
BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 8 December 2009 at 9.30 am in
Norfolk Room, The Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr J.W. Nunn (Chairman)	Mr M.A. Kiddle-Morris
Mr S. Askew	Mr W.H.C. Smith
Mr P.D. Claussen	Mrs T. Hewett
Lady Fisher	

Also Present

Mrs D.K.R. Irving

In Attendance

Ian Vargeson	- Member Services Manager
Robert Barlow	- Director of Governance and Finance
Julie Britton	- Senior Committee Officer
Sue Daniels	- Electoral Services Manager
Robert Walker	- Director of Community Services
David Spencer	- Principal Planning Policy Officer
Darryl Smith	- Principal Housing Officer (Strategy and Enabling)
Stephen James	- Policy and Performance Manager
Pam Sayle	- Corporate Consultation and Communications Officer
Riana Rudland	- PFI Leisure Monitoring Officer and Sports Development Officer

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106/09 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 27th October 2009 were confirmed as a correct record and signed by the Chairman.

107/09 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Philip Cowen, Robin Goreham, Mark Stokes and Maxine O'Mahony.

108/09 DECLARATION OF INTEREST (AGENDA ITEM 4)

Lady Fisher wished for it to be noted that a personal interest would be declared if any site specifics were discussed in relation to Agenda items 9 and 10.

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109/09 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mrs D. Irving was in attendance.

110/09 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 6)

Members were made aware of the latest position concerning the recent announcement from the Boundary Committee on the Local Government Review.

The Chief Executives from all five Norfolk councils would be meeting later in the day to consider what further action needed to be taken.

The Secretary of State for Communities and Local Government had stated that anyone who wished to make representations on any unitary proposal that was being considered, or on any matters connected with it, could do so by 19 January 2010.

The Chairman stated that Keep Norfolk Local councils would continue to oppose the reorganisation.

111/09 GOVERNANCE AND PERFORMANCE MONITORING REPORT - QUARTER 2 2009/10 (AGENDA ITEM 7)

The Performance Manager presented the report which detailed how well the Council was using its resources to deliver value for money as well as better and sustainable outcomes for local people.

The report had been structured into four themed sections: managing finances, managing performance, governing the Council and managing resources.

Managing Finances

The forecasted year end outturn at the end of Quarter 2 had reflected an overall underspend of £72,520 for the Council.

Income shown on page 5 of the document showed three areas that were experiencing a shortfall.

Income related to Land Charges and Development Control were linked to the economic climate, whereas the Bed and Breakfast shortfall was as a result of the Council managing down its usage of this type of accommodation which reduced the potential recoverable income.

Under Treasury Management (page 6 of the report), both measures, of actual income and percentage interest, remained better than targeted.

The Capital Programme report on page 7 requested approval for a revised budget of £7,419,569. This reflected the proactive management of the scheme.

Page 11 of the report asked for virements to be agreed to reflect the latest

Action By

forecasts of spend and income and to ensure reported budget performance remained updated.

Additionally, on page 12, the report asked for grant funding awarded to the Council to be accepted and the income and expenditure approved.

Managing Performance

The Managing Performance section on page 13 of the report tracked the Council's performance against its Annual Delivery Plan. All variances to planned targets and milestones had been covered in more detail through the report.

Customer Service on pages 24 to 28 of the report showed how the Council was using its data collected through the call centre for National Indicator 14 to change the way it operated.

The Council had seen a fall in complaints during quarter 2 with 20 received compared to 38 the previous quarter. Compliments had remained similar to last quarter with 13 received.

Page 37 of the report considered the performance of contracts. Beginning with Serco, there had been a fall in the number of complaints received and an increase in satisfaction for all three areas monitored.

Parkwood Leisure, who delivered the leisure centres in partnership with Breckland, showed an increase in customer satisfaction levels in both Thetford and Dereham, with Thetford's levels being significantly increased against quarter 1 and currently standing at 85%.

Capita performance remained high with all but one indicator being on target. All critical performance indicators remained on target.

The Anglia Revenues Partnership remained challenged by increased demand due to the economic climate although performance remained high. Time taken to process housing benefit and council tax benefit was higher than target, but had seen consistent falls during the early part of Quarter 3.

Governing the Council

The Council's risks were managed through the Audit Committee and these were shown from page 47 to 66 of the report.

Managing Resources

Looking at how the Council managed its resources, an under-spend of £109,933 was forecast for the year end and that was against a 4% vacancy factor.

On page 56 of the report the Council had seen lower than targeted absence levels with 3.18 days per employee being recorded against a target of 3.75. This was significantly lower than at the same point for the previous two years.

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The Vice-Chairman drew Members' attention to the under-spend and congratulated the Officers involved for their good management of the Council's resources which he felt was due to the adherence to the Audit Committee's good practice.

He also drew attention to the Treasury Management section of the report which showed that the Council had out-performed its target on the interest received.

Referring to the Anglia Revenues Partnership's (ARP) performance indicators, the Vice-Chairman wished for it to be noted that all targets had now been achieved.

The Executive Member for the Environmental Well-Being and Customer Contact Portfolio congratulated Officers on driving the Green Agenda forward. Many projects had been delivered, including working with Mattishall Primary School towards the Silver Eco Schools Award, implementing a strategy to reduce the Council's CO2 emissions and reducing the amount of paper being used in the Council offices. Car sharing was also being encouraged. She also drew attention to the compliments section, particularly in regard to the Contact Centre.

The Vice-Chairman felt that the consultation section of the report was very useful as 79% of all Breckland respondents thought that the Council should generate income by letting out its commercial property and 65% felt that income could be generated by working with other councils and private sector companies. Faced with the prospect of the Local Government Review, this showed that the Council was on the right track by driving forward its own shared services initiative with South Norfolk Council.

Options

Not applicable

Reasons

See report.

RESOLVED that the Governance and Performance report for Quarter 2 be noted, and

RECOMMEND to Council that:

- 1) the revised Capital Programme of £7,419,569 (as per table 2 on page 8 of the Governance and Performance report) be agreed;
- 2) the virements as listed on page 11 of the Governance and Performance report be approved;
- 3) the budget for both the grant income and expenditure as detailed on page 12 of the Governance and Performance report be approved; and

**Stephen
James/
Sheila
Cresswell/
Ian
Vargeson**

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- 4) the funding grants from the awarding bodies, ODPM and Norfolk County Council, as listed on page 12 of the Governance and Performance report, be accepted.

**112/09 GRANT PANEL AND FUNDING RECOMMENDATIONS - ROUND 2
(AGENDA ITEM 8)**

The report summarised the funding recommendations that had been made by the Grant Funding Panel meeting held on 26 October 2009.

The PFI Monitoring and Strategic Sports Officer explained the various grants awarded.

Three Match Funding applications had been submitted, two of which had since been delegated and approved for Old Buckenham Cricket Club and Attleborough Junior Football Club, as they both were under £3,000 (the permitted amount to be delegated).

An application had been received from Hardingham Cricket Club for Capital Match Funding of £9,564.99, which had been recommended to Cabinet for a decision because of the amount of money being requested.

The money, if approved, would be used towards the renovation and installation of new changing, showering and storage facilities.

The Executive Member for the Communities and Benefits Portfolio was delighted that people were coming forward to apply for these grants.

The Vice-Chairman felt that credit should be given to the Officers concerned, who should be very proud of the assistance they provided to the applicants in helping to enhance their community.

The Executive Member for the Communications and Corporate Services Portfolio said that the money being requested would be of great benefit to Hardingham Cricket Club.

Options

- To approve individual Match Funding applications for the full amount requested
- To award individual Match Finding applications for a lesser amount
- To reject individual Match Funding applications

Reasons

See report.

RESOLVED that the Capital Match Funding application of £9,565 to replace the existing changing, showering and storage facilities at Hardingham Cricket Club as detailed in the report be approved, subject to:

**Catherine
Lang**

Action By

- 1) a maximum of £9,565 or 30% whichever is the lower;
- 2) confirmation of the total cost of the project; and
- 3) the balance of all other funding being confirmed.

**113/09 ADOPTION OF REVISED AFFORDABLE HOUSING POLICY
(AGENDA ITEM 9)**

The Principal Housing Officer (Strategy and Enabling) presented the report which invited Members to consider the Affordable Housing Policy as the delivery mechanism for the affordable housing criteria within the Local Development Framework (LDF) and recommend it to Council for approval.

The review and development of the new Policy had been undertaken with a Task & Finish Group consisting of Members and Officers. During the process particular experts had been scrutinised on their respective knowledge and experience to assist with the shaping of the Policy.

The Policy set out how the Council would apply the relevant policies DC4 and DC5 of the LDF in securing a supply of affordable housing whether on a site just for affordable housing or as part of a larger development with a developer.

The Principal Housing Officer asked Members to note that Policies DC4, DC5, DC1 and DC16 could not be changed as they were part of the Core Strategy document which had been widely consulted on, scrutinised and found to be sound by the Planning Inspector.

The Vice-Chairman believed that a request had been put to revisit Policy DC4 before it came to Cabinet. The Chief Executive advised this could be done at a later date should Cabinet request any changes

The Executive Member for the Planning, Health & Housing Portfolio felt that this Affordable Housing Policy had been through a very inclusive journey and congratulated the Officers concerned on a very good piece of work.

The Executive Member for the Environmental Well-Being and Customer Contact Portfolio was very pleased with the matters that related to sustainability. She would encourage the Green Agenda Panel to view the 'green' developments in the area.

Options

- 1) To recommend the Policy for adoption.
- 2) To propose changes to the Policy and subsequently recommend the Policy for adoption.
- 3) Not agree to recommend the Policy for adoption.

Reasons

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The Policy had been drafted to take account of Members priorities whilst balancing the legislative framework which was in place to deliver affordable housing. The Task & Finish Group was able to challenge Officers to ensure that their thoughts delivered the expectations of communities.

The Policy had been drafted to reflect the Local Development Framework which had been widely consulted upon, scrutinised and found to be sound by the Planning Inspector.

RECOMMEND to Council that the revised Affordable Housing Policy be adopted.

**Darryl
Smith/
Sheila
Cresswell/
Ian
Vargeson**

114/09 RESPONSE TO CONSULTATION ON THE REVIEW OF THE EAST OF ENGLAND PLAN TO 2031 - SCENARIOS FOR HOUSING AND ECONOMIC GROWTH (AGENDA ITEM 10)

The Principal Planning Policy Officer presented the report.

Members were asked to consider the latest consultation paper on the review of the East of England Plan to 2031. The consultation process set out the implications behind each of the four growth scenarios for the District and the proposed response.

The need for a review had been highlighted by the Government and responded to the need to plan strategically over a period of 20 years.

Breckland Council had been an active participant in the preparation of the current East of England Plan. However, since the adoption of the current Plan, the Council had developed a significant evidence base to underpin the policies in the Core Strategy and justify the delivery of its housing and employment figures as set out in the Regional Spatial Strategy.

It was noted that scenarios 1 to 3 proposed the same annual figure and represented an overall decrease in the Council's dwelling completion rate whilst retaining a growth target of 12,830 over the period 2011 to 2031. This compared to an existing target of 11,900 new homes to be allocated in the Core Strategy and a Plan total of 19,211 homes to 2026.

The Vice-Chairman pointed out a number of concerns with regard to economic and population growth and the existing housing need.

The Principal Planning Policy Officer explained that the growth rates within the preferred scenario would still require significant infrastructure investment but by extending very similar growth levels over a longer period of time presented a greater opportunity to secure delivery and reduces pressure over the plan period. He drew Members' attention to paragraph 3.2.27 of the report and highlighted the fact that Breckland Council would like the review of East of England to respond to the demographic changes and the increasing requirement to meet housing need, particularly affordable housing.

The Chairman asked for the recommendation to be clarified. Members were informed that Option 1 was to support 'scenario 3'.

Action By

The Executive Member for the Planning, Health and Housing Portfolio asked what would happen to this particular document if there was a change of Government in 2010. Members were informed that the East of England Regional Assembly (EERA) was trying to prepare the review to a very tight time scale. It was pointed out that the EERA currently intended to submit the document to the Government for independent Examination in Public by no later than March 2010, thus resulting in extremely short deadlines for local authorities to respond and limited time for the Regional Planning Body to review and respond to comments made.

The Executive Member for the Planning, Health and Housing Portfolio asked if Region had indicated any level of assistance. He reminded Members that Thetford Enterprise Park would not have been delivered without Region's intervention and Snetterton would not happen without the assistance from Region for the necessary energy supply.

The Chief Executive reported that Officers were currently in negotiations with the East of England Development Agency (EEDA) and the Homes & Communities Agency (HCA) and early indications were that these projects would be supported.

Options

- 1) To endorse the contents the report (including support for growth scenario 3) as the Council's formal response to the RSS review consultation.
- 2) Object to the consultation document, and suggest an alternative option be submitted that utilised a more strict interpretation of the earlier presented GVA controlled housing figures (i.e. no net additional dwellings to 2031) that was previously endorsed by Cabinet in January 2009 and reflect these under consultation question number 1.

Reasons

Endorsing growth rates proposed at the consultation paper under 'Scenario 3' was considered to a reasonable option in providing for new housing growth in the District to 2031. The additional quantum of housing proposed could be accommodated in the period up to 2031 and would provide some flexibility in the distribution of the additional housing through future reviews of the Core Strategy Development Plan Document.

However, the ability to accommodate this growth was dependant upon the resolution of key infrastructure constraints identified through the production of the Core Strategy, particularly in respect of energy, water supply and waste water treatment capacity.

RESOLVED that Option 1 of the report be endorsed and the contents of the report be submitted to the Regional Assembly as the Council's formal response on the consultation of the review of the East of England Plan to 2031.

**Phil
Mileham,
David
Spencer**

Action By

115/09 ANNUAL MONITORING REPORT (AGENDA ITEM 11)

The Principal Planning Policy Officer presented the Annual Monitoring Report for the 2008/2009 financial year.

Section 35 of the Planning and Compulsory Purchase Act 2004 required all local authorities to produce such a report by 31st December each year.

Due to the progress of the Council's Core Strategy and Development Control Policies, this AMR followed the strategic themes outlined in that document. These were:

- Housing, Employment and Regeneration
- Natural resources
- Environment
- Accessibility

Paragraph 3.1.5 of the report reflected the amount of housing that had been developed across the financial year. It was pointed out that on 1st April 2009, 2228 dwellings had been either under construction or with planning permission and awaiting development; a very healthy position to be in.

Paragraph 3.1.7 – Retail/Town Centre Development had seen a loss of floor space due to the economic climate; however, now that the former Woolworth's stores had new tenants, it was recognised that the financial year for 2009/10 would look more positive.

Referring to the environment at paragraph 3.1.9 of the report, Members were informed that Breckland Council had permitted three planning applications contrary to advice from the Environment Agency with regard to flood risk. This figure had risen from the previous year, where none had been permitted.

It was noted that any issues that arose with Policy DC4 of the Affordable Housing Policy could be brought back through the AMR.

The Chairman had noticed that many village pubs were being closed and boarded up and eventually being converted into residential dwellings. He asked for this particular policy to be reviewed and strengthened to enable more to be done to prevent this from happening.

The Vice-Chairman mentioned the practice of another authority that dealt with this particular policy in a very different way to Breckland. Applications that were submitted to change the use of a public house to a dwelling were automatically refused and subsequently dealt with at Appeal.

Members supported the Chairman's proposal.

Options

N/A

	<u>Action By</u>
<p><u>Reasons</u></p> <p>Section 35 of the Planning and Compulsory Purchase Act 2004 required all local authorities to produce an Annual Monitoring Report (AMR).</p> <p><u>RESOLVED</u> that the contents of the Annual Monitoring Report be noted.</p> <p><u>RECOMMEND</u> to Council that Planning Policy DC19 be reviewed and strengthened particularly with regard to community facilities in villages such as public houses and shops.</p>	<p>David Spencer/ Sheila Cresswell/ Ian Vargeson</p>
<p><u>116/09 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 12)</u></p> <p>The Principal Member Services Officer read out the comments made by the Chairman of the Overview & Scrutiny Commission (O&SC) following the call-in of the delegated decision regarding the appointment of a specialist consultant to assist with the delivery of Phase 4 of the Snetterton Utilities Project.</p> <p>He wished for it to be noted that the O&SC had held a fulsome debate on this issue and as a consequence had agreed to support the delegated decision. Members were asked to bear in mind the benefit that a successful outcome of such a project would bring.</p> <p><u>RESOLVED</u> that:</p> <ol style="list-style-type: none">1) the delegated decision regarding the appointment of a specialist consultant to assist with the delivery of Phase 4 of the Snetterton Utilities Project be supported.2) further endeavours be encouraged to secure additional contributions towards the project from land owners.	<p>Becky Jefcoate</p>
<p><u>117/09 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 13)</u></p> <p>The Minutes of the Anglia Revenues and Benefits Partnership meeting held on 8 October 2009 were noted.</p>	
<p><u>118/09 NEXT MEETING (AGENDA ITEM 14)</u></p> <p>The next meeting of the Cabinet would be held on Tuesday, 12 January 2010 at 9.30am in the Norfolk Room.</p>	

The meeting closed at 10.15 am

CHAIRMAN