

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 25 October 2018 at 10.00 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr T. J. Ashby	Mr A.P. Joel
Mr S.G. Bambridge	Mr R.G. Kybird
Mr W.P. Borrett	Mr K. Martin
Councillor C. Bowes	Mrs S.M. Matthews
Mr M. P. Brindle	Mrs L.H. Monument
Mr T. R. Carter	Mr T. F. C. Monument
Councillor M. Chapman-Allen	Mr M. J. Nairn
Mr H. E. J. Clarke	Mr J. Newton
Mr P.D. Claussen	Mr J.W. Nunn
Mr J.P. Cowen	Mr D. R. R. Oliver
Mr D. M. Crawford	Mr R. R. Richmond
Mr P. R. W. Darby	Mr W. R. J. Richmond
Mr P. M. M. Dimoglou	Mr J.D. Rogers
Mr R.W. Duffield (Chairman)	Mr F.J. Sharpe
Mr P.J. Duigan	Mr W.H.C. Smith
Mr K.S. Gilbert	Mr A.C. Stasiak
Councillor E. Gould	Mrs L.S. Turner (Vice-Chairman)
Mr P.J. Hewett	Mr M. A. Wassell
Mrs T. Hewett	Mrs A. M. Webb
Mrs J. Hollis	Mr N.C. Wilkin
Mr T. J. Jermy	Mr P. S. Wilkinson

In Attendance

Anna Graves	- Chief Executive
Christine Marshall	- Executive Director Commercialisation (S151 Officer)
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Rory Ringer	- Democratic Services Manager
Julie Britton	- Democratic Services Officer

124/18 APOLOGIES (AGENDA ITEM 1)

Apologies for absence were received from Councillors Askew, Brame, Sam Chapman-Allen, Millbank, Robinson, Sherwood and Taylor.

125/18 MINUTES (AGENDA ITEM 2)

The Minutes of the meeting held on 13 September 2018 were agreed as a correct record and signed by the Chairman.

126/18 DECLARATION OF INTERESTS (AGENDA ITEM 3)

None declared.

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127/18 GARDEN TOWN PROPOSAL - PROPOSED RESPONSE (AGENDA ITEM 4)

The Chairman introduced Jennie Borgnis, the Chair of North Elmham Parish Council, who was in attendance to speak on behalf of the five parishes adjacent to the proposed site and for 'CANT', 'Campaign Against the New Town,' an organisation that had been set up by these parishes. She was also voicing the concerns of over 2000 people who had signed a petition against the proposal.

The Chair of North Elmham Parish Council made the following statement:

"The Government's prospectus stated that new garden community applications must have local authority support. Lanpro had known this for more than two years, yet – in direct conflict with Government aims, had blatantly failed to engage with parish councils or residents. When finally alerted to this proposal in just June of this year, Breckland Council emphasised to Lanpro the need for such engagement.

Despite publicly stating that the proposal was about community, Lanpro had not contacted one local community or parish council. Instead it had been found that Lanpro wished to bypass everyone at a local level and directly lobby the Government. Furthermore, the Forestry Commission, whose land on the East bank of the River Wensum would be completely contained by this development, had not been approached.

Breckland Council had spent years painstakingly devising its local plan to 2036 in full consultation with all parties. The Local Plan did not require or include a new town of 10,000 dwellings.

The Parish Councils were aware of two facts: that in June 2017 two landowners signed conditional sale contracts with Lanpro to sell their productive agricultural land; and that Lanpro had stated that an upgraded rail link would be the main factor governing the selection of this site.

Despite liaising with Mid Norfolk Railway for over two years, Lanpro had failed to present a plan worthy of consideration. To suggest that a garden town on this site would secure an economic future for new and existing communities along the rail route was totally absurd and misleading. There had been no evidence that this track could ever become a commercially viable commuter route. It was highly unlikely any train operating company would be interested in being involved in such a loss-making venture, sited at the very end of a deficient rail track and on the wrong side of an already often gridlocked East Dereham.

Lanpro cited a mere 12 minute drive along the only 'A' road in the area to join the Norwich/Cambridge corridor. This single 'A' road was hazardous in several places and was already speed restricted. There was no Northern Distributor Road link to make joining the corridor remotely realistic; even if there was, no one wanting to travel west or south would use a major road going east. All other routes around the site for several miles in any direction were 'B' roads, each one passing through many villages and small communities.

Imagine the expense and the loss of yet more green land required to construct the necessary road improvements to Dereham, Swaffham, Watton and Brandon plus the strain that the increased traffic would put on these and all of the smaller communities in between.

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George Freeman MP had quoted that, 'the proposal lacked any serious plan to manage the major traffic implications and general disruption that a settlement of this size would create in such a rural area'.

Norfolk County Council Highways Department had stated that the money available would not scratch the surface for a town of that size.

Significantly, New Anglia Local Enterprise Partnership had also not been contacted by Lanpro. The Partnership's strategy highlighted several growth corridors warranting consideration for planned, sustainable growth; this site was not one of them.

Lanpro suggested in its prospectus, that the full extent of the land required to deliver the scheme was within their control. It said that it would deliver food production and manufacture, allotments, poultry farming, employment spaces for food processing and grazing on dually used recreational spaces. All this would be in addition to the housing and would be impossible on a site of fewer than 1300 acres.

This was not a little local difficulty with a small estate expected to spring up on the edge of a village. This was the wholesale destruction of everything village communities in the entire region stood for and their very existence was at stake.

This proposal, sited alongside Europe's most protected river, was thoughtless, inaccurate, lazy and speculative with absolutely no merit.

On behalf of the residents of North Elmham, Billingford, Bintree, Foxley and Bawdeswell as well as those much further afield, she urged Breckland Council Members to support the recommendation and reject this proposal in its entirety.

The Chairman of North Elmham Parish Council then thanked everyone for allowing her the opportunity to speak".

The Leader, Councillor William Nunn thanked everyone involved who had taken the time to write to him with their concerns and also to the people who had submitted the petition against the proposal which he had recently received with some 1600 signatories.

He hoped that everyone had seen and had read the Council report but he wanted to provide some background and explain why the matter was being discussed.

In June 2018, Breckland Council was made aware of a proposal for a new Garden Town of some 10,000 new homes in an area of land between the villages of North Elmham and Bintree by the developers Lanpro.

In August 2018, the Government released a prospectus seeking expressions of interest for new communities to be delivered to Garden Town principles.

The Council had been asked by Lanpro to support their submission as one of the requirements of the prospectus was to gain local authority support, and as such the Council's position had to be considered.

The requirement for local authority support had been reiterated via correspondence

between the Member of Parliament, George Freeman and the Minister, Kit Malthouse. The Minister had also replied to some members of the community who had written confirming this need.

The Leader then highlighted the following key issues:

- The Council's Local Plan, to identify future housing and commercial land, was currently at an advanced stage. The Government Inspector had been working with the Council during the summer to prepare the Plan for adoption in the spring 2019. The proposal put forward by Lanpro had not at any time been promoted or considered as part of this process.
- The Council had identified land to meet its housing need through the sites in the Local Plan and had consulted widely with all its communities to ensure that everyone had been given the opportunity to help shape the future of the District.
- The Garden Town proposal would be significantly in excess of this requirement and having consulted with the Council's neighbouring authorities, all had confirmed that they were able to meet their current allocations within their areas or as part of a joint planning arrangement.
- The proposal's scale and location differed significantly from the Local Plan and ultimately did not and would not fit within that framework.
- Prior to the Council being contacted in June, no community engagement had been undertaken and even when Lanpro had been told that this was an essential part of any proposal, still no engagement took place between the proposer and the communities that would be gravely affected by the development.
- The Council and the Government's own prospectus would have expected to have seen some evidence of significant community engagement to accompany such a proposal.

Taking all these factors into account, the Leader stated that he and the Officers concerned, felt that the proposal should not receive the Council's support and in conclusion, and in light of the conflict with the Local Plan and the lack of community engagement, the Council's recommendation was that the Garden Town proposal should not be supported at this time.

Members were informed that the Council's preference for significant and strategic scale development proposals would be promoted through future reviews of the Council's Local Plan in order to enable a full appraisal of the issues and appropriate consultation.

Councillor Gordon Bambridge as one of the Ward Members affected by the proposal had met with the potential developers in July 2018 when the matter became public. He had since attended many meetings in his Ward, including parish council meetings, who all wished to know more about this proposal.

Lanpro had answered many questions but a number of matters had not been adequately answered and would need to be 'bottomed out' before an application could be considered by the Council.

Councillor Bambridge then highlighted the following issues:

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- The location itself, apart from the availability of land, offered little else to the general acceptability of the site. It was remote from main infrastructure connections in almost every area.
- The matter of Europe's most protected river, the Wensum, which lay below the escarpment on which the proposed town would be built, all around its western boundary, would need to be crossed at two points (Elmham near the station and County School).
- Access to water. There were aquifers under much of this part of Norfolk and all provided some of the purest water in the area, and was now used to dilute and improve the standards of water in Norwich and most of central Norfolk and beyond. This would have implications for the whole community of Norfolk.
- Dealing with foul water, as mentioned above, the Wensum was in danger and the buffer zones proposed would be inadequate for 10,000 houses with perhaps in the region of 30,000 residents.
- The suggestion that the railway was 'on board' seemed premature, and the costing for the upgrade required was inadequate. This upgrade would cost in the region of £100m plus another £100m to connect to the main line – only £50m had been proposed.
- The highways matters had not been fully considered. The £30m offered to upgrade the Western Link would probably be no more than 10% of its cost, and did not allow for the upgrade needed to the A1067, the B1145 and the B1110, and not including roads outside of the district. The main road to the proposed development would be the A1067 of which the speed was limited for most of its distance to the Broadland Northway and through to Taverham and Drayton, and the link to a single carriageway A47 had not been fully established.
- The matter of environmental impact. This was open countryside with around 300 acres of Forestry Commission woodland with many rare species. Animal, bird, reptile, invertebrate and plant species which, whilst not unique, were rare and at home in this area and just to the north of the site there were snails in protected habitat which could be affected. These species were listed as endangered and were currently included on the GB Red List.
- The land also covered huge deposits of sand and gravel, and extraction had been locally opposed and whilst this had not been deemed necessary before, the County was currently reviewing its needs, and would continue to do so at regular intervals in future. Therefore, building a new town on this land would eliminate any option for future administrations.

Councillor Bambridge stated that the impact on the community in this part of central Norfolk should not be discounted. Three villages would essentially disappear and many others would be seriously affected, not just during construction. He was already being contacted by people whose sale of houses had fallen through, farmland and amenity land would disappear and historical and important sites would be overwhelmed. He felt that whatever justification was being put forward, this was genuinely a case of houses of the wrong numbers and in the wrong place.

Councillor Clarke echoed everything that Members had said; option 1 would be

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fully supported. He pointed out that although there was a clear demonstrated need for housing, every major development needed to be of good quality, the housing needed to be of the right mix and in the right place. Lanpro had no regard to community cohesion and had done nothing to reassure residents. He was also concerned about the affect this would have on the Council's Local Plan and on the town of Dereham and urged Members to support option 1.

Councillor Dimoglou highlighted the fact that the Parish Council had been made aware of this proposal by the Ward Member, Councillor Borrett. He then pointed out that Breckland was woefully short of housing and felt that this, although considered as an 'out of hand' proposal, should not be discounted.

Councillor Brindle raised concerns about any future proposal that could come forward and asked all parishioners to keep a watching brief.

Councillor Borrett had represented these areas for many years and was pleased to see so many people in attendance. He thanked the Officers and the Leader for bringing this matter to the Full Council meeting and for their very clear reasons and clear guidance for not supporting a proposal of this scale – a town, the size of Thetford, in the middle of the countryside. There was a clear process in place for the Local Plan and although more housing was needed, consultation was key. Issues such as roads, schools, traffic etc should be considered and any development should not have a detrimental effect on its surroundings. He urged Members to support the recommendation thus sending a signal to Lanpro to engage with the communities and consider the Local Plan.

Councillor Wilkinson cared greatly about Breckland and if Lanpro had taken any advice he did not believe that this proposal would have come forward at this time.

Councillor Crawford agreed that Breckland Council had an adequate Local Plan and that 10,000 new homes in the countryside were not required. He supported the recommendation of refusal.

Councillor Paul Hewett advised that this was not a moment for politics; this was about community and felt that this proposal had been ill judged and ill-conceived and had not met the basic levels of decency. He also felt that such a proposal could not be thrown out forever but on this occasion he whole heartedly supported option 1.

Councillor Smith disagreed with the comments made by Councillor Dimoglou. Members should choose their words with discretion as this was a situation that all political parties had created. Such a proposal would not reduce the house prices for local people and the increase in population would exert a decrease in wages. He then urged Members to read an interesting article that had been reported by the BBC.

The recommendation was then proposed by the Leader, Councillor William Nunn and seconded by many, and following a vote of 41 Members in support of the recommendation and 1 vote against the recommendation, it was:

RESOLVED that:

1. the promoters submission of the Garden Town at North Elmham to the Government is not supported at this time; and
2. the Council's preference for significant and strategic scale development

proposals be promoted through future reviews of the Council's Local Plan in order to enable full appraisal of the issues and appropriate consultation be carried out.

128/18 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 5)

A correction to the heading on page 32 of the agenda was made to read: 'Vice'-Chairman's Engagements.

The Chairman thanked everyone for attending his recent reception. He thoroughly enjoyed the event and he conveyed his thanks to all staff both at Breckland and at the Museum for all their hard work and organisation. The monies raised by the raffle totalled £676.00 which included a kind donation of £50.00 from G.T Bunning's & Sons of Gressenhall.

129/18 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 6)

The Leader provided Members with an update on the following topic - talent development.

Breckland Council currently had five apprentices in post and a further five were being recruited. In addition to this, two members of staff were now progressing to the next level of their current engagement and two graduates had joined the Council in September through the National Graduate Development Programme run by the Local Government Association; this brought the total number of graduates to three. The first graduate, Ryan Pack, was now entering his second year placement with the Council and would continue to work with the Licensing Team. Joe Pales was with the Delivery & Growth Team and Jack Fulham was currently working with the Council's Legal & Contracts Team. The Council also wanted to broaden this further and take on more work experience; therefore, schools in the Breckland area would be contacted to discuss taking on pupils for next year. Taking on work experience placements would show people what opportunities there were in the authority to hopefully gain some good experience before they chose their careers. It was recognised that local government often found it difficult to recruit the right people and he felt that greater knowledge of the work undertaken by Councils would improve this. From a Councillor perspective and a local government officer perspective, at a time when resources were getting tighter, the Council, by taking on work experience placements, hopefully would encourage young people to work in a local government environment. In his opinion, this was great news and he hoped that the Council would continue in the future to encourage local talent.

The Leader then introduced and thanked the three apprentices in attendance, Vince Cavallo, Matthew Roe and Harley Gallagher.

Councillor Jermy was in favour of apprenticeships and this was part of his remit as a Norfolk County Councillor. However, he was aware that apprenticeship numbers were falling across the County due to the lack of, and the increasing cost of, public transport and wondered what the Council could do to support apprentices in Breckland. The Leader was aware of the transport issue and this was the very reason the Council had an agreement with Kickstart scooters. Funding of £100k had been set aside to enable apprentices to take up work and overcome any transport challenges that they faced.

The Executive Member for Growth, Councillor Gordon Bambridge asked if it would be possible to recommend to the Town Councils and other bodies to incorporate apprenticeships into their organisations. The Leader said that he would be more

than happy to do that.

Councillor Crawford highlighted the fact that Thetford Town Council had recently given a grant to Catch22 College in Thetford to assist with such matters as transport.

130/18 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6 (AGENDA ITEM 7)

None.

131/18 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 8)

Councillor Dimoglou asked the Leader why private & confidential meetings were not minuted. He also mentioned the abbreviated Planning Minutes that he felt lacked transparency. The Leader advised that the Council did not have a secrecy policy and debated everything in the public arena except for matters that contained personal and commercially sensitive information. Executive Members met every two weeks in an informal capacity and, due to it being informal, these were not minuted as they were briefings rather than decision-making meetings. The Leader pointed out that the Garden Town proposal, debated earlier in the meeting, had always been completely open and transparent from when he had first been contracted by Lanpro. Meetings had then been held with all concerned and therefore he strongly refuted any accusation that everything was dealt with in private and behind closed doors.

Councillor Brindle asked the Leader if he agreed that the Council should support the retention of specialist children's centres as he felt that it was vital that these centres be retained. In response, the Leader advised that he had been witness to the on-going Labour Group campaigns and in support, he would respond to Norfolk County Council accordingly. He had also sent a website link to all Members to make Norfolk County Council aware of the strength of feeling in Breckland.

Councillor Wilkin responded to the retort made about the Planning Minutes. He explained that all Minutes were taken by the Democratic Services Team and the public often attended these meetings. He felt that there was no need to set out the Minutes in chapter and verse as the decision was the most important.

Councillor Wassell asked the Leader to confirm that nothing had changed in terms of the Briefings since his time as Leader of the Council, and at the time Councillor Dimoglou was a Cabinet Member. The Leader said that this was his recollection.

Referring to all the children's centres in the news, Councillor Clarke asked the Leader if he would encourage District Councillors and Norfolk County Councillors to pay a visit to these centres in their Ward. The Leader added that he would encourage all Councillors to engage with their communities; this was the very reason that Members were elected.

Councillor Borrett directed his question to the Leader and asked if he supported Norwich City Council's decision to spend millions on properties outside of the County. The Leader emphasised that he did support their views. All local authorities were challenged by such matters but all had to invest wisely for their communities. He had been heartened that Norwich City was actually following Breckland's lead in working with the Anglia Revenues Partnership.

Councillor Jermy asked Councillor Cowen, the Executive Member for Finance &

Delivery if he would pass on some of Breckland's advice to Elizabeth Truss MP. In response, the Executive Member for Finance & Delivery informed Members that Breckland managed its finances very well indeed and although he had met with the said MP on the odd occasion he would not be asking how she reported her facts and figures.

132/18 CABINET MINUTES (AGENDA ITEM 9)

- a) Capital for Public Protection Software Systems Replacement (Minute No. 95/18)

RESOLVED that funding totalling £71,500 (and not £71,000 as mis-quoted in the recommendation) be approved and released from Reserves and that the 2018/19 Capital Programme be revised accordingly.

- b) Quarter 1 Financial Performance (Minute No. 96/18)

Councillor Jermy asked Councillor Cowen, the Executive Member for Finance & Delivery what this money was going to be used for.

Members were informed that Breckland Council held a significant commercial stock of which a number were vacant or void. The Council was always looking to invest in the District and in order to ensure the financial pot was sufficient, £600k had been set aside and had not been defined for anything specific but was there to provide a service. Christine Marshall, the Director of Commercialisation & S151 Officer added that the monies had been set aside to manage large voids and disposals and was about managing the impact on the Council's finances as this income supported services.

RESOLVED that £600,000 be allocated within the Growth & Investment Reserve to be used for large voids or timing between disposals and acquisitions of commercial properties.

- c) Adoption

RESOLVED that, subject to the amendment as set out in (a) above, the confirmed Minutes of the Cabinet meeting held on 4 September 2018 be adopted.

133/18 OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 10)

RESOLVED that the unconfirmed Minutes of the Overview & Scrutiny Commission meeting held on 27 September 2018 be adopted.

134/18 PLANNING COMMITTEE (AGENDA ITEM 11)

- (a) Confirmed Minutes of the Planning Committee meeting held on 3 September 2018

- a) Deferred Applications: Dereham Land at Greenfields Road (Minute No. 106/18(a))

It was noted that the second paragraph of this application was incorrect and should read: "subject to, Members agreeing the Heads of Terms of the S106 Agreement in relation to a contribution to *off-site provision to meet the shortfall of on-site provision.....*"

b) Adoption

RESOLVED that subject to the above correction, the confirmed Minutes of the Planning Committee meeting held on 3 September 2018 be adopted.

(b) Unconfirmed Minutes of the Planning Committee meeting held on 1 October 2018

a) Schedule of Planning Applications (Minute No. 118/18(i))

The surname of an objector to this application had been misspelt; it should be "Bick" not "Bic" as quoted in the Minutes.

b) Adoption

RESOLVED that, subject to the correction of the spelling mistake above, the unconfirmed Minutes of the Planning Committee meeting held on 1 October 2018 be adopted.

135/18 LICENSING COMMITTEE (AGENDA ITEM 12)

a) New Animal Welfare Licensing – Approval of Fees and Delegations (Minute No. 44/18)

The surname of a speaker in attendance had been misspelt; it should be Mrs Maggie *Oechsle* and not Oxley as quoted in the Minutes.

b) Adoption

RESOLVED that, subject to the above correction the unconfirmed Minutes of the additional Licensing Committee meeting held on 2 October 2018 be adopted.

136/18 GOVERNANCE & AUDIT COMMITTEE (AGENDA ITEM 13)

RESOLVED that the unconfirmed Minutes of the Governance & Audit Committee meeting held on 28 September 2018 be adopted.

137/18 MEMBER DEVELOPMENT PANEL (AGENDA ITEM 14)

The Minutes of the Member Development Panel meeting held on 28 September 2018 were noted.

138/18 ICT & DIGITAL STRATEGY (AGENDA ITEM 15)

The Executive Member for People & Information, Councillor Alison Webb presented the report.

The ICT & Digital Strategy had been designed to support the wider aims of the Breckland Corporate Plan and its corporate priorities. It had also been designed to improve residents' experience of contacting Breckland Council.

The draft ICT & Digital Strategy had also been presented to the Overview & Scrutiny Commission meeting on 17 August 2018 where it had been discussed at great length.

RESOLVED that:

- 1) the draft ICT & Digital Strategy be approved and be implemented from April 2019 to align with the Council's new Corporate Plan;
- 2) the Digital Work Programme associated with the Strategy be approved; and
- 3) the funding from the Moving Forward (transformation) and Growth and Investment Reserves, as detailed in the report, be approved.

139/18 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 16)

RESOLVED that Councillor Paul Claussen be replaced by Councillor Trevor Carter on the Norfolk Countywide Community Safety Partnership Scrutiny Sub-Panel.

140/18 AMENDMENTS TO THE CONSTITUTION (IF ANY) (AGENDA ITEM 17)

None.

141/18 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT (AGENDA ITEM 18)

Nothing urgent to report.

142/18 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 19)

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 involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act.

143/18 NEIGHBOURHOOD PLANNING - TRANSFER OF SERVICE (AGENDA ITEM 20)

The Executive Member for Growth, Councillor Gordon Bambridge presented the report asking Members to consider the business case for the transfer of the Neighbourhood Planning Service to the Council's provider of Planning Services.

A number of questions were asked, in particular, Councillor Brindle sought reassurance that, if Members were mindful to approve the recommendation, would there be more control in relation to enforcement. Members were assured that this would be the case.

RESOLVED that the recommendation to Full Council, to agree the transfer of service, in accordance with the report, be approved.

Presentation/Briefings

Members were provided with a briefing by Mr Ceri Theobald, Head of Partnerships & Business Development, Flagship Housing Group followed by a Local Plan presentation delivered by Christine Marshall, Executive Director Commercialisation & S151 Officer and Jon Berry, Head of Development Management.

The meeting closed at 11.55 am

CHAIRMAN

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