

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 5 July 2007 at 2.15 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr S.G. Bambridge	Mr A.P. Joel
Mr A.J. Byrne	Mr C.R. Jordan
Mr J.P. Cowen (Chairman)	Mr R.G. Kybird
Mr K.S. Gilbert	Mr K. Martin
Mr R.F. Goreham	Mrs S.M. Matthews
Mrs S.R. Howard-Alpe	Mr J.D. Rogers
Mrs D.K.R. Irving	Mr B. Rose

Also Present

Mr M.A. Kiddle-Morris

In Attendance

Laura Apps-Green	- Community Development Officer
Mark Broughton	- Scrutiny Officer
Michael Horn	- Head of Legal Services
Steve Knights	- Acting Operations Manager (Community/Environment)
Gordon Partridge	- Principal Environmental Health Officer
Alison Sawyer	- Consultation Officer
Ian Vargeson	- Democratic Services Manager
Elaine Wilkes	- Senior Committee Officer

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67/07 CHAIRMAN'S OPENING REMARKS

The Chairman opened the meeting by welcoming new members and re-affirming the general principles for effective scrutiny (copy appended) and the protocols for the work of the Commission.

68/07 MINUTES

The minutes of the meeting held on 24 May 2007 were confirmed as a correct record and signed by the Chairman.

69/07 APOLOGIES

Apologies for absence were received from Mr S. Chapman-Allen and Mr J.R. Gretton.

70/07 URGENT BUSINESS

The Chairman confirmed one item of urgent business as previously circulated regarding the recommendation from Policy Development and Review Panel 3 in respect of the item on The Big Lottery Children's Play, to be taken after agenda item 6.

71/07 DECLARATION OF INTEREST

The following declarations were made:

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- Mr R.G. Kybird – Personal interest in regard to the item on Big Lottery Children’s Play, as Mayor of Thetford Town Council which was an applicant for the Lottery bid.
- Mr A.P. Joel – Personal interest in regard to the item on Big Lottery Children’s Play, as Chairman of the Parish Council which was an applicant for the Lottery bid.
- Mr J.D. Rogers – Personal interest in regard to agenda item 6 (Watton Horse Fair) as Norfolk County Council Ward Member for Watton.

72/07 NON-MEMBERS WISHING TO ADDRESS THE MEETING

The following persons were in attendance to speak to Agenda Item 6 – Watton Horse Fair:

- Mr John Milton, Woodlands Officer for Norfolk Wildlife Trust
- Mr Norman Phillips
- Mr John Craigie

73/07 WATTON HORSE FAIR (AGENDA ITEM 6)

The review into the operation of the Watton Horse Fair arose from the reference to the Commission by the local Ward Member, Mr K.S. Gilbert, of issues concerning the regulation of the Fair under the Caravan Sites and Control of Development Act 1960 and the Town and Country Planning Act 1990.

The matter was first debated at the Commission’s meeting in March, when it was agreed that the operation of the Fair should be closely monitored when it next took place on 5th and 6th May (Minute 33/07 of the Commission’s meeting held on 15 March 2007 refers).

A report on the results of the monitoring of the Fair held on 5-6 May 2007 was presented by the Principal Environmental Health Officer and the Commission received further evidence on the event from Mr John Milton, Woodlands Officer of the Norfolk Wildlife Trust, Mr Norman Phillips, owner of the adjoining caravan site, and Mr John Craigie, local resident.

The Committee was informed that evidence to date suggested that the use of the land did not require planning permission and although the monitoring exercise carried out at the May Fair indicated that there was a probable technical breach of the 1960 Act in that none of the exemptions contained in Schedule 1 were applicable to the use of the land, there was no evidence that this was giving rise to problems.

In response to questions, it was explained that the monitoring of the event revealed some 52 caravans sited overnight but no detailed evidence was taken of actual overnight occupation by persons. It was estimated there were more than 1000 people attending the event on the day of the Fair. The question of the adequacy of toilet facilities in relation to the numbers of people attending the event (10 toilets were located on the site) was an issue for further review by officers.

P Daines
M Horn
G Partridge

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It was entirely up to members whether they wished to commission a report to Development Control Committee to consider the question of enforcement action but, on the evidence to date, the officers' strong recommendation would be that there were no grounds to support enforcement action. However, if there was any change to the evidence available, that judgement may then differ.

The evidence given by the witnesses concerned damage caused by people and dogs entering and leaving excreta and other waste on the neighbouring Wayland Wood and Site of Special Scientific Interest (SSSI), and the impact from loss of visitors to Wayland Wood, to which access was closed for the week of the Fair, and a resulting loss of business to the adjoining Caravan Site as a direct result of the Fair.

Views were expressed that the Council should take a more positive stance towards regulating the operation of the Fair and mitigating its impact on the local and surrounding area. Concerns were expressed about animal welfare and public sanitation facilities. It was felt more could be done to ensure horses for sale during the event (often done outside the sale ring) complied with the regulations to have horse passports, and to look at wider issues of anti social behaviour and crime and disorder.

Other views concerned the fact that the Fair had outgrown the site and that perhaps a larger and more appropriately located alternative site should be found for the event.

Another Fair was due to be held at the beginning of September and the Police were organising a further liaison meeting with the Fair organiser, the land owner, representatives of the Town Council and officers from Breckland. It was proposed that Breckland Members should be represented at this meeting and that the opportunity be taken to encourage the organiser and site owner to provide better animal welfare and public sanitation facilities.

RESOLVED that the Commission requests that very close monitoring of the next Fair in September be carried out and detailed information be gathered of any evidence of a prosecutable nature.

In addition, the Commission

RECOMMENDED to Cabinet that it nominates a small delegation of members to meet the organisers of the Fair and the Police at the next liaison meeting to raise the question of whether an alternative location can be found for the Fair and to encourage the organisers to provide better animal welfare and public sanitation and other health welfare facilities.

**74/07 BIG LOTTERY CHILDREN'S PLAY AND PLAY STRATEGY
(URGENT BUSINESS - AGENDA ITEM 3)**

The Commission was asked to consider a report from Policy Development and Review Panel 3 on the proposed Breckland Play Strategy and the potential for bringing £238,000 of external lottery funding into the district (Minute 28/07 of the meeting of Panel 3 held on

Cabinet
17/7/07

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12 June 2007 refers, a copy of which had been published prior to the meeting).

The key elements for the lottery bid and the key findings in the proposed Play Strategy were presented by the Community Development Officer.

In considering whether the lottery bid would be successful, the Panel had noted that the various project bids had been designed to satisfy the Lottery Bid form and there was a balance between urban and rural areas. There was a good evidence base for the project bids as each area involved had been subject to a village appraisal. If a bid should prove not to be successful, there were a small number of reserve bids which would be put forward if the Lottery felt that a project would not be viable. It has been noted that each project had been carefully tailored to the needs of the area.

Members had also been advised that the lottery bid formed part of a longer, broader strategy which would cover a five-year period and would contain action plans for the future of play provision within Breckland. The Strategy had been produced in consultation with the Planning Policy Team and the information regarding play areas would, therefore, be contained within the Local Development Framework.

In answer to questions, the Commission was informed that a robust assessment of the project bids had been carried out by an independent judging panel and that other match funding was included in some of the project bids. All applicants had been informed of the outcomes from the assessment and those that had not been recommended to go forward at this time were being offered support to help them find alternative sources of funding or to develop their projects further.

The Commission supported the Panel's recommendation in the matter and accordingly

RECOMMENDED to the Cabinet that the Play Strategy be adopted and approval be given to the submission of a bid to the Big Lottery Fund for the sum of £238,000.

75/07 REVIEW OF BRECKLAND COUNCIL'S CCTV SYSTEM
(AGENDA ITEM 10)

The Chairman explained that the Commission's views were being sought with a view to giving officers clear directions on the way forward on this item. It was anticipated that a final report, incorporating the results of consultations, would go forward to Cabinet in the autumn.

S Knights

The Acting Operations Manager for Environment outlined progress of the review of the CCTV system to date. The present system had been installed in 1995 and was nearing the end of its life. It was estimated that it could last for one more year.

A prime aim of the review was to significantly reduce the annual cost of the scheme, which currently stood at £190,000 per annum.

The scheme had originally been implemented to enable residents of the district to feel more secure. It also assisted the Council's obligations

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under Section 17 of the Crime and Disorder Act 1998 to consider the effects of and reduce crime and disorder. Information was also used to assist other services, such as Environmental Health and Street Scene.

The views of the Executive Board, as set out in paragraph 4.7 of the report, were noted.

A key issue for members to consider was whether or not to maintain a continuous monitoring and recording system.

During discussion, members generally agreed that, although the provision of the system was a discretionary function, it was not a viable option to withdraw from it now, as without the system, the Council was unlikely to be able to meet its obligations to comply with Section 17 of the Crime and Disorder Act.

A number of views were put forward, including:

- Support the continuation of a full monitoring service but consider whether the level of operator cover can be varied between peak and off-peak times
- Interactive systems should be discounted as it is felt they would be unacceptable to most people
- Support be given to the use of mobile cameras for hotspots and use in rural areas
- Support, in principle, the recommendations contained in the Consultant's report
- Endorse the need for committed support (including financial support) from the Police and business community
- Pursue opportunities for partnership and revenue generation
- Acknowledge the need to balance best value for money against the level of system to be installed
- Agree the aim to set clear priorities according to need etc.
- Agree the importance of consultation, particularly with the Police, but ensure the consultation process does not delay the implementation programme

RESOLVED that the above views of the Commission be incorporated in the formulation of a clear policy on CCTV provision for future consideration by the Cabinet.

76/07 POLICY DEVELOPMENT AND REVIEW PANELS (AGENDA ITEM 7)

(a) Policy Development and Review Panel 2

In view of the fact that a number of members had not received their copy of this item in sufficient time for due consideration before this meeting, it was

RESOLVED that consideration of the minutes and recommendations of the meeting of Policy Development and Review Panel 2 be deferred to the next meeting.

**77/07 RESULTS OF RECENT CONSULTATION SURVEYS
(AGENDA ITEM 11)**

The Consultation Officer presented this report, which outlined the results of recent consultation exercises in regard to:

- Best Value Performance Indicator – Benefits Claimant Survey – This survey formed part of a Government requirement for a three-yearly performance survey. It was conducted according to Audit Commission standards and results would compare authorities across the country. The survey measured overall satisfaction with the Benefits service.
- Citizens' Panel Wave 13 – This was the most recent Citizens' Panel Survey, where 1000 residents were asked their opinions on communications with the Council, energy efficiency, their use of parks and open spaces, and their satisfaction with environmental health services.
- Focus Groups with 'hard to reach' sectors of the community – This introduced some regular activities where the Council engaged with younger and older members of the community.

Arising from the information on working with younger people, the Consultation Officer undertook to take up a suggestion that, as Watton did not have a Sixth Form Centre, consideration be given to working with Year 11 pupils in Watton as an alternative, although it was noted that there were 6th Form pupils from Watton involved in the existing focus groups.

At the suggestion of another member, the Consultation Officer undertook to let members have a copy of the programme of meetings with students with a view to possible local member involvement if desired.

RESOLVED that the report be noted.

78/07 ELECTIONS REVIEW TASK AND FINISH GROUP - INTERIM REPORT (AGENDA ITEM 9)

The Scrutiny Officer informed members that due to his absence on sickness and holiday leave, it had not been possible to produce an interim report on the progress of this review as hoped.

It was noted that the working group was due to meet again shortly and a report would therefore be made to the next meeting.

RESOLVED that this item be deferred for the reasons given.

79/07 WORK PROGRAMME (AGENDA ITEM 8)

The Scrutiny Officer informed the Commission of two induction sessions which were being arranged for 26th and 31st July (one afternoon session and one evening session) for the benefit of new members and any other members who wished to attend. Information was due to be sent to members the following day.

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A Sawyer

M
Broughton

M
Broughton

The following matters were put forward by members for incorporation into the Commission's future work programme:

- a) Having regard to the recent flooding that had been experienced, to review the position to ensure that the Council was not permitting developments on flood plains.
- b) To receive an update on progress of work under the Local Development Framework timetable. In this regard, it was noted that it was understood that a report was due to be made to the next meeting of Panel 1.
- c) Thetford Growth Point Status – A standing item be included to receive regular updates on progress of this major investment project.
- d) Performance Management (The TEN System) – Having regard to the purpose of the EN system as a key monitoring tool of the scrutiny function, a standing item be included for members to flag up any issues.
- e) Match Funding Review (Forward Plan item) – To receive an update on progress of this review.
- f) Medium Term Financial Strategy (Forward Plan item) – To receive a report at the next meeting.
- g) Watton Horse Fair – Follow-up report on results of monitoring of September Fair.

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80/07 NEXT MEETING

The arrangements for the next meeting on 9 August 2007 were noted.

The meeting closed at 4.50 pm

CHAIRMAN