

BRECKLAND COUNCIL

At a Meeting of the

GENERAL PURPOSES COMMITTEE

**Held on Wednesday, 4 July 2007 at 10.00 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr R.W. Duffield (Chairman)	Mr I. Sherwood
Mr P.J. Duigan (Vice-Chairman)	Mr W.H.C. Smith
Mr G.P. Balaam	Mrs L.S. Turner
Mr D.S. Myers	Mr D.R. Williams J.P.

Also Present

Mrs D.K.R. Irving

In Attendance

Stephanie Butcher	- Technical Officer - Licensing
Stephen McGrath	- Principal Committee Officer
Mark Broughton	- Scrutiny Officer
Nigel Burrows	- Principal Environmental Health Officer (Licensing Officer)
Colin Fleet	- Organisational Development Manager
Sian Hall	- Senior Committee Officer
Mike Wheatley	- Environmental Health Manager

Action By

36/07 MINUTES

The minutes of the meeting held on 23 May 2007 were confirmed as a correct record and signed by the Chairman.

37/07 APOLOGIES

An apology for absence was received from Mr R. P. Childerhouse.

38/07 DECLARATION OF INTEREST

Mr D. R. Williams JP declared a personal interest in agenda item 12 – Community Safety – Domestic Violence and Hate Crime Co-ordinators – as a JP with involvement with the police. Mr Williams was able to discuss and vote on the item.

39/07 LOCAL JOINT CONSULTATIVE COMMITTEE: 14 JUNE 2007

(a) Bank Holiday Entitlement for Part-Time Employees (Minute No. 12/07 refers).

The Organisational Development Manager advised Members that as the LJCC has requested that this item be deferred until their next meeting the item was on the General Purposes Agenda for discussion.

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It was agreed that this item be deferred until the LJCC had discussed the matter at their next meeting.

(b) Adoption

RESOLVED that the confirmed Minutes of the Local Joint Consultative Committee meeting held on 14 June 2007 be adopted.

40/07 FOR INFORMATION - ATTLEBOROUGH : REQUEST FOR DESIGNATED AREA UNDER S12 OF THE CRIMINAL JUSTICE AND POLICE ACT 2001

Pursuant to Minute No. 04/07 and following discussions with the Police a revised area limited to the town centre, which had been agreed by the Town Council, had been advertised and the consultation expiry date would be 19 July 2007. Once the consultation had expired signs would be erected after which the order would come into force.

At this stage only one objection had been received and this related to concerns regarding the dispersal of the problem to other areas.

Members were concerned that the area did not include the railway station as it was thought this could be a problem area. It was thought that this station may be covered by the British Transport Police.

RESOLVED that the Order under Section 12 of the Criminal Justice and Police Act 2001 be made for Attleborough for the area bounded by the A11 bypass to the north of the town, Cyprus Road, Chapel Road, Hargham Road, Leys Lane, Maurice Gaymer Road, Station Road and Arlington Gardens as indicated and to include the Railway Station.

41/07 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

The Democratic Services Manager submitted a report which requested that Members consider arrangements to meet the new requirement to undertake an initial review of polling districts and polling place by 31 December 2007.

It was noted that in many instances the Council did not have a choice when assigning polling stations and sometimes had to resort to using caravans.

As the review would involve detailed research and meeting at shorter frequencies than normal it was suggested that this would be best undertaken by a small Working Group. The principles agreed would be fed back through the Committee and, ultimately to full Council.

Most of the problems with polling stations and polling districts had occurred within the towns and it was suggested that the Working Group be set-up with five members from each of the market towns.

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RESOLVED that a Working Group be set-up to consider and report back on the review of polling places, polling districts and access arrangements in accordance with Section 18 C(i) of the Representation of the People Act 1983 and that the Members be as follows:

Mrs L. Turner for Dereham
Mr I. Sherwood for Swaffham
Mr D. Myers for Watton
Mr W. C. Smith for Attleborough
Mrs P. Quadling in the first instance or Mr S. Chapman-Allen for Thetford

42/07 BANK HOLIDAY ENTITLEMENT FOR PART-TIME EMPLOYEES

Deferred – see Minute No. 39/07 (a) above.

43/07 REVISED POLICIES AND PROCEDURES

The Organisational Development Manager requested that the Grievance Policy, Disciplinary Policy, Capability Policy and the Harassment and Bullying Prevention Policy be deferred pending further work to make the format of the policies user friendly.

As The Sickness Absence Policy had not been revised this would be presented together with the deferred policies.

Members agreed to defer the policies as it was felt that further work needed to be undertaken on the policies to ensure clarity and usability.

It was further suggested that there should be a Spot Bonus Policy to ensure that any honorariums were rewarded at a fair and equitable rate for each service area. Further to this it was proposed that an Out of Hours Policy was needed to make it clear to staff what constituted working out of hours.

Members agreed to implement the Probationary Period Policy and Procedure.

RESOLVED that

- (1) the Disciplinary Policy and Procedure, the Grievance Policy and Procedure, the Capability Policy and Procedure and the Harassment and Bullying Prevention Policy and Procedure be deferred;
- (2) the Sickness Absence Policy be reviewed and be presented with the policies named in (1) above;
- (3) an Out of Hours Policy and a Spot Bonus Policy be presented at a future date;
- (4) the Probationary Period Policy and Procedure be

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implemented with immediate effect and communicate with staff that the amended policy is easily accessible.

44/07 OCCUPATIONAL HEALTH AND SAFETY SERVICE PLAN

The Principal Environmental Health Officer presented the Occupational Health and Safety Service Plan for 2007/2008 and requested Members approval and adoption of the Plan.

Members' attention was drawn to the following points:-

- **Smoke Free Premises**

The responsibility for ensuring a premise was smoke free lay with the owner of the premises.

Funding had been granted for a temporary enforcement officer and if the food inspection team were visiting a premises they would provide advice and assistance in relation to smoke free compliance.

- **Gambling Act and Licensing Act**

The responsibility for enforcing the Gambling Act no longer lay with the local authority. However, there was still on-going work in relation to the Licensing Act.

- **Corporate Health and Safety**

Senior Managers were being trained on the new Health and Safety Policy and would be required to co-ordinate risk assessments.

- **Occupational Health and Safety Premises Inspections**

The team enforced health and safety in a wide range of business and each business was categorised according to the level of health and safety risk associated with that business. Priority was then given to the business in the higher categories for visitations. Low risk premises were still contacted and assessed by other means such as questionnaires, audits and mail shots.

New businesses were visited to assess the risk category and to provide advice at the outset to avoid any future health and safety risks.

In response to a Member's question the Principal Health and Safety Officer advised that the B category was split due to the nature of the premises although there was not much difference between the four.

Members requested that a Health and Safety Report be presented to the next meeting of the Local Joint Consultative Committee this would

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enable the LJCC to glean whether there were any trends and provide support to officers in resolving any issues.

In response to queries regard the lack of inspections by the Fire Service in premises the Principal Health and Safety Officer stated that the Fire Service felt that the responsibility for ensuring that a premise was compliant from a fire safety perspective would lie with the owner.

With regard to targets and monitoring the service had a number of Local Performance Indicators and there were also recommendations in the Service Team Plans. The service was audited by the Health and Safety Commission and the Food Standards Agency. Further to this there was a benchmarking Group called G16 which was a national group consisting of similar sized authorities.

RESOLVED that the Occupational Health and Safety Service Plan for 2007/2008 be adopted.

45/07 APPROVAL TO RECRUIT STAR CHAMBER POSTS

The Head of Environmental Health submitted a report which identified posts recommended through the Council's Star Chamber process, supported by the appropriate funding and sought approval to proceed with the recruitment process.

At its meeting on the 18 June 2007 Star Chamber had identified and approved the required funding to continue the two following posts until 31 March 2009 on fixed term contracts:-

- Health, Safety and Licensing Technical Administration Officer
- Business Support Officer

Following the recruitment process it was hoped that both posts would be filled by July and August.

RESOLVED that the recruitment of the two posts of Health, Safety and Licensing Technical Administration Officer and Business Support Officer on fixed term contracts until 31 March 2009 be approved

46/07 COMMUNITY SAFETY - DOMESTIC VIOLENCE AND HATE CRIME CO-ORDINATORS

The Safer Communities Manager advised Members that Star Chamber 05/06 had agreed a budget to employ a part-time Domestic Violence Co-ordinator and a part-time Hate Crime Co-ordinator for a pilot period of 2 years fixed term.

Kings Lynn and West Norfolk Council had agreed to contribute £10,000 towards the cost of the Hate Crime Co-ordinator who would be based with the Police Hate Crime Unit and would hot desk with both Breckland and Kings Lynn and West Norfolk Council. The role of

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this post would be integral to improving the service to survivors of hate related incidents.

One of the Council' BVPIs was split into 11 components shared between community safety and housing. One of those components was to employ a Domestic Violence Co-ordinator. The primary role of the post would be to deliver the BVPI on behalf of the Council and to work with relevant agencies in devising and co-ordinating a work programme which met Council, National and County Domestic Violence Strategies and mandatory Local Area Agreement outcomes.

Members raised concerns with regard to the low level of contribution from Kings Lynn and West Norfolk Council for the Hate Crime Co-ordinator. Furthermore Members felt that the employment of a Hate Crime Co-ordinator and a Domestic Violence Co-ordinator should be a responsibility of the Police and not the Council.

The posts were two separate part-time posts and not one full time post as both were specialised areas of work.

It was understood that the funding from the Local Area Agreement of £420,000 would be distributed to deal with domestic violence with Norfolk County Council/Norfolk Ambition being accountable for this funding. However, most of the grant in Breckland would fund a domestic violence refuge.

Members felt that the item should be deferred pending further information relating to:-

- The cost of each post
- The reason for Kings Lynn and West Norfolk Council only contributing £10,000 for the Hate Crime Co-ordinator.
- What was the value of the Police contribution through providing office accommodation and equipment for the Hate Crime Co-ordinator?
- The consequences of the BVPI not being met through not employing a Domestic Violence Co-ordinator

It was noted that the Safer Communities Manager was shortly leaving to take up a position with the Police and Members wished her every success in her new post.

RESOLVED that the two posts of Hate Crime Co-ordinator and Domestic Violence Co-ordinator be deferred pending further information as detailed above.

47/07 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that, under Section 100 (A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act.

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48/07 APPLICATION TO RENEW SEX ESTABLISHMENT LICENCE

Pursuant to Minute No 35/07 Mr Ian Chown and Mr Peter Chown were present to answer any queries.

The Licensing Officer reiterated that the Licence granted in May 2006 to *Absolookley Ltd* for a Sex Establishment Licence in respect of 17 Brunel Way, Thetford, for twelve months, had been submitted for renewal. In accordance with Minute No. 26/06, the renewal was being brought back to Committee for consideration. No public comments had been received and no objections had been lodged by the Norfolk Constabulary. The renewal had been requested on the basis of the original conditions, subject to the deletion of clause 13 which related to retail use of the premises being de-minimis and ancillary to B8 usage. Prior to the submission of the renewal application, the applicant had obtained authority for retail use of the premises through the Development Control Committee.

The Licensing Officer explained the circumstances in which a licence must not be granted or renewed, as well as the grounds on which the authority could decide not to renew an application, covering unsuitability of the applicants, management of the establishment by somebody who would be unable to obtain a licence, excessive numbers of such establishments in an area, or the effect on the character of the locality.

With regard to traffic movement there was plenty of parking at the premises and 3 – 4 cars visited per day with 3 delivery lorries per week and a mail order was sent every evening. There had been no complaints from any of the other units on the industrial estate.

The owner gave his figures for the whole sale and retail use and stated that the retail use had grown and now accounted for 25% of the business which was why an application had been made. The retail use mainly consisted of a small number of customers visiting the showroom and purchasing large quantities of stock rather than a raft of customers purchasing one or two items.

If the business were to expand then the owners would have to move site as the current premises were at maximum capacity.

Members felt that the renewal for the grant should be presented to the General Purposes Committee and not be delegated to Officers.

The Committee then retired to consider the application in private together with the Solicitor and the Senior Committee Officer.

On re-opening the meeting the Chairman informed those present of the Council's decision.

Action By

RESOLVED that

- (1) the renewal application by Absolookley Limited for a Sex Establishment in respect of 17 Brunel Way, Thetford be granted in accordance with Part II of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982; and
- (2) any future renewal be determined by the General Purposes Committee

The meeting closed at 12.43 pm

CHAIRMAN