

BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 22 July 2008 at 9.30 am in the
Norfolk Room, The Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr J.W. Nunn (Chairman)	Mr W.H.C. Smith
Mr S. Askew	Mrs A.L. Steward
Mr P.D. Claussen	Mrs T. Hewett
Lady Fisher	

Also Present

Mrs D.K.R. Irving	Mr P.J. Duigan
Mr D.S. Myers	

In Attendance

Julie Britton	- Senior Member Services Officer
Paul Calkin	- Strategic Director (Transformation)
Trevor Holden	- Chief Executive
Ray Johnson	- Assistant Director (Services)
Sharon Jones	- Operations Manager, Anglia Revenues Partnership
Tim Leader	- Deputy Chief Executive
Mary Palmer	- Marketing & Communications Manager
Ian Vargeson	- Member Services Manager
Rob Leigh	- Senior Marketing & Communications Officer

Action By

92/08 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 10 June 2008 were confirmed as a correct record and signed by the Chairman.

93/08 APOLOGIES (AGENDA ITEM 2)

An apology for absence was received from Mr R. Goreham.

94/08 DECLARATION OF INTEREST (AGENDA ITEM 4)

Messrs. P. Claussen and W.H.C. Smith declared personal interests in Agenda item 9, Review of Anglia Revenues Partnership Trading Ltd, the nature of which related to their positions on the Anglia Revenues Partnership Board.

Lady K. Fisher wished for it to be noted that a personal and prejudicial interest would be declared if site specifics were discussed under Agenda item 10.

95/08 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mr. P. Duigan, Mr. D. Myers and Mrs. D. Irving were in attendance.

Action By

96/08 AIR QUALITY MONITORING REPORT (AGENDA ITEM 7)

The Strategic Director for Transformation presented the report which concerned an air pollution hot-spot and likely exceeding the annual Air Quality Objective for nitrogen dioxide in Swaffham.

A recommendation had been made to purchase a secure roadside monitoring enclosure that had monitoring equipment to measure nitrogen dioxide continually for a minimum period of six months.

The options available to Members were:

- 1) to purchase a secure roadside monitoring enclosure with monitoring equipment to measure NO₂ on a continuous basis for a minimum period of 6 months (minimum time period recommended by DEFRA). The Council's air quality equipment supplier had quoted £10,885 for the purchase of the monitoring equipment and service contract for 12 months revenue set up costs estimated at £1500. This was significantly lower than quotes received from other suppliers by neighbouring councils;
- 2) to hire services to carry out monitoring for minimum of 6 months. An estimate for the hire of such equipment was likely to be in excess of £14,500 using a much larger monitoring cabinet which would be difficult to locate at a pavement monitoring location; or
- 3) to do nothing. If the council did nothing DEFRA would write to the Chief Executive asking why monitoring was not being carried out. The Council's name would be placed on the Local Air Quality Monitoring "name and shame" website and it was likely that Swaffham Traffic Action Group would complain to the media and local MPs would ask why Breckland was ignoring the issue. The UK could also be fined by the EU for not meeting the objectives.

The reason for the recommendation was that DEFRA required the procedure for assessment and monitoring as set out in the National Air Quality Strategy to be followed by all local authorities. Further information was available on the LAQM website

<http://www.airquality.co.uk/archive/laqm/laqm.php>. Option 1 above was the most cost efficient way to carry out additional monitoring.

RESOLVED that a secure roadside monitoring enclosure be purchased with monitoring equipment to measure NO₂ continually for a minimum period of 6 months at a location in London Road, Swaffham, allowing for flexibility to move the equipment to other potential hot-spots in future.

97/08 NOISE MONITORING IN BRECKLAND (AGENDA ITEM 8)

The Strategic Director for Transformation presented the report which concerned the purchase of Noise Nuisance Recorders with reporting software for use by Environmental Protection officers in support of their statutory noise nuisance investigation work.

If agreed, the old recorders' trade-in value would provide a substantial amount towards the purchase of the new equipment.

Action By

In response to a concern with regard to why this scheme had not been included in the approved budget for 2008/09, the Chief Executive informed Members that the matter had been brought forward as a capital request but had not been developed.

The options available to Members were:

- 1) purchase four replacement Noise Nuisance Recorders with reporting software as described in 3.2.2 of the report; or
- 2) do nothing and continue using the existing units until they failed.

The reason for the recommendation was that the use of Noise Nuisance Recorders reduced the need for Environmental Health Officers having to incur overtime by carrying out monitoring out of hours. The new Noise Nuisance Recorders were significantly improved and would allow officers to discreetly monitor noise and record noise nuisance issues effectively in the production of potential noise nuisance prosecution action. Option 3.3.1 of the report was the most cost efficient way to carry out additional monitoring.

RECOMMEND that:

- 1) the purchase of four replacement Noise Nuisance Recorders with reporting software be approved; and
- 2) the Council be asked to approve a supplementary capital budget of £19,980.

**98/08 REVIEW OF ANGLIA REVENUES PARTNERSHIP TRADING LTD -
SHAREHOLDERS AGREEMENT AND ARTICLES OF ASSOCIATION
(AGENDA ITEM 9)**

The Revenues Benefits Manager presented the report which invited Members to review and approve a number of minor amendments to the shareholders agreement and to the Articles of Association of ARP Trading Ltd.

Since the original approval in June 2006, there had been a new Companies Act introduced and a few minor practical issues had arisen that required amendment to the original documents. The recommended revisions had been attached to the report.

The Revenues Benefits Manager highlighted and answered the points that had been raised at a previous Executive Board meeting.

The options available to Members were:

- 1) to proceed with the original agreement and articles which would leave some requirements of the Companies Act 2006 unaddressed, and some operational issues without clear policy direction; or
- 2) to accept the amendments recommended within the review. This would particularly address some of the practical problems that had arisen since the original document was approved.

Action By

The reason for the recommendation was that the review of the shareholders agreement and articles of association was recommended to incorporate the requirements of the Companies Act 2006, to address some procedural issues that had arisen since the original document was drafted and to generally incorporate some minor changes that had arisen since the original documents were approved.

RESOLVED that

- 1) the revised shareholders agreement of ARP Trading Ltd as attached to the report be approved; and
- 2) the articles of association of ARP trading Ltd, in accordance with the amendments, and to the written resolution (attached to the report) be amended.

99/08 LDF - EVIDENCE BASE TO SUPPORT CORE STRATEGY SUBMISSION (AGENDA ITEM 10)

The Executive Member for Planning and the Environment Portfolio presented the report which sought approval for the release of £161,000 to enable the completion of the Local Development Framework (LDF) evidence base.

Following the Preferred Options consultation on the Core Strategy earlier in the year comments had been received from a number of statutory consultees that indicated that although they supported the emerging Core Strategy and the existing evidence base, further work would be needed to mitigate the risk of the plan being found unsound.

- Water Cycle Study - required by the Environment Agency and Anglian Water
- Energy Study – suggested by Go –East and Norfolk County Council
- Infrastructure Delivery Study – Suggested by Go-East and Norfolk County Council
- Further assessment of Jobs Potential in Attleborough – suggested by Norfolk County Council
- Additional assessment of European Habitats in Breckland – Required by Legislation

The Executive Member for the Transformation Portfolio, although in support of the recommendation, asked whether what he had heard with regard to the whole timetable of the LDF being put back was correct. In response, the Chief Executive advised that the site specifics consultation process timetable had changed but no further details were available at present.

Another matter of concern related to the Local Government Review (LGR) and how it would affect the LDF. The Executive Member for Planning and the Environment Portfolio explained that if Breckland's Core Strategy was adopted it would stand the Council in good stead for the next three years.

Option A

To approve the release of £161,000 to enable the completion of the LDF

Action By

Core Strategy Evidence base. This would allow all relevant work to be commissioned to enable submission of the document in November 2008.

Option B

Not to approve the release of £161,000 to enable the completion of the LDF Core Strategy Evidence base.

Although some of the evidence base would be completed not all that was considered essential would be and there would be a risk that the submitted Core Strategy might fail the test of soundness related to the credibility of its evidence base.

Members were asked to approve option A above for the reason given in 3.2 and 3.3 of the report.

RESOLVED that the release of £161,000 from the LABGI Reserve to enable the completion of the LDF evidence base be approved.

100/08 NECTON RURAL COMMUNITY CENTRE EXTENSION (AGENDA ITEM 11)

The report was introduced by the Asset Manager and presented by the Executive Member for the Communities Portfolio.

The new facilities were very much needed in the village particularly as Necton had been identified in the Local Development Framework (LDF) as a Local Service Centre. It was important that Breckland Council supported its rural communities.

The Leader announced that he would like to encourage all villages in Breckland to come forward to form better communities as he felt that if authorities followed government policies all villages would eventually become dormant.

The options available were either to approve the application for funding on the grounds of the high score or reject the application for funding.

The reason for the recommendation was that this group had made a strong financial and 'in-kind' commitment to this project and were asking for a relatively small amount of money to assist them in the final stages of their project. The new facilities were very much needed in the community especially with the recent housing growth in the area.

RESOLVED that a capital match funding sum of £5,688 be granted to Necton Village Hall Committee, subject to:

- 1) a maximum sum of £5,688 or 30% whichever is the lower;
- 2) confirmation of the total cost of the project;
- 3) the balance of all other funding being confirmed; and
- 4) the funding being allocated from the capital 2008/09 match funding reserve.

101/08 SKILLS CENTRE - WAYLAND HIGH SCHOOL, WATTON (AGENDA ITEM 12)

The Asset Manager presented the report which concerned a match funding application from the Project Partnership Board for the Wayland Skills Centre to be built on Wayland High School grounds which would

Action By

focus on engineering and construction related competencies. The establishment of a skills centre would contribute to the economic well being of the area.

The other funding bodies were highlighted

A Ward Member for Watton expressed the need for these types of skills in the area and pointed out that the centre would offer training to learners of all ages.

The Executive Member for the Transformation Portfolio fully endorsed the recommendation as he felt that engineering and construction related skills had, over the past few years, been wholly ignored.

The qualifications that could be achieved were explained.

It was noted that all funding from other organisations mentioned in the report had been approved.

Two options were made available to Members.

- 1) To support the Project Partnership Board's funding application through a grant of £50,000 from the capital match funding reserve towards the cost of building the Skill Centre.

Funding for this initiative would help maximise the opportunity for skills development, advice and guidance across the District. Deprivation, whilst prevalent, is masked by its dispersed nature. The most visible aspect of this problem was the lack of access to facilities and services including education, training and transport. Research and consultation within education institutions, community groups, and work based learning providers showed that there was indeed a need for a centre that would teach engineering and construction skills (Strategic Area Review STAR 2004) (Leitch Report 2007). Education reforms affirmed the need for a skills centre as did targets that the County set for engaging all ages and those disaffected.

- 2) Not to support the application or part-fund.

Should Members decline to agree funding or to part fund, the considerable barriers to such training would still exist and this vista of opportunity offered to Breckland's economic community could be lost. Without Breckland funding, the project might either diminish unless another funding organisation could be found or not go ahead. In this worst case scenario school age students would need to undertake considerable travel to access engineering and construction courses because of their specialist nature, transport costs would be incurred, learning time would be lost and the opportunity to engage those less likely to learn and to address the low skill level within the population would be missed.

The reason for the recommendation was that the skills centre would offer a collaborative approach between industry and education offering greater employability and more significant opportunity as outlined in the Shaping Norfolk's Future strategic vision for 2015: for Norfolk to have a successful economy characterised by innovative dynamic and sustainable businesses, where people were skilled and motivated with the opportunities to maximise their potential in a high quality environment.

The skills centre would:

Action By

- Help increase employability and participation in the labour market
- Increase numbers of young people participating in vocational, engineering and technology options
- Help more young people to participate in some form of structured learning especially those who are in danger of becoming not in education employment or training (NEET).
- Increase the number of employers in the engineering and construction sectors engaging in workforce development activity.
- Improve the success rates for people engaged in structured learning or training by closely aligning training and guidance to what labour market information tells us.
- Increase higher education participation by providing L3 qualifications.
- Promote learning opportunities that support individuals to improve their skills for life and employability
- Raise the aspirations and achievements of the community
- Harness the skills and talents of older people who wish to work or play an active role in their community
- Tackle barriers to work and promote access to employment for groups currently under represented in the labour market, ie. Disabled, Single gender groups.
- Promote socially responsible and sustainable practices among both private and public sector employers by providing a model of good practice.
- Enhance vocational training and progression opportunities for individuals in low value jobs by the training it will offer.

RESOLVED that the grant of £50,000 from the capital match funding reserve to build a Skill Centre in the grounds of Wayland High School as outlined in Option 1 of the report be approved, subject to:

- 1) a maximum sum of £50,000 or 2.62% whichever is the lower;
- 2) other funding being confirmed; and
- 3) project budget and cash flow forecasts provided to confirm timing of cash requirements in line with the project timetable.

102/08 BRECKLAND YOUTH COUNCIL (AGENDA ITEM 13)

The Asset Manager introduced the report which sought Cabinet approval to endorse the establishment of the Breckland Youth Council.

Members had highlighted the need to improve how the Council engaged with young people in the community and encourage them to engage actively in the democratic process.

The Proforma B requested approval of budget to support a Breckland Youth Council and on-going youth engagement projects.

The Executive Member for Communities congratulated the officers on producing an excellent report. Young people were our future and if Members were mindful to approve the recommendation it would enable them to have a voice.

Action By

The Young Persons Champion echoed the aforementioned comments and hoped that Members would support the establishment of a Breckland Youth Council.

The Executive Member for the Transformation Portfolio had noted that representation would be encouraged from secondary schools located in towns. He asked whether a caveat could be added to include youths from rural areas. In response, it was explained that the schools in the towns would be where the children from rural areas, of the required age group, went to school.

The options available to Members were to either implement the suggested events, as detailed in the recommendations or not to implement the suggested events, or only implement them in part.

The reason for the recommendation was that Members had identified the need to engage with young people. By implementing the recommendations, Breckland Council would be able to enhance youth engagement within the District, and empower members within their role as community leaders.

Failure to implement the recommendations would limit youth engagement within the district.

As there had been no budget identified within the 2008-09 approved budget, a request to Council was required to approve a supplementary budget covering the additional ongoing budget each year.

RECOMMEND to Council that:

- 1) the establishment of the Breckland Youth Council be endorsed; and
- 2) sufficient funds be released to ensure Breckland Youth Council and ongoing youth engagement projects run effectively for 2008/09 and for future years (see the Proforma B attached to the report).

**103/08 MEMBER DEVELOPMENT & TRAINING STRATEGY AND POLICY
(AGENDA ITEM 14)**

The Executive Member for Governance presented the report which requested Members to consider and approve the Member Development and Training Policy and the revisions to the Member Development and Training Strategy which had been agreed by Council at the meeting held in March 2007.

The options available to Members were:

- 1) To agree and adopt the strategy and policy.
- 2) To not agree and adopt the strategy and policy.
- 3) To do nothing.

The reason for the recommendation was that there was a need to adopt a Member Development and Training Strategy and Policy for Breckland Council in order to achieve the East of England Regional Assembly Elected Member Development and Training Charter.

Action By

RESOLVED that the new Member Development and Training Policy and the revisions to the Member Development and Training Strategy be adopted.

104/08 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 15)

This matter had been discussed under Minute No. 103/08 above.

105/08 NEXT MEETING (AGENDA ITEM 16)

The next meeting of the Cabinet would be held on Tuesday, 9 September 2008 at 9.30am in the Norfolk Room.

106/08 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 17)

RESOLVED that, under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it may involve the disclosure of exempt information as defined in paragraphs 2 & 3 of Schedule 12A to the Act.

107/08 PROVISION OF DOG CONTROL SERVICE (AGENDA ITEM 18)

The Strategic Director for Transformation presented the report which provided the Cabinet with the details of costings and service quality for the options of providing the Dog Control Service either in-house or by private contractor. The differences between the two options were highlighted. In the event that the Cabinet was mindful to support the service being outsourced, the contract would operate for one year, with an option to extend for a further year.

All options highlighted in the report, including keeping a limited service in-house, would require the Council to find additional funding in order to deliver the service. The increased costs associated with each option had been indicated in the report. At the present time, there were no savings that had been identified which would offset these additional costs and the Council would need to fund this service expansion from elsewhere.

The reason for the recommendation had been based on the information provided. Some of the options outlined in the report could be discounted as they were not in the best interests of the Council or Breckland's residents and did not represent best value. Cabinet was therefore asked to consider their preferred choice from either Option 2 or Option 3 of the report as the costs of these two were broadly comparable.

If option 2 or 3 were to be approved, then the additional budget required should be found from elsewhere within the Transformation Directorate or a request would need to be made to Council to approve a supplementary budget covering the additional ongoing budget each year.

RECOMMEND that

- 1) option 2 of the report be approved; and
- 2) the Council be asked to approve a supplementary revenue budget of £141,170.

108/08 ECOTECH CENTRE, SWAFFHAM - UPDATE (AGENDA ITEM 19)

Although the report had been withdrawn, the Deputy Chief Executive provided Members with an update on this matter.

The meeting closed at 10.15 am

Action By

CHAIRMAN