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**BRECKLAND COUNCIL**

**At a Meeting of the**

**CABINET**

**Held on Tuesday, 10 June 2008 at 9.30 am in  
Norfolk Room, The Committee Suite, Elizabeth House, Dereham**

**PRESENT**

Mr S. Askew  
Mr P.D. Claussen  
Lady Fisher

Mrs T. Hewett  
Mr W.H.C. Smith  
Mrs A.L. Steward

**Also Present**

Mr S.G. Bambridge  
Councillor Claire Bowes  
Mrs M.P. Chapman-Allen  
Mr J.P. Cowen

Mr P.J. Duigan  
Mr R.F. Goreham  
Mrs D.K.R. Irving

**In Attendance**

Anita Brennan  
Julie Britton  
Ralph Burton  
Paul Calkin

Peter Dinsmore  
Zoe Footer  
Ray Johnson  
Richard Kay  
Tim Leader  
Mary Palmer  
David Spencer  
Mark Stokes  
Ian Vargeson  
Mike Wheatley

- Strategic Housing Manager
- Senior Member Services Officer
- Economic Projects Officer
- Strategic Director (Transformation)  
(Breckland)
- Policy (Equalities) Officer
- Land Management Officer
- Asset Manager
- Principal Planning Officer (Growth Point)
- Deputy Chief Executive
- Marketing & Communications Manager
- Principal Planning Policy Officer
- Strategic Director (Services)
- Member Services Manager
- Environmental Health Manager

**Action By**

**73/08 MINUTES (AGENDA ITEM 1)**

The Minutes of the meeting held on 29 April 2008 were confirmed as a correct record and signed by the Chairman.

**74/08 APOLOGIES (AGENDA ITEM 2)**

Apologies for absence were received from Mr J. W. Nunn and Mr T. Holden.

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**75/08 URGENT BUSINESS - VACANT AND SURPLUS LAND - FOLLAND COURT, BAWDESWELL (AGENDA ITEM 3)**

The Chairman had agreed to take this matter as an item of urgent business in order to avoid any further delays in the development otherwise the capital funding that had been secured by Peddars Way Housing Association from the Housing Corporation would be put at risk.

The Land Management Officer explained that Cabinet had previously resolved that the council-owned land at Folland Court, Bawdeswell be offered to Peddars Way Housing Association for an affordable housing development subject to a number of conditions, one of which included the Post Office being re-built on the land (Minute no. 195/05 refers). Since that time planning permission had been obtained for the developments in accordance with the plans that had previously been submitted.

Unfortunately, Peddars Way Housing Association had advised that no-one could be found to run the post-office if it was built.

The Ward Representative pointed out that following a number of various meetings, the Parish Council had concluded that, even though parishioners would be very keen to have a Post Office in the village, no Post Master could be found. Members were informed that the Parish Council had already met with Post Office Ltd and had a further meeting with them in July. During that time the Parish Council would still actively look for a Post Master. If, at the end of that time, a Post Master could be found, Peddars Way Housing Association had agreed that the Post Office would then be built. If not, the aforementioned condition could be removed from the original resolution.

The Economic Project Officer advised that he had been in touch with Post Office Ltd on the previous day and had been informed that although Bawdeswell was in the network change programme it was not up for closure. However, any service that would be taken on would be for two or three days a week. Alternatively, a sub Post Master would be found to run an outreach service.

The options available to Members were:

- 1) that Cabinet resolve that the Council-owned land at Folland Court, Bawdeswell be transferred to Peddars Way Housing Association, for affordable housing, at the District Valuer's valuation plus VAT, subject to:
  - i) Peddars Way Housing Association firstly obtaining planning permission for the developments in accordance with the revised plans submitted;
  - ii) approximately 65% of the front of the site being transferred to the Parish Council to be used as an amenity area and that a covenant be imposed on the land restricting the use to amenity only;
  - iii) retention of the existing footpath to the Street.

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- 2) that Cabinet adhere to its previous decision.

The reasons for the recommendation were that Peddars Way Housing Association had secured capital funding from the Housing Corporation for this proposed scheme, further delays in the development would put the funding at risk. The inability to deliver schemes which had secured funding had a detrimental effect on the Housing Association and the Council and could limit its ability to secure funding on other schemes.

**RESOLVED** that the Council-owned land at Folland Court, Bawdeswell be transferred to Peddars Way Housing Association, for affordable housing, at the District Valuer's valuation plus VAT, subject to

**Zoe Footer**

- i) Peddars Way Housing Association firstly obtaining planning permission for the developments in accordance with the revised plans submitted;
- ii) approximately 65% of the front of the site being transferred to the Parish Council to be used as an amenity area and that a covenant be imposed on the land restricting the use to amenity only; and
- iii) retention of the existing footpath on the Street.

**76/08 DECLARATION OF INTEREST (AGENDA ITEM 4)**

Lady K Fisher, Mrs A Steward, Mrs T Hewett, Mr S Askew, Mr P Claussen and Mr W Smith wished for it to be noted that personal and prejudicial interests would be declared if site specifics were discussed under Agenda item 9a.

Lady K Fisher declared a personal and prejudicial interest in Agenda item 9, Local Development Framework – Thetford Area Action Plan – Issues and Options.

**77/08 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)**

Messrs R. Goreham, P. Cowen, G. Bambridge, P. Duigan and Mesdames D. Irving, M. Chapman-Allen and C. Bowes.

**78/08 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 6)**

The Chairman welcomed Theresa Hewett, the Executive Member for People First, as a new Member of the Cabinet. He also congratulated Lady Fisher on her recent appointment as Deputy Lieutenant for Norfolk.

**79/08 FOOD SAFETY AND HEALTH AND SAFETY SERVICE PLANS (AGENDA ITEM 7)**

The Executive Member for the Planning and Environment Portfolio provided the Cabinet with information of how many food and health and safety inspections had been carried out in any one year and was pleased

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to announce that 90% of food complaints had been responded to within three working days.

The Executive Member conveyed her congratulations to the Environmental Team for its excellent hard work throughout the year.

The options available were either to approve or not to approve the Food Safety and Health and Safety Service Plans for 2008/09.

The reasons for the recommendation were:

- 1) to ensure that Breckland complied with the Food Standards Agency standard and to ensure safe food in Breckland;
- 2) to ensure that Breckland Council complied with Section 18 of the Health and Safety at Work etc Act 1974.

**RESOLVED** that the Food Safety and Health and Safety Service Plans for 2008/09 be approved to satisfy the requirements of the Food Standard Agency (FSA) and the Health and Safety Executive (HSE).

**Richard Kirk**

**80/08 NORFOLK SUPPORTING PEOPLE STRATEGY 2008-2011 (AGENDA ITEM 8)**

The Strategic Housing Manager presented the report which invited Members to consider and agree the Supporting People Strategy and recommend it to Council for approval.

The Opposition Leader asked if this Strategy would have an enhanced effect on people's lives. In response, the Strategic Housing Manager highlighted the priority groups which would benefit from this Strategy.

The Housing Team was congratulated for the constant improvement in housing services over the past few years.

The options available to Members were:

- 1) to agree to adopt the Norfolk Supporting People Strategy 2008-2013, demonstrating Breckland Council's commitment to its Commissioning Body Role, improving services for vulnerable residents and a commitment to delivering the Norfolk Local Area Agreement;
- 2) to not agree to adopt the Norfolk Supporting People Strategy 2008-2013, recognising the inherent risk for Breckland in failing to uphold the memorandum of understanding in existence between the Council and Norfolk County Council. To not agree to adopt the Norfolk Supporting People Strategy would also present difficulties to the Council in demonstrating partnership working against the independent living national indicators proposed under the Norfolk Local Area Agreement.

The reasons for the recommendation were that the Supporting People Programme was the predominant funding stream available to provide new

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supported housing services to Breckland's most vulnerable residents. Availability of services through the Supporting People Programme was a key driver for improvements to the Council's homelessness and housing advice, housing register and private sector housing services.

Norfolk was a pathfinder for the integration of the Supporting People Programme into the Local Area Agreement (LAA) structure and as a result from April 2008 the Programme Grant (£16.3m per annum) would be managed as if it was part of the new Area Based Grant. The actual merger of funding in April 2009 would depend on the outcome of the Norfolk and other pathfinders. In order to be able to influence the direction of travel and demonstrate the Council's clear commitment to the LAA process, it was recommended that the Council supported the priorities for the Supporting People Programme contained in the Strategy.

Of the indicators proposed for the Norfolk Local Area Agreement, NI141 (proposed as one of the 35 National Indicators) and NI142 (proposed as a local indicator) cover the Supporting Independent Living agenda. The Norfolk Supporting People Programme would be the main delivery vehicle for delivering outcomes against these measures, with the aim to provide better value and more integrated approaches to meeting service users' needs.

**RECOMMEND** to Council that the Norfolk Supporting People Strategy 2008-2013 be adopted.

**Anita  
Brennan,  
Helen  
McAleer,  
Ian  
Vargeson**

**81/08 LOCAL DEVELOPMENT FRAMEWORK - THETFORD AREA ACTION PLAN - ISSUE AND OPTIONS (AGENDA ITEM 9)**

The Executive Member for the Business Transformation Portfolio explained that the Thetford Area Action Plan (TAAP) – Issues and Options was a consultation document not a decision document and it was up to Members to decide whether it went forward for a six week consultation period commencing 23rd June 2008.

The Principal Environmental Planning Officer advised that there would be further reports on site specifics later in the year.

The Principal Planning Officer (Thetford Growth Point) explained that the Issues and Options document was about setting the key issues and asking questions about options for Thetford. The aforementioned site specifics document would be for the whole of Breckland but would exclude Thetford. The preferred options stage for Thetford would be presented to Cabinet in January 2009 for a decision.

Members were asked to note that a considerable number of organisations had contributed to the document, including full debate and comments from the Moving Thetford Forward Officer Group on 1<sup>st</sup> May 2008 and the Moving Thetford Forward Board on 15<sup>th</sup> May 2008. The document had also been to the Policy Development and Review Panel 1 meeting on 3 June 2008 where it had been recommended to Cabinet without any further changes.

In addition to the consultation document as presented, a simpler leaflet

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version was also being prepared for distribution to every household in the town, which would set out the questions as contained in the main document.

The Overview and Scrutiny Commission Chairman observed that the plan did not include any mention of the railway in the town. He felt that this was a great shame as one of Thetford's big advantages was that it sat on a railway line. The Opposition Leader supported these comments and felt that this would be a great opportunity to remedy this matter. Another Member pointed out that she was not aware that there was anything in place for railway station improvements. In response to a suggestion about formulating a question in the leaflet around this issue, the Principal Planning Officer (Thetford Growth Point) advised that the Moving Thetford Forward Board had actual projects in mind for the train station and, in his opinion, there was not a question to ask as there were other mechanisms in place that he felt were much better than the TAAP document. The Executive Member for the Housing and Economic Portfolio felt that it was unfortunate that the document did not reflect the Board that he sat on and he reassured the Cabinet that dialogue of these matters were being discussed. The Overview and Scrutiny Commission Chairman was glad that there was support from other Groups but was disappointed that the railway was not mentioned in the TAAP document. Members were informed that this document would look very different in January particularly when it turned to specifics. The rail policy could be included at that stage.

On another matter, a Member emphasised the fact that Thetford Town Council was very keen to keep the town centre alive but had concerns about infrastructure particularly with regard to the amount of housing being constructed against the lack of school provision. The Cabinet was reassured that all these issues were being acknowledged by the Moving Thetford Forward Board.

The options available were:

- 1) approve the document and the preparation of a separate consultation leaflet, subject to final adjustments by the Growth Point Team, and issue for consultation in late June for six weeks;
- 2) as option 1, but with the addition/deletion of sections or amendments to the text or questions;
- 3) not approve the document, and ask for a revised version to be brought back to a future MTF Board meeting in due course.

The reasons for the recommendations were that it was important that the Thetford Area Action Plan progressed without delay. It was felt that the document had been soundly produced and had met all necessary regulations and planning advice. Any delay in publication could result in a lack of confidence in the process.

**RESOLVED** that

- 1) the Thetford Area Action Plan Issues and Options consultation

**Richard  
Kay, David  
Spencer**

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document be approved, subject to any final editing by the Growth Point Team;

- 2) the preparation of a 'slimmed down' consultation leaflet be approved; and
- 3) the publication of the Thetford Area Action Plan Issues and Options consultation document for a six week consultation period, commencing in week beginning 23 June and ending in the first week of August 2008, be approved.

**82/08 BRECKLAND LOCAL DEVELOPMENT FRAMEWORK: SITE SPECIFICS POLICIES AND PROPOSALS DEVELOPMENT PLAN DOCUMENT: ISSUES AND OPTIONS CONSULTATION - SUMMER 2008 (AGENDA ITEM 9A)**

Notes of the Policy Development and Review Panel 1 meeting were circulated for information.

The draft consultation on Site Specifics Issues and Options was the first key stage in the process of producing the Site Specifics Development Plan document which ultimately would be incorporated within the suite of other strategy and policy documents to form the Local Development Framework (LDF). Together with the associated Thetford Area Action Plan, the documents would identify the allocations of land needed to deliver the strategic growth for homes and employments and associated services and infrastructure in Breckland over the life of the LDF to 2026.

The Overview and Scrutiny Commission Chairman said that the notes circulated had reflected what had been discussed at the meeting and he felt that the Environmental Planning Policy Team had put together a very good document and should be congratulated.

The options available were:

- 1) approve the document, subject to final adjustments by the Planning Policy Team in liaison with the Executive Member, and issue for consultation in late June for 12 weeks;
- 2) as option 1, but with the addition/deletion of sections or amendments to the text or questions;
- 3) not approve the document and ask for a revised version to be brought back to a combination of future Panel 1 and Cabinet meetings in due course.

The reasons for the recommendation were that it was important that progress was made on the Site Specifics Document without delay. The document had been soundly produced and had met all necessary regulations and planning advice at this stage. Any delay in publication could result in a lack of confidence in the process from key stakeholders and reduce the potential to significantly progress this area of work in advance of the Local Government Review in Norfolk.

**Action By**

**Richard  
Kay, David  
Spencer**

**RESOLVED** that the Breckland Local Development Framework: Site Specifics Policies and Proposals Development Plan Document: Issues and Options Consultation – Summer 2008 be approved, subject to the recommended amendments as endorsed by the Policy Development and Review Panel 1 and subject to any final minor editing by the Planning Policy Team in liaison with the Executive Member.

**83/08 YEAR 1 REVIEW OF DISABILITY EQUALITY SCHEME AND ACTION PLAN (AGENDA ITEM 10)**

The Policy Officer (Equalities) presented the report and explained the background to the Year One review of the Breckland Disability Equality Scheme Action Plan covering the period December 2006 – December 2009. The Cabinet's views were sought prior to the publication of this document on the Council's website.

The Overview and Scrutiny Commission had considered the report at its meeting on 29 May 2008 and their comments were highlighted at item 16 of the Agenda (reference from the Overview and Scrutiny Commission).

Regarding the O&SC reference concerning wheelchair bungalow provision, the Executive Member for the Business Transformation Portfolio asked what percentage of demand there was for this facility. The Strategic Housing Manager explained that it was more costly to deliver such bungalows on sites but these types of residence were in acute shortage. Members were informed, however, that the "Life Long Home Standard" would be adopted through the Local Development Framework (LDF) which looked to adapt properties throughout a disabled person's lifetime. The Executive Member for the Business Transformation Portfolio asked if these types of dwellings were being built in the right places. In response, the Strategic Housing Manager advised that she would be working very closely with Planning Officers when appropriate sites came forward. Another question related to current practice with regard to wheelchair bungalows being built on all sites over 25 homes. Members were informed that this figure had been an optimistic target but it reflected nothing more than the planning policy at the time.

Referring to the Action Plan attached to the report, Members requested that the wording in the third row on page 160 of the Agenda be removed and be replaced with the following:

<p><b>Action:</b> Breckland Council will promote the 'Life long home standard' – designs that are intended to be suitable for the life time of the tenants through health and sickness</p>	<p>January 2007 onwards</p>	<p><b>Progress:</b> Proposals for the affordable housing policies to be contained in the Local Development Framework are in development</p>
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<p><b>Purpose:</b> Increased accessible affordable housing for disabled people</p>		
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The options available to Members were:

- 1) to note the report and approve the publication of the Progress Report of the Disability Equality Scheme Action Plan on to the Breckland Council Website to fulfil its statutory obligations of the specific duties within the Disability Discrimination Act 2005;
- 2) to note the report and if **not** approved the publication of the Progress Report of the Disability Equality Scheme's Action Plan 2006 – 2009 on to the Breckland Council Website, the Council would be at risk of breaching the statutory obligation of the specific duties within the Disability Discrimination Act 2005 and being subject to enforcement action as outlined in the 'Legal Implications' (Section 5).

The reason for the recommendation was that it was a statutory requirement of the Disability Discrimination Act 2005. Failure to meet the requirements within the Specific Duty could result in the service of a 'Compliance Notice' under Chapter 13 section 49e/f of the DDA by the Equalities and Human Rights Commission (EHRC). Failing a response from the authority to comply with the notice, the EHRC could apply for a court order requiring the authority to comply or risk being in contempt of court.

**RESOLVED** that the Year 1 review of the Breckland Disability Equality Action Plan December 2006 – November 2009 be approved for publication on the Breckland Website subject to the Overview and Scrutiny Commission's views being taken into account regarding the need to review the definition of the Action on affordable housing for disabled people (see Cabinet Minute No. 83/08) and the Action Plan being amended as indicated above.

**Peter  
Dinsmore**

**84/08 PRIDE IN BRECKLAND (AGENDA ITEM 11)**

The report was introduced by the Executive Member (Communities) and presented by the Strategic Director for Services.

The Council had received additional funding for financial years 08/09 to 10/11, in the form of an Area Based Grant. Although not ring fenced, this grant had been allocated by Government Office to enable the Council to build stronger communities.

The Pride in Breckland campaign was intended to act as a catalyst for a variety of community and partnership based projects or initiatives which directly supported the Breckland Local Strategic Partnership (LSP) and the Council's priorities as part of the Sustainable Community Strategy.

The Council was under no obligation to develop a Community Pride Project; however, the Area Based Grant, albeit not ring fenced had been

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allocated by Government Office to assist the Council in building stronger communities. An opportunity existed to work with Local Strategic Partners to develop stronger initiatives into a District wide Pride Campaign, which would support the delivery of the County Local Area Agreement targets and the Breckland Community Strategy.

The reason for the recommendation was that the Pride Campaign supported the Councils priorities promoting cohesive and inclusive communities across the District.

**RESOLVED** that

- 1) a pride in Breckland campaign as detailed in the Project Brief (as attached as Appendix 1 of the report) be approved.
- 2) the amount of £200,000 of revenue funding to support the Pride Project, be allocated as follows:  
  
Year 1: £75,000  
Year 2: £75,000  
Year 3: £75,000
- 3) the recruitment of a Pride Co-ordinator, as a full time post at grade funded for years 1-3, from the project allocation at (2) above be approved.

**Mark  
Stokes**

**85/08 BARNHAM CROSS - PEDDARS WAY (LAND AT ASH CLOSE, THETFORD) (AGENDA ITEM 12)**

The Land Management Officer presented the report which concerned the approval for the transfer of Council-owned land at Ash Close, Thetford on the Barnham Cross Estate to Peddars Way Housing Association at nil consideration. Breckland Council and Peddars Way Housing Association were currently working in partnership to regenerate and enhance the estate, maximising the use of the garage blocks, garage forecourts, off street parking areas and amenity areas and the land adjacent to the houses.

The Executive Member for the Housing and Commercial Portfolio said that the Council had a very good working relationship with Peddars Way and there was now cohesion between the Moving Thetford Forward Board and the housing estates in Thetford. He asked for it to be noted that although the Council was transferring the land at nil consideration the land was actually worth £56k. He asked for this to be shown in these and all future Minutes relating to similar matters. The Asset Manager said that this amount should have been quoted on the Proforma B but would be included in the future.

A Member felt that this was an excellent result of partnership working.

The options available to Members were:

- that the land shown edged in red on the plan be transferred, at nil

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consideration, to Peddars Way Housing Association to allow redevelopment of the land and the adjacent garage block/forecourt;

- that the land shown edged in red on the plan be transferred, at the District Valuer's valuation to Peddars Way Housing Association to allow redevelopment of this land and the adjacent garage block/forecourt;
- that the land shown edged in red on the plan to remain within Breckland Council's ownership.

The reasons for the recommendation were:

- a) the Council would lose responsibility for this area of land at Ash Close, Thetford;
- b) to support the regeneration and enhancement of the Barnham Cross Estate in Thetford and reduce anti-social behaviour;
- c) the redevelopment of these areas would support the Council's number one priority;
- d) to reduce off-street parking and illegal parking on open space.

**RESOLVED** that

- 1) the Council-owned land at Ash Close, Thetford be transferred, at nil consideration, to Peddars Way Housing Association to allow this land and the adjacent garage block/forecourts to be redeveloped; and
- 2) the equivalent capital receipts to develop the land at Ash Close, Thetford at the District Valuer's valuation of £56,000 be ring fenced by the Housing Association for the overall regeneration scheme on the Barnham Cross Estate.

**Zoe Footer**

**86/08 CROXTON ROAD ESTATE - PEDDARS WAY (LAND AT ANNE BARTHOLOMEW ROAD, THETFORD) (AGENDA ITEM 13)**

The Land Manager Officer introduced the report which sought the Cabinet's approval to transfer Council-owned land at Anne Bartholomew Road, Thetford on the Croxton Road Estate to Peddars Way Housing Association at nil consideration.

The planning application previously submitted by Peddars Way Housing Association (PWA) for the demolition of the existing garages and for the construction of four dwellings and associated parking areas had been withdrawn. The Council had asked PWA to have a comprehensive consultation with the community before re-submitting the applications

The options available to Members were:

- that these areas of Council-owned land as shown edged in red on the plan attached to the report at Anne Bartholomew Road, Thetford be

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transferred, at nil consideration to Peddars Way Housing Association to allow redevelopment of the land and the adjacent garage block/forecourt;

- that these areas be transferred, at the District Valuer's valuation, to Peddars Way Housing Association to allow redevelopment;
- that these areas of land remain within Breckland Council's ownership.

The reasons for the recommendation were:

- a) the Council would lose responsibility for these areas of land at Anne Bartholomew Road, Thetford;
- b) to support the regeneration and enhancement of the Croxton Road Estate in Thetford and reduce anti-social behaviour;
- c) the redevelopment of these areas would support the Council's number one priority;
- d) to reduce off-street parking and illegal parking on open space.

**RESOLVED** that

- 1) the areas of Council-owned land at Anne Bartolomew Road, Thetford be transferred, at nil consideration to Peddars Way Housing Association to allow these areas of land and the adjacent garage/forecourts to be redeveloped, subject to Peddars Way Housing Association undertaking community consultation; and
- 2) the equivalent capital receipts to develop the land at Anne Bartolomew Road, Thetford at the District Valuer's valuation of £56,000, be ring fenced by the Housing Association for the overall regeneration scheme on the Croxton Road Estate.

**Zoe Footer**

**87/08 CROXTON ROAD ESTATE - PEDDARS WAY (LAND AT MOTHER JULIAN CLOSE, THETFORD) (AGENDA ITEM 14)**

The Land Management Officer introduced the report which sought Cabinet's approval for the transfer of Council-owned land at Mother Julian Close, Thetford, on the Croxton Road Estate to Peddars Way Housing Association at nil consideration.

The options available to Members were:

- that these areas of Council-owned land (as shown edged in red on the plan attached to the report) at Mother Julian Close, Thetford be transferred, at nil consideration to Peddars Way Housing Association to allow redevelopment of these areas of land and the adjacent garage block/forecourt;
- that the land be transferred, at the District Valuer's valuation to Peddars Way Housing Association to allow redevelopment;

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- that the land remain within Breckland Council's ownership.

The reasons for the recommendation were:

- a) the Council would lose responsibility for these areas of land at Mother Julian Close, Thetford;
- b) to support the regeneration and enhancement of the Croxton Road Estate in Thetford and reduce anti-social behaviour;
- c) the redevelopment of these areas would support the Council's number one priority;
- d) to reduce off-street parking and illegal parking on open space.

**RESOLVED** that

- 1) the areas of Council-owned land at Mother Julian Close, Thetford be transferred, at nil consideration to Peddars Way Housing Association to allow these areas of land and the adjacent garage block/forecourts to be redeveloped subject to Peddars Way Housing Association undertaking community consultation; and
- 2) the equivalent capital receipts of developing the land at Mother Julian Close, Thetford, to the District Valuer's valuation of £56,000, be ring-fenced by the Housing Association for the overall regeneration scheme on the Croxton Road Estate.

**Zoe Footer**

**88/08 REQUEST TO TRANSFER COUNCIL-OWNED LAND AT NORWICH ROAD, BESTHORPE AND RELEASE OF RESTRICTIVE COVENANT(S) (AGENDA ITEM 15)**

The Land Management Officer presented the report which concerned Cabinet's approval for the transfer of Council-owned land and Norwich Road, Besthorpe, to Peddars Way Housing Association at nil consideration and the release of a restrictive covenant affecting the garage forecourt at Norwich Road, Besthorpe at nil consideration, to enable the redevelopment of the site to accommodate a two storey three bed house with integral garage. Peddars Way Housing Association had advised that, if approved, the proceeds of the sale would be recycled on development of social housing or associated facilities within the Breckland District.

A planning application had recently been submitted for the scheme.

The Asset Manager informed Members that the Council had been working closely with all concerned and was getting the best results for Breckland's communities.

The options available were:

- (i) that the Council-owned land (as shown edged in red on the plan attached to the report) at Norwich Road, Besthorpe be transferred, at nil consideration, to Peddars Way Housing

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Association to allow this land and the adjacent garage forecourt to be redeveloped;

- (ii) that the restrictive covenant on the Peddars Way Housing Association's title (transfer dated March 1993), in favour of Breckland District Council stating that "subject to Clause 7, in respect of any part of the Property described in Parts III, IV, V and VI of Schedule A (garages, garage forecourts, off street parking areas and amenity areas) not to develop or redevelop that part of the Property and not to permit the same to be used as other than garages, parking area, amenity areas, respectively, serving residential dwellings", be released, at nil consideration; and
- (iii) that rights of access over the adjacent Council-owned track be granted for a successor in title.
- (i) that the land be transferred, at or above the District Valuer's valuation to Peddars Way Housing Association to allow redevelopment;
- (ii) that the restrictive covenant on the Peddars Way Housing Association's title (transfer dated March 1993), in favour of Breckland District Council stating that "subject to Clause 7, in respect of any part of the Property described in Parts III, IV, V and VI of Schedule A (garages, garage forecourts, off street parking areas and amenity areas) not to develop or redevelop that part of the Property and not to permit the same to be used as other than garages, parking area, amenity areas, respectively, serving residential dwellings", be released, at or above the District Valuer's valuation; and
- (iii) that rights of access over the adjacent Council-owned track be granted for a successor in title.
- (i) that the land remain within Breckland's ownership;
- (ii) that the restrictive covenant not be released; and
- (iii) that rights of access over the adjacent Council-owned track not be granted.

The reasons for the recommendation were:

- a) the Council would lose responsibility for this area of land at Norwich Road, Besthorpe;
- b) the redevelopment of these areas would support the Council's number one priority.

**RESOLVED** that

- 1) the Council-owned land at Norwich Road, Besthorpe be transferred, at nil consideration to Peddars Way Housing Association to allow

**Zoe Footer**

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this land and the adjacent garage forecourt to be redeveloped, subject to Peddars Way Housing Association undertaking community consultation.

- 2) the restrictive covenant affecting the garage forecourt at Norwich Road, Besthorpe be released, at nil consideration.
- 3) the rights of access over the adjacent Council-owned track be granted for a successor in title.
- 4) the equivalent capital receipt of developing the land at Norwich Road, Besthorpe, to the District Valuer's valuation of £34,000, be recycled by the Housing Association in development of social housing or associated facilities within the Breckland district.

**89/08 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 16)**

This item had been discussed under Minute No. 83/08 above.

**90/08 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 17)**

The Minutes of the meeting of the Anglia Revenues and Benefits Partnership held on 21 May 2008 were noted and the following recommendation was agreed.

Funding for Introduction of Employment Support Allowance (ESA) (Minute No. 18/08)

**RESOLVED** that

- (1) approval be given for the release of the respective funds provided by DWP to allow the project to commence as follows:
  - Forest Heath District Council - £15,000
  - Breckland Council - £35,149
  - East Cambridgeshire District Council - £17,024
- (2) the funding received by East Cambridgeshire and Forest Heath District Councils to be paid into the Partnership budgets held by Breckland; and
- (3) the Partnership budgets held by Breckland be increased by £67,173 to allow for the necessary changes to be made for the introduction of ESA.

**Steve  
Knights**

**91/08 NEXT MEETING (AGENDA ITEM 18)**

The next meeting of the Cabinet would be held on Tuesday, 22<sup>nd</sup> July 2008 at 9.30am in the Norfolk Room.

**All to Note**

**Action By**

The meeting closed at 10.50 am

CHAIRMAN