the release of these monies should be subject to the receipt of match funding specified in columns 6 to 8 of the Appendix.

The Cabinet was also asked to ratify the expenditure of a total of £140,640 of DCLG monies on staff and office costs required for the support of MTF in the financial years 2009-2010 and looking forward to 2010-2011.

Appendix 3 itemised revenue expenditure incurred on the Thetford Area Action Plan with the agreement of the MTF Board. The Cabinet was asked to ratify this expenditure.

The Executive Member for the Planning and Environment Portfolio highlighted the recent Government announcement that funding had been reduced. She felt that the Government must be made aware that this funding was not just about building houses. The Chairman agreed that the aforementioned comment should be highlighted; for an organisation to have funding taken away and then having to re-bid was invidious.

The Chief Executive mentioned the Thetford bus interchange project that the MTF Board had committed to (see Appendix 1, Capital Projects). He pointed out that there had been some discussion for an appropriate investment appraisal to be carried out. He advised that there was a standard that the DCLG would expect to see for this level of investment. The Assistant Director for Governance assured Members that this point had been reflected in section 7 of the report.

It was agreed that the bus interchange project should be ratified by the receipt of a satisfactory investment appraisal.

Action By

In response to a concern, the Deputy Chief Executive stated that the report was not 'geared up' for smaller projects.

Options

No options available.

Reasons

See report.

RESOLVED that Capital expenditure funded by Growth Point monies in accordance with the proposals as set out in Appendix 1 of the report and Revenue expenditure funded by Growth Point monies in accordance with the proposals as set out in Appendices 2 and 3 of the report be approved, subject to:

- 1) the bus interchange project being ratified; and
- 2) a satisfactory investment appraisal being received

75/09 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 13)

None.

76/09 NEXT MEETING (AGENDA ITEM 14)

The next meeting of the Cabinet would be held on Tuesday, 15 September 2009 at 9.30am in the Anglia Room.

77/09 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 15)

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 Schedule 12A to the Act.

78/09 PROPERTY ISSUE (AGENDA ITEM 16)

Members' views were sought on this matter.

Options

That the Chief Executive in consultation with the Chairman of the Overview & Scrutiny Commission and the Audit Committee explore the options requested.

Reasons

To provide a satisfactory outcome.

**Tim
Leader**

RESOLVED that the Chief Executive together with the Chairmen of the Overview & Scrutiny Commission and the Audit Committee be tasked with exploring all options requested by the Chairman of Cabinet.

Action By

**Tim
Leader**

The meeting closed at 10.45 am

CHAIRMAN