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BRECKLAND COUNCIL

At a Meeting of the

CABINET

Held on Tuesday, 12 February 2013 at 9.30 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham

PRESENT

Mr J.W. Nunn (Chairman)	Mr M.A. Kiddle-Morris
Mr M. A. Wassell (Vice-Chairman)	Mr I. Sherwood
Councillor E. Gould	Mr W.H.C. Smith
Mrs L.S. Turner	

Also Present

Mrs S Armes	Mr T. J. Jermy
Mr S.G. Bambridge	Mr M J Nairn
Mr J.P. Cowen	Mr M. S. Robinson

In Attendance

Dominic Chessum	- Joint Marketing & Communications Team Leader
Julie Britton	- Senior Committee Officer
Mark Finch	- Assistant Director of Finance
Trevor Holden	- Interim Chief Executive
Zoe Footer	- Land Management Officer
Stephen James	- PFI Monitoring & Strategic Sports Officer

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11/13 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 7 January 2013 were confirmed as a correct record and signed by the Chairman.

12/13 APOLOGIES (AGENDA ITEM 2)

None.

13/13 DECLARATION OF INTERESTS (AGENDA ITEM 4)

The Executive Member for Localism, Community & Environmental Services declared an interest in Agenda item 7, All Saints' Church, Shipdham, as she was the Ward Representative for Shipdham and was a great supporter of the Church.

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**14/13 NON-MEMBERS WISHING TO ADDRESS THE MEETING
(AGENDA ITEM 5)**

S Armes, G Bambridge, P Cowen, T Jermy, M Nairn and M Robinson.

15/13 GRANT PANEL REPORT ROUND 4 (AGENDA ITEM 7)

The Executive Member for Localism, Community & Environmental Services presented the report which asked Members to consider the Match Funding applications for Beetley Scout Hut, Westacre Theatre, All Saints Church, Shipdham, and to note the Match Funding application that had been approved by Delegated Decision, and the grants awarded under the Gifted & Talented Grant Scheme, the Access Arts Scheme and the Activity Grant Scheme. She drew Members' attention to the fourth application, the Match Funding that had been agreed by the Panel at its meeting in December 2012 for the Tour of Britain. This application had since been withdrawn as the route of the tour had been changed and would not now be coming through Breckland.

Although in support of the funding for the All Saints' Church application, the Executive Member for Internal Services had not heard of grants being awarded to churches even though this particular one provided the Shipdham community with facilities above and beyond its normal remit. He also wished to know the meaning of an inter-generational workshop that had been awarded a grant of £300 under the Access Arts Scheme. In response to the first question, the Executive Member for Localism, Community & Environmental Services wished for it to be noted that as the Ward Member for Shipdham, she had not sat on the Grant Panel when the All Saints Church application had been discussed, she then reminded Members that Breckland Council had supported churches in the past and highlighted the church in Old Buckenham as just one example. In response to the latter, Members were informed that this type of workshop was new and was linked with a local residential home. It was an opportunity for all ages to work together as an interactive group with activities during the February half term. The Older Peoples' Forum had been keen to support such a project. The Chief Executive asked if there was an opportunity to link this project to the Volunteer Strategy which could grow through such an event. The Executive Member thought this to be good idea and would investigate this suggestion.

The Executive Member for Performance & Business Development conveyed his thanks to the Grant Panel for recommending the funding for the Westacre Theatre Group. He felt that the grant fitted in exactly with the ethos of the Council, to enable community facilities. He pointed out that although Westacre was not part of the Breckland District it provided many workshops for Swaffham and the wider Breckland area. This was a very enthusiastic and ambitious project and he hoped that the Group achieved the outcome it was hoping for as it provided support for all sections of the community.

Referring to the 'Grand Day' application, Councillor Bambridge highlighted the fact that Bawdeswell had been providing a very similar workshop for quite a while. This particular Group provided meals and was anticipating providing computer lessons too.

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Options

Beetley Scout Hut

- To approve the match funding for Beetley Scout Hut to the value of £7,100.
- To approve a lesser amount of match funding towards Beetley Scout Hut.
- To decline the match funding application.

Westacre Theatre Group

- To approve the match funding for Westacre Theatre to the value of £20,000
- To approve a lesser amount of match funding towards Westacre Theatre.
- To decline the match funding application

All Saints' Church, Shipdham

- To approve the match funding for All Saints' Church to the value of £20,000.
- To approve a lesser amount of match funding towards All Saints' Church.
- To decline the match funding application.

Tour of Britain

- To approve the match funding for the Tour of Britain to the value of £10,000.
- To approve a lesser amount of match funding towards Tour of Britain.
- To decline the match funding application.

Reasons

The Grant Panel had recommended approval to the Match Funding applications based on the following reasons:

Beetley Scout Hut

- Improved facilities would enable an increase in activities with new sanitary facilities.
- To accommodate visiting troops and act as a Head Quarters for Leaders training.
- The project met two of the Council's objectives.
- All other funding was in place.

Westacre Theatre

- The project had direct benefit to Breckland residents with evidence of regular use by 483 Breckland households.
- It demonstrated robust and in-depth consultation with the local community and therefore demonstrated a need for the

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- redevelopment and expansion of the facilities.
- Strong financial support for the project.
- The project strongly met two of the Council's objectives.

All Saints' Church, Shipdham

- Improvements to the building would enable an increase in the activities on offer in the village.
- Comprehensive consultation with residents demonstrated a clear need for building improvements in order that the activities programme could be expanded.
- The project met two of the Council's objectives.
- Strong financial support for this project.

Tour of Britain

- Extensive evidence of the benefits brought to Breckland through the Tour of Britain 2012.
- Legacy programme had proved highly successful following the 2012 Tour of Britain.
- The project met three of the Council's objectives.
- Strong financial support for this project.

RESOLVED that:

- (1) The Revenue Match Funding application request of up to £7,100 towards improvement works to Beetley Scout Hut be approved; subject to:
 - a) confirmation of the maximum amount and the percentage this represented; and
 - b) the balance of all other funding being confirmed.
- (2) The Capital Match Funding application request of £20,000 towards a new theatre and associated facilities for the Westacre Theatre Group be approved; subject to
 - a) a maximum of £20,000 or 6.55% whichever was the lower; and
 - b) the balance of all other funding being confirmed.
- (3) The Capital Match Funding application request of £20,000 towards roofing work at Shipdham Church be approved; subject to:
 - a) confirmation of the final cost and that all funding was in place;
 - b) a maximum of £20,000 or 9.1% which ever was the lower; and
 - c) the balance of all other funding being confirmed.
- (4) The Revenue Match Funding application request of £10,000 towards the September 2013 Tour of Britain event led by Norfolk County Council be withdrawn for the reason that the route had been changed and the tour would not now be coming through Breckland.

SD

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16/13 IMPROVEMENT WORKS TO LAND ON BARNHAM CROSS ESTATE, THETFORD (AGENDA ITEM 8)

The Executive Member for Assets & Strategic Development presented the report which concerned improvement works on land at Barnham Cross Estate in Thetford.

Flagship had monies available to them via Moving Thetford Forward and wished to undertake car parking and landscaping improvements on the Barnham Cross Estate; these, together with the costings had been highlighted under Section 1 of the report. Drawings/photographs had also been attached.

The recommendations were highlighted.

The Executive Member for Internal Services asked why the Council was not recommending the transfer of all the land. Members were informed that the remaining areas were considered to be of strategic significance.

The Land Management Officer stated that Flagship should be encouraged to upgrade these areas of land with the monies available to them.

Referring to image 23, the Executive Member for Planning & Environmental Services raised concern about the number of vehicles parked on the grass verge and questioned whether the owners would be minded to park their vehicles in the same place once the work had been carried out. Members were informed that part of the works included nine parking spaces for this area to formalise what had already been going on. The Overview & Scrutiny Chairman asked if Breckland was safeguarding its interests - tax payers' money was being used for these improvements yet the Council could be faced with similar problems in the future. Members were informed that the areas being transferred to Flagship would include such safeguarding clauses within the covenants.

The Executive Member for Internal Services asked why area 19 was not being sold. The Member was informed that this piece had strategic value; it was also a question as to what areas Flagship wished to take over. The granting of the licence would be for the duration of the works to the land.

The Opposition Leader said that this was probably the biggest one-off project that he had ever been involved in that had the backing of the community. To address all these issues was very good news for the estate and could only be seen as a win, win situation for both Breckland Council and Flagship.

The Chief Executive asked for the value of the land to be included in the recommendations in future and it was agreed that the valuation should be included in the report's recommendation.

Option 1

- To transfer areas 3, 11, 14 and 20 to Flagship at nil consideration, subject to Flagship paying all Breckland Council's legal fees in respect of these matters;

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- To decline the offer for the transfer of area 15 from Flagship; and
- To grant a licence to Flagship to undertake improvement works to areas 1, 2, 16, 17 and 19.

Option 2

- To transfer areas 3, 11, 14 and 20 to Flagship at nil consideration;
- To accept the acquisition of area 15 from Flagship at nil consideration; and
- To grant a licence to Flagship to undertake improvement works to areas 1, 2, 16, 17 and 19.
- Option 2 was subject to Flagship paying all Breckland Council's legal fees in respect of these matters.

Reasons

To work in partnership with Flagship to improve car parking and landscaping on the Barnham Cross Estate in Thetford.

Should these monies from Moving Thetford Forward not be spent on these improvements then there was a possibility that the monies could be used on an alternative project which would be to the detriment of the Barnham Cross Estate and to its residents.

RESOLVED that:

- (1) the areas 3, 11, 14 and 20 as illustrated in the report (valued at £7,700) be transferred to Flagship at nil consideration, subject to Flagship paying all Breckland Council's legal fees in respect of these matters;
- (2) the offer for the transfer of area 15 from Flagship to Breckland Council as illustrated in the report be declined; and
- (3) a licence to Flagship to undertake improvement works to areas 1, 2, 16, 17 and 19 as illustrated in the report be granted.

ZF

17/13 CAPITAL TRANSFER (AGENDA ITEM 9)

The Executive Member for Planning & Environmental Services presented the report which concerned the transfer of Capital monies from Flagship Housing to Breckland Council to support works to adapt properties for the benefit of its tenants.

The Executive Member for Localism, Community & Environmental Services whole heartedly supported the recommendation. She mentioned the six empty properties in her Ward that were now being redeveloped and felt that such funding would greatly assist this type of project in future.

Options

Action By

To accept or reject the offer.

Reasons

The proposed capital sum would be a significant boost to the Disabled Facilities Grant budget approximately 60% of which would be expended on works to adapt Flagship Housing properties for the benefit of disabled occupiers.

RESOLVED that:

- (1) the Capital grant funding amount of £100,000 from Flagship Housing be accepted and transferred into the Disabled Facilities Grant budget; and
- (2) the necessary expenditure budget be set up to allow these monies to be spent.

GP/MB

18/13 FINANCIAL PERFORMANCE QUARTER 3 2012/13 (AGENDA ITEM 10)

The Executive Member for Finance & Democratic Services presented the report that concerned the forecast full year financial position of the Council as at 31 December 2012. He highlighted the following key areas:

Revenue Budget (page 41 of the agenda)

The Council was forecast to reduce net expenditure by around £202,000 against an already optimised budget.

Table 2 (page 42)

In 2012-13 the identified efficiencies in the budget were £748,380, but an additional £396,387 worth of efficiencies had actually been achieved making a total of over £1.14 million (in percentage terms, **153% of target** in a single year). Items that made up these additional efficiencies included:

- Waste collection income from Materials recovery facility - £230,000
- Additional interest earned on cash deposits - £59,000
- Reduction in External Audit fee - £36,000
- Elizabeth House - business rates challenge leading to reduced bill - £24,000
- ICT saving - £22,000
- Breckland Voice reduction in number of issues - £21k

Table 5 - Reserves (page 44)

The level of unallocated Reserves was prudent and proportionate with the level of risk that the Authority was required to mitigate. The level of Match Funding Reserves would allow the Council to continue to support community projects. The Council had also been prudent in maintaining a healthy Organisational Development Reserve that had originally been

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created as part of the Shared Management Policy.

Capital Financing Requirement (page 46)

£6m of the £7.39m against Property (Land and Buildings) for 2013–14 related to the Riverside project and for 2014–15 out of the £1.493m, £450,000 related to the Riverside project. The Capital Financing Requirement was negative until 2015–16 which indicated that this Council had no borrowing requirement. This was an indication of the prudent financial management that this Council had undertaken both currently and in the past.

(Page 48)

In relation to investments, limitations had been placed on where Local Authorities were allowed to invest, and the instant access nature of these investments impacted on the levels of interest that were available. However, the Council was constantly seeking to maximise the income achieved from all of the Council's assets and this included its investments. Other ways were being sought to increase the Council's income such as the provision of new homes, in order to both gain the New Homes Bonus and to provide housing, and by continuing to maximise the efforts of the Council's very successful Economic Development Team. Additionally, thanks to the changes in legislation, the Council was now able to retain some of the financial benefits of business growth in terms of the retention of business rates. All of these and others would be combined to ensure that maximum income could be achieved from all available sources.

The Executive Member for Finance & Democratic Service felt that all the aforementioned matters were something that all Members and Officers should and could be proud of.

Members' questions were welcomed and attention was drawn to the recommendations.

The reason for the over-spend in relation to ICT and Organisational Change was explained.

Option 1

To note the report and approve the virements detailed within table 3 of section 1 of the appendix and recommend to Full Council that the Capital budgets of £2,002,003 be carried over to 2013-14.

Option 2

To note the report and not approve the virements detailed within table 3 of section 1 of the appendix and not recommend to Full Council that the Capital budgets of £2,002,003 be carried over to 2013-14.

Reasons

To provide timely information to Members on the overall finances of the Council and to make the best use of resources available.

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- (1) **RESOLVED** that the virements as detailed in Table 3 of Section 1 of the appendix be approved. MF
- (2) **RECOMMEND** to Council that the Capital budgets of £2,002,003 be carried over into 2013/14. MF

19/13 BUDGET SETTING, FINANCIAL MEDIUM TERM PLAN & CAPITAL STRATEGY (AGENDA ITEM 11)

The Vice-Chairman presented the report and highlighted a number of salient points.

Page 1

There were three appendices B1, B2 and B3 each setting out the position relative to options of:

- Freezing the Council Tax in 2013–14
- Increasing the Council Tax by 2% in 2013–14
- Increasing the Band D Council Tax by £4.98 in 2013-14

These options would give rise to Band D Council Tax levels of:

- a) £64.05
- b) £65.33; and
- c) £69.03 respectively.

The increase in option C was only possible because of the relaxation in the referendum rules. The Leader of the Council, along with many other Council Leaders had lobbied Central Government to grant this concession to Councils, like Breckland, who's Council Tax was low. This was an example of national and local government collaborating to provide an optimal result. Even with this increase Breckland would still have the lowest Council Tax in the Country.

Page 4

There were a number of 'to be confirmed' elements under the Budget summary which could not be finalised until the preferred Council Tax decision had been made. With regard to the table that showed the historical levels of Council Tax and the levels in 2013-14 some of the 'to be confirmed' elements could be now be completed. Norfolk County Council was going to freeze its Council Tax; however, the official meeting date to confirm this was not until 19th February. The Police Authority had confirmed a 1.965% increase to a Band D level of £200.79. If Breckland Council was minded to increase its Council Tax by the option (C) in appendix B3 this would present a Band D amount of £69.03. In relation to the Parishes, a number of the precept requirements were still awaited as some had had an extension until 13th February. However, based on those that had been received thus far, and assuming that those which were draft had been confirmed, the average parish rate across the District would be **£70.63**; therefore, taking these amounts - **£1145.07** for Norfolk County Council, **£200.79** for the Police, **£69.03** for Breckland and **£70.63**

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for the parishes gave an average figure across Breckland for a Band D property of **£1485.52** which was an increase of **1.49%** in the total bill from last year. Out of all the homes in the Breckland area, **69%** were in Bands A-C and **45%** were in Bands A – B; therefore, the majority of Council Tax payers in the District would be paying less than £69.03.

Page 9

The table under Section 4 of the report gave an indication of the likely decrease in Local Government Grants from £8.353 million in 2013–14 to £6.185 million in 2017–18; however, the expected rise in New Homes Bonus was anticipated to increase from just over £1.1m in 2013–14 to £2.299m in 2017–18. The net result of these changes was a likely decrease in Central Government Grants of nearly £1m by 2017–18.

Under item 6 there was mention of the changes in tax base and the decrease in Breckland's from 43,635 to 37,565 due to the localisation of the Council Tax Scheme. This had had an interesting and notable effect in that even if the proposed increase of £4.98 was agreed Breckland District Council would still collect over £201,000 less in Council Tax from the residents of Breckland in 2013-14 than it had in 2012–13. This would and could be done whilst still maintaining the frontline services that were so important to the residents of Breckland.

Appendix J - Car Parking Feasibility Study (pages 54 to 125)

The author of the report was commended. The said Officer had produced a very comprehensive report that had been invaluable in the decision making process. No external consultants had been used and the cost in officer time had been approximately £14,000 far less than what had been put aside for such work.

Much of the report consisted of very comprehensive analysis of the car parks within Breckland on a town and individual car park basis. Attention was drawn to the income projections on page 91 onwards. The potential yearly income for Breckland could be in the region of £828,000 if Breckland Council was to charge from the moment that a vehicle entered the car park; this was the policy that had been adopted by some other Norfolk Councils. This amount of money would go a considerable way to mitigating the potential funding gap that Breckland faced over the next 4 or 5 years. However, there had been wide spread concerns from residents and businesses alike that charging for car parking would have a dramatic negative effect on the viability of the market towns across the District. This had been a very common theme throughout the 'Could We Should We' meetings. Representing the market town of Watton, the Vice-Chairman had received many representations from residents who felt that an increase in Council Tax was infinitely preferable to car parking charges. Notwithstanding the potential income from car park charges and the potential beneficial effect, and its information value to the Council, it was recommended that such charges not be introduced in the car parks owned by Breckland Council, and that this policy remained in force for the remainder of the term of this council.

Finally, the Assistant Director for Finance, the Accountancy Manager and all concerned were thanked for the diligence and effort that had gone into

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the Budget Setting for 2013-14 and it was recommended that the recommendation, selecting option C in items 1 and 5 be supported with the addition of the aforementioned proposal in relation to car parking charges.

The above proposal was seconded.

The Executive Member for Internal Services queried the percentage figure quoted for the number of homes in the Breckland area that were in Bands A-C compared to the previous year. The Vice-Chairman explained that there were ultimately two figures, the percentage quoted previously was the physical number of houses in these particular Bands, this year, the actual percentage figure quoted was for the homes that were actually liable for the payment of Council Tax.

The Overview & Scrutiny Commission Chairman stated that the Parishes had overwhelmingly supported the idea of adding £5.00 per year onto the Council Tax Band rather than introducing car parking charges in order to keep the level of services to the residents. He said that he would certainly be supporting Option C. He did raise concerns; however, about what this would mean for the Council in 2017-18. Members were informed that this would mean that there would still be a funding gap of £2.5m. Increasing the Council Tax was not the ultimate solution, Breckland Council still needed to make savings and increase its income.

The Executive Member for Performance & Business Development had been very pleased with the amount of information contained within the report and commended the Finance Team and the Officer responsible for the car parking report. He felt that it had been enormously important for the Council to conduct the "Could We Should We" events for the communities otherwise it would have been difficult for them to comprehend the task that this Council faced. Further to this, the public now recognised that Breckland's Council Tax was in fact the smallest part of the Council Tax bill. He felt that the chart shown on page 4 of the report highlighted how hard this authority had worked over the years even though there was still a big gap to fill but Members should be pleased how this work had commenced at a price it could afford.

Further to the aforementioned proposal that had been seconded, the Chief Executive suggested the addition of the following wording linked to the preferred option, option C: ".....and in so doing recommends that the provision of car parking charges not be introduced for the remainder of the term of this council".

Options

There were three alternative options available for recommendations 1 and 5:

- a) Freeze the Council Tax for 2013-14
- b) Apply a 2% rise to the Council Tax for 2013-14
- c) Apply the maximum £4.98 rise for 2013-14

In addition, Cabinet was able to make amendments before recommendation to Full Council.

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Reasons

To comply with the budgetary and policy framework

RECOMMEND to Council that:

- (1) the Breckland Revenue Estimates and Parish Special Expenses for 2013-14 and outline position through to 2017-18 as set out in Appendix B3 (13-14 Council Tax rise of £4.98) be approved and in so doing recommends that the provision of car parking charges not be introduced for the remainder of the term of this Council;
- (2) the Capital Estimates and associated funding for 2013-14 and outline position through to 2017-18 as set out in Appendix H be approved;
- (3) the revised Capital Estimates and associated funding for 2012-13 as set out in Appendix H be approved;
- (4) the fees and charges as shown at Appendix D & D2 of the report, for adoption 1 April 2013, be approved;
- (5) the Council Tax for a Band D property in 2013 be set at £69.03 as highlighted in Appendix B3 of the report;
- (6) the Financial Medium Term Plan at Appendix A of the report be approved; and
- (7) the Capital Strategy as at Appendix G of the report be approved.

MF

20/13 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 12)

Cabinet was asked to consider the following reference from the Overview & Scrutiny Commission meeting held on 10 January 2013 in relation to the call-in of a Delegated Decision concerning the sale of land at Mackenzie Road in Thetford.

The Overview & Scrutiny Commission Chairman said that he had been unable to attend that particular meeting but the Commission had in fact been able to consider this matter twice, the first being on 29 November 2012 where the matter had been deferred for further information, then again at the meeting held on 10 January 2013 where the current recommendation had been made.

This was not a neighbourhood dispute as the land was in Breckland's ownership. The individual concerned had no right to use the land for such purposes and it had been recommended that enforcement action be taken.

The Opposition Leader, who was also the Vice-Chairman of the Overview & Scrutiny Commission said that there had been a good debate on both occasions particularly as this had been an issue for quite sometime for Councillors representing the Saxon Ward and thought that this action, if

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<p>agreed, would be a blessing for this matter to be resolved one way or another.</p> <p>The Executive Member for Assets & Strategic Development explained that the Delegated Decision had resolved to sell the land at auction but was called in. The nub of the matter was that there was no prescriptive right for anyone to provide evidence. This was the reason for the decision to take enforcement action. However, the gravel would have to be removed and bollards would have to be installed and therefore a budget would have to be made available of £2.5k for these enforcement works to be carried out.</p> <p>The Chairman felt that Breckland should protect all its land. There were budgets available that could be drawn upon and he thought it right for this land to be brought back from whence it was.</p> <p><u>Options</u></p> <p>N/A</p> <p><u>Reasons</u></p> <p>N/A</p> <p><u>RESOLVED</u> that funds be made available to enable enforcement action to be taken.</p>	<p>ZF</p>
<p>21/13 <u>ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 13)</u></p> <p>a) <u>ARP ICT Support Service (Minute No. 3/13)</u></p> <p><u>RECOMMEND</u> to Council that the legal agreement between the four Anglia Revenues Partnership (ARP) partners be amended accordingly to reflect the change in the ICT provision.</p> <p>b) <u>Minutes</u></p> <p>The Minutes of the Anglia Revenues & Benefits Partnership meeting held on 30 January 2013 be adopted.</p>	<p>RU/SJ</p>
<p>22/13 <u>NEXT MEETING (AGENDA ITEM 14)</u></p> <p>The arrangements for the next meeting on Tuesday, 26 March 2013 at 9.30am in the Norfolk Room were noted.</p>	
<p>The meeting closed at 10.25 am</p>	<p>CHAIRMAN</p>