

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 28 February 2013 at 10.30 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mrs S Armes	Mr K. Martin
Mr S. Askew	Mrs S.M. Matthews
Mr S.G. Bambridge	Mrs K. Millbank
Mr W.P. Borrett	Mrs L.H. Monument
Councillor C Bowes	Mr M J Nairn
Mr A.J. Byrne	Mrs J A North
Mrs B Canham	Mr J.W. Nunn
Mr C G Carter	Mrs K. Pettitt
Mr T R Carter	Mr R. R. Richmond
Mr R.P. Childerhouse	Mr W. R. J. Richmond
Mr C. S. Clark	Mr J.D. Rogers
Mr J.P. Cowen	Mr B. Rose
Mr P.J. Duigan	Mr I. Sherwood
Mr R.F. Goreham (Chairman)	Mr B J Skull
Councillor E. Gould	Mr W.H.C. Smith
Mr S R Green	Mr A.C. Stasiak
Mr T. J. Jermy	Mrs A.L. Steward
Mrs E. M. Jolly	Mrs L.S. Turner
Mr C.R. Jordan	Mr M. A. Wassell
Mr M.A. Kiddle-Morris	Mr N.C. Wilkin
Mr R.G. Kybird	

Also Present

Andrew Egerton-Smith	Chairman – Independent Remuneration Panel
----------------------	---

In Attendance

Julie Britton	- Senior Committee Officer
Natalie King	- HR Manager
Helen McAleer	- Senior Committee Officer
Maxine O'Mahony	- Director of Commissioning
Leanne Neave	- Member Trainer
Rory Ringer	- Democratic Services Team Leader
Teresa Smith	- Committee Officer (Scrutiny & Projects)
Vicky Thomson	- Assistant Director - Democratic Services

13/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 24 January 2013 were confirmed as a correct record and signed by the Chairman.

Action By

14/13 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Councillor Chapman-Allen, Mr Claussen, Mr Darby, Mr Duffield, Mr Gilbert, Mrs Irving, Mr Joel, Mr Lamb, Mrs Monument, Mr Robinson, Mr Sharpe, Mrs Spencer and Mr Williams.

15/13 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 3)

The Chairman noted that the Street Naming event for Safari Way, Dereham had been delayed.

At the request of the Member Trainer he asked Members to fill in the self-assessment forms, which had been tabled, and return them by 20 March 2013. The information gathered would be used to prepare the training programme and would support the Council's Charter Plus status.

16/13 DECLARATION OF INTERESTS (AGENDA ITEM 4)

For clarity, Mrs Jolly declared a DPI in the item on Pages 45/46 of the Agenda, in the Planning Minutes.

17/13 COUNCIL TAX 2013/14 (AGENDA ITEM 5)

This item was taken after the Cabinet Minutes (Agenda Item 6).

The Chairman drew attention to the note regarding Council Tax arrears which advised any Member more than two months in arrears not to vote on any matter concerning the setting of the Council Tax.

As Leader of Norfolk County Council, Mr Borrett withdrew from the room whilst the item was discussed.

The Executive Member for Finance and Democratic Services presented the formal resolution for the setting of the Council Tax for 2013-14. He drew Members' attention to the recommendation from the Cabinet meeting to set the Band D Council Tax rate at £69.03 for the year. That represented an increase of £4.98 and was only possible because the Leader of the Council, together with many other Council Leaders, had lobbied central government to relax the referendum rules to allow Councils with low Council Tax to provide an optimal result.

Members' attention was also drawn to page 139 of the report. The Breckland Tax base for 2013-14 had been calculated at £37,565 which was a considerable reduction from the previous level of £43,635 and had happened because of the Localisation of the Council Tax Scheme. If the proposed increase was approved it would still mean that the Council would actually collect over £201,000 less in Council Tax from residents than it had in 2012-13. Despite

Action By

that, frontline services would be maintained.

It was worth noting that despite the proposed 1.34% increase bringing the Band D rate to £1483 per annum, 69% of properties in the District were in Bands A to C and 45% were in Bands A and B, so the majority of Council Tax payers in the district would pay less than that.

He said that the Council would continue to implement policies designed to keep Council Tax as low as possible, whilst maintaining front line services. It would also seek to increase its income by means such as the provision of new homes, in order to gain the New Homes Bonus. The Council would continue to increase income by maximising the efforts of the very successful Economic Development Team. Additionally, thanks to changes in legislation, they were able to retain some of the financial benefits of business growth in terms of the retention of business rates. All of those measures would combine to ensure that the maximum income was achieved from available sources.

The Executive Member for Finance and Democratic Services concluded by thanking the Finance Team for their hard work and diligence in preparing the report.

The Leader of the Labour Group said that they reluctantly supported the increase in Council Tax, as otherwise it would mean a cut in services. He was still concerned that poorer residents were being financially disadvantaged by the changes to benefits and quoted the case of a single mother of two who had had no choice other than to occupy a three bedroom property, because no two bedroom properties were available, and would be worse off because of that.

He was pleased that the Council had decided not to introduce charging for car parking and thanked all the people that had signed a petition against that proposal.

He suggested three amendments:

1. to address the lack of suitable affordable housing he proposed that the New Homes money should be ring-fenced for building new homes;
2. with regard to the Special Responsibility Allowances, he said that Members should 'lead from the front' and proposed a 20% cut, which would save the Council £28,000; and
3. he proposed that the £28,000 saved by that cut, should be used to support High Streets in the District.

Mrs Canham seconded his proposals.

The Leader of the Council supported some elements of the Labour

Action By

Group Leader's speech. He agreed that it had been clear that residents did not want car park charging and the Council had taken notice of their wishes.

He pointed out that the New Homes Bonus was a revenue stream and he would much prefer to use capital money to build new homes. The Council was already in discussion with Parishes about building new homes and was also putting pieces of its own land forward for that purpose. He agreed that the 'bedroom tax' was affecting people who wanted to downsize but could not do so because of the lack of properties and said that the Council was working to ensure that the right kinds of homes became available.

With regard to the Special Responsibility Allowance he noted that the Independent Remuneration Panel had interviewed various Members and carried out research before making its recommendations.

Mr Cowen said that the residents in his rural wards had been kept up to date with the key issues of the Council's finances and had asked him to pass on their thanks. They were pleased that car park charges would not be introduced and content with the efforts to balance the budget by increasing the Council Tax.

Mr Jermy thanked the Leader of the Council for his gracious response. However, he reiterated that the Special Responsibility Allowance needed to be put into context. It was seriously wrong that it was so much greater in Breckland than in neighbouring authorities.

The proposed amendments were not supported.

RESOLVED that:

- (1) the special expenses for 2013-14 be approved;
- (2) the formal Council Tax resolutions for 2013-14 be approved;
- (3) it be noted that on 28 February 2013 the Council calculated that:
 - i. the Council Tax Base 2013-14 for the whole Council area as 37,565 (item T in the regulations made under Section 33(5) of the Local Government Finance Act 1992, as amended) and;
 - ii. for dwellings in those parts of its area to which a Parish precept relates as **Appendix A** of the report.
- (4) Calculate that the Council Tax requirement for the Council's own purposes for 2013-14 (excluding Parish precepts) is £2,646,828.

Action By

- (5) That the following amounts be calculated by the Council for the year 2013-14 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 as amended (the Act): -
- (a) £66,912,417 being the aggregate of the amounts which the Council estimates for the expenditure items set out in Section 31A(2) of the Act;
 - (b) £61,693,112 being the aggregate of the amounts which the Council estimates for the income items set out in Section 31A(3) of the Act;
 - (c) £5,219,305 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year;
 - (d) £138.94 being the amount at (c) above, divided by the amount at (a) above, calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
 - (e) £2,626,194 being the aggregate amount of all special items (including Parish precepts) referred to in Section 34(1) of the Act (as per **Appendix A** of the report);
 - (f) £69.03 being the amount at (d) above less the result given by dividing the amount at (e) above by the amount at (a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its areas to which no special item relates;
 - (g) The figures shown in **Appendix B** of the report, being the amounts given by adding to the amount at (f) above the amounts of the special item or items relating to dwellings in those parts of the

Action By

Council's area mentioned above divided in each case by the amount at (b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate;

- (h) The figures shown in **Appendix C** of the report, being the amounts given by multiplying the amounts at (f) and (g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (6) That it be noted that for the year 2013-14 the Norfolk County Council and Norfolk Police Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:-

	Band	Band	Band	Band	Band	Band	Band	Band
	A	B	C	D	E	F	G	H
NCC	£763.38	£890.61	£1,017.84	£1,145.07	£1,399.53	£1,653.99	£1,908.45	£2,290.14
Nfk PCC	£133.86	£156.17	£178.48	£200.79	£245.41	£290.03	£334.65	£401.58

- (7) That having calculated the aggregate in each case the amounts at (h) and (6) above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts shown in **Appendix D** of the report, as the amount of Council Tax for 2013-14 of the categories of dwellings shown.

Appendix E of the report provides some definitions for the formal Council Tax resolution above.

18/13 CABINET MINUTES (AGENDA ITEM 6)

- (1) Grant Panel Report (Minute No 15/13)

Mr Borrett praised the approval of the funding for Beetley Scout Hut.

- (2) Financial Performance Quarter 3 2012/13 (Minute No 18/13)

Action By

RESOLVED that the Capital budgets of £2,002,003 be carried over into 2013/14.

(3) Anglia Revenues & Benefits Partnership (Minute No 21/13a))

RESOLVED that the legal agreement between the four Anglia Revenues Partnership (ARP) partners be amended accordingly to reflect the change in ICT provision.

(4) Adoption

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 12 February 2013 be adopted.

19/13 OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 7)

(1) Scrutiny Call-Ins (Minute No 9/13)

The Chairman of the Commission thanked all Members of the Council and public for the healthy and welcome debate on this matter.

(2) Adoption

RESOLVED that the unconfirmed Minutes of the Overview & Scrutiny Commission meeting held on 10 January 2013 be adopted.

20/13 PLANNING COMMITTEE (AGENDA ITEM 8)

20 .a Confirmed minutes of the Planning Committee meeting held on 14 January 2013

RESOLVED that the confirmed Minutes of the Planning Committee meeting held on 14 January 2013 be adopted.

20 .b Unconfirmed minutes of the Planning Committee meeting held on 11 February 2013

RESOLVED that the unconfirmed Minutes of the Planning Committee meeting held on 11 February 2013 be adopted.

21/13 GENERAL PURPOSES COMMITTEE (AGENDA ITEM 9)

RESOLVED that the now confirmed Minutes of the General Purposes Committee meeting held on 9 January 2013 be adopted.

22/13 LICENSING COMMITTEE (AGENDA ITEM 10)

RESOLVED that the unconfirmed Minutes of the Licensing

Committee meeting held on 23 January 2013 be adopted.

Action By

23/13 AUDIT COMMITTEE (AGENDA ITEM 11)

- (1) Standards Arrangements under the Localism Act (Minute No. 3/13)

RESOLVED that the following alterations to the Standards Arrangements be approved:

- a) the Monitoring Officer be granted the authority to seek further resolution or other action where appropriate to resolve the complaint without a Hearing, when an investigation has been conducted and a breach had been found;
 - b) the Monitoring Officer be granted the authority not to pursue a complaint at any stage if it was deemed to no longer merit consideration under the Arrangements;
 - c) on receipt of a complaint against all or the majority of a town or parish council members, the Monitoring Officer be granted authority to notify the members named within the complaint and seek comments as per current arrangements, but be authorised to refer the complaint back to the town/parish council to be dealt with under its own complaints procedure; and
 - d) the appointment of the current Independent Person, Mrs Fiona Anthony, be extended until the Annual meeting of the Council in May 2015.
- (2) Counter Fraud, Corruption and Bribery Policy and Whistle Blowing Policy (Minute No. 13/13)

RESOLVED that:

- a) the Counter Fraud, Corruption & Bribery Policy be approved; and
 - b) the Whistle Blowing Policy be approved.
- (3) Adoption

RESOLVED that the unconfirmed Minutes of the Audit Committee meeting held on 15 February 2013 be adopted.

24/13 LOCAL GOVERNMENT BOUNDARY COMMISSION BRECKLAND ELECTORAL REVIEW (AGENDA ITEM 12)

The Executive Member for Finance & Democratic Services presented

Action By

the report. The review had been initiated by the Local Government Boundary Commission because two Wards in the District had an electoral imbalance.

The first stage in the review process was for the Council to make a submission on the number of members required to represent the electorate from the elections in May 2015.

He thanked the members of the Working Group for their hard work and also all Members who had submitted their councillor diaries which formed an integral part of the submission and which the Commission had indicated that they were pleased to have received.

The Local Government Boundary Commission had been intending to visit the Council to hold a meeting with the Group Leaders, but they were sufficiently impressed with the content of the submission to consider that unnecessary.

Finally, the Executive Member thanked Rory Ringer and Teresa Smith for their sterling efforts in supporting the Working Group. He then referred Members to the recommendation on page 60 of the Agenda.

RESOLVED to authorise the Chief Executive to submit the proposal on Council Size to the Local Government Boundary Commission for England.

25/13 INDEPENDENT REMUNERATION PANEL (AGENDA ITEM 13)

The Assistant Director of Democratic Services presented the report of the Independent Remuneration Panel and advised Members that they were required to have regard to the Panel's advice and if they disagreed with that advice, to explain their reasons. The Chairman of the Panel, Mr Andrew Egerton-Smith was in attendance to answer any questions.

Mr Wilkin, speaking as Chairman of the Planning Committee, supported the Panel's recommendations with the exception of the proposal to increase the Special Allowance for the Chairman of Planning Committee. He noted their reasons but did not believe that they justified an increase. He therefore proposed an amendment excluding that adjustment.

The Leader of the Labour Group asked when the Panel had last interviewed a back bench or opposition Member to give them a rounded view. Mr Egerton-Smith thought that was a fair question but explained that they were looking at the overall role of members. Breckland had 47 Conservative Councillors and only 7 from other parties. They had spoken to the Leader and Deputy Leader which had given them a good idea of what was going on.

Action By

The Leader of the Labour Group then asked what consideration had been given to allowances at other authorities and Mr Egerton-Smith said that that had been taken very seriously into account. However the Panel had also taken into consideration the entrepreneurial Breckland culture, the work with other authorities and the very favourable Council Tax level. From looking at the diaries of some Councillors it had been clear that the amount of preparation required meant that the actual hours worked could be almost doubled. The Panel had therefore concluded that the allowances were not excessive.

Mr Borrett thought that clearly illustrated that Breckland was a Member-run Council and he was very proud of that.

Mr Clark thought that it was each Member's choice how many hours they worked. The allowances were too high at a time when people were having to rely on food banks and Members should set an example.

Mr Smith noted that one reason that the allowances had been increased in previous years was to attract younger people onto the Council and that policy had worked.

The Leader of the Labour Group agreed that he would not be able to be a Councillor without his basic allowance, however it was the special allowances which were the issue.

Members supported the proposed amendment to the recommendation.

RESOLVED that:

- (1) the Basic allowance and Special Responsibility allowances remain unchanged; and
- (2) Childcare allowance is increased to £7.50 per hour.

26/13 PAY POLICY STATEMENT (AGENDA ITEM 14)

The Human Resources Manager presented the Pay Policy Statement which the Council was required to publish by 1 April each year.

The only changes to the Statement were to amend the dates and to include an additional statement about the Interim Chief Executive.

RESOLVED to adopt the Council's Pay Policy Statement 2013/14.

The meeting closed at 11.28 am

CHAIRMAN