

# Public Document Pack

## BRECKLAND COUNCIL

### At a Meeting of the

### CABINET

Held on Monday, 14 October 2019 at 9.30 am in  
Connaught Hall, Station Road, Attleborough, NR17 2AS

#### PRESENT

Mr S. H. Chapman-Allen  
(Chairman)  
Mr P.D. Claussen (Vice-  
Chairman)  
Mr S.G. Bambridge  
Mr J.P. Cowen

Mr P.J. Hewett  
Mr M. S. Robinson  
Mr I. Sherwood  
Mrs A. M. Webb

#### Also Present

Mr T. J. Ashby  
Mr W.P. Borrett  
Councillor M. Chapman-Allen  
Mrs H, Crane  
Mrs V. Dale

Mr K. Martin  
Mr J.W. Nunn  
Mrs S. E. Suggitt  
Miss T. Taylor  
Mr S. Terry

#### In Attendance

Anna Graves  
Christine Marshall

Maxine O'Mahony

Rob Walker  
Andrew D'Arcy  
Simon Wood  
Mark Stinson

Teresa Smith

- Chief Executive
- Executive Director Commercialisation (S151 Officer)
- Executive Director of Strategy & Governance (Monitoring Officer)
- Executive Director Place
- Planning Policy Manager
- Director of Planning & Building Control
- Executive Manager Governance (Deputy Monitoring Officer)
- Democratic Services Team Leader

#### Action By

#### **64/19 MINUTES**

The minutes of the meeting held on 9 September 2019 were confirmed and signed by the Chairman.

#### **65/19 APOLOGIES**

None.

#### **66/19 URGENT BUSINESS**

None.

**Action By**

**67/19 DECLARATION OF INTERESTS**

None.

**68/19 NON-MEMBERS WISHING TO ADDRESS THE MEETING**

Councillors Ashby, Borrett, M Chapman-Allen, Crane, Dale, K Martin, Nunn, Suggitt, Terry and Taylor.

**69/19 CHAIRMAN'S ANNOUNCEMENTS (IF ANY)**

Nothing to report.

**70/19 BRECKLAND COMMUNITY FUNDING APPLICATIONS (STANDING ITEM)**

(a) Community Match Funding

The Executive Member for Community, Leisure and Culture presented the report to Members.

Reasons for recommendations

1. To continue to offer a Community Match Funding programme that facilitates and empowers the community to address locally identified need.
2. The NCF are experts in grant management and administration and would provide a better service to the community, and better value for money through their ability to signpost groups to a wider number of available grant schemes.
3. The decision would allow current council resources to be better focussed on more proactive and preventative work with local communities and partner agencies, in particular around the health and social care agenda, rather than administration of the grants scheme.

Options

1. Approve the recommended Community Match Funding programme outlined in the proposal and commission the NCF to manage and administrate the scheme on behalf of the Council.
2. Approve the recommended Community Match Funding programme as outlined in the proposal and recruit a 0.5fte Communities Officer resource to manage and administer the scheme internally at a cost of £19,618 per year for a 0.5fte Grade 8 post.
3. Do nothing (discontinue the Community Match Funding Programme).

**RESOLVED** that:

1. a new Community Match Funding programme of £100,000 per year from council reserves, with a maximum grant of £5,000 per applicant, per year be approved.
2. the proposed Community Match Funding programme be administered by the Norfolk Community Foundation (NCF).
3. determination of the funding criteria is delegated to the Executive Director of Place in consultation with the Executive Member for Community, Leisure and Culture.

**Action By**

(b) VE/VJ Day 75th Anniversary Celebrations 2020

The Executive Member for Community, Leisure and Culture presented the report to Members. He said in order to engage with as many residents as possible in the forthcoming celebrations it was proposed that the Council offered a £30,000 celebratory grant scheme that would facilitate community events held in commemoration and celebration for both the VE and VJ day 75<sup>th</sup> Anniversary celebrations.

He went on to ask Members that the recommendation be extended to include two other significant events during 2020; the 80<sup>th</sup> Anniversary of Dunkirk and of the Battle of Britain. These would be included within the same proposed budgetary figure of £30,000. Members agreed the recommendation should include the two additional events.

Reasons for Recommendations

1. Breckland Council has a historic alliance with the armed forces, as well as a strong track record of facilitating such commemorative activity within its communities in the recent past. The grant scheme will build on those which have gone before it and maximise the amount of Breckland residents able to participate in the national celebrations.
2. The NCF are experts in grant management and administration and would provide both a better service to the community, and better value for money, through the ability to signpost groups to a wider number of available grant schemes.
3. The decision would allow current council resources to be better focussed on more proactive and preventative work with local communities and partner agencies, in particular around the health and social care agenda, rather than administration of the grants scheme.

Options

1. Approve the recommended VE and VJ Day Celebratory Grant Scheme.
2. Approve the recommended VE and VJ Day Celebratory Grant scheme as outlined within the report and recruit a 0.25fte Communities Officer resource to manage and administer the scheme internally at a cost of £8,652.
3. Do nothing.

**RESOLVED:**

1. That a £30,000 VE and VJ Day celebratory grant scheme for community events to commemorate the 75<sup>th</sup> Anniversary of the end of World War II; the 80<sup>th</sup> Anniversary of Dunkirk and Battle of Britain, in 2020 be approved,
2. The VE and VJ Day, and the Dunkirk and Battle of Britain celebratory grant scheme be administered by the Norfolk Community Foundation (NCF).

**71/19 BRECKLAND TOWN DELIVERY PLANS**

The Leader presented the report that would bring together through a delivery partnership all major public sector strategic planning and delivery stakeholders that would impact on Breckland's residents and businesses.

**Action By**

Councillor Borrett asked how the plan's progress would be monitored and measured. The Chief Executive informed Members that lessons would be learnt from other Authorities and be clear on how to influence other capital programmes and decision making with stakeholders.

Reasons for Recommendation

The proposal provided a means of undertaking a comprehensive review of market town delivery priorities underpinned by strong public engagement and an opportunity to build a sustainable delivery governance model.

Options

- 1) Cabinet recommends to Full Council to approve allocation and spend of up to £392,000 to allow development of delivery plans for Breckland's five market towns. Cabinet also recommends to Full Council, subject to a successful funding application, to approve acceptance of up to £196,000 from the Norfolk Rates Business Pool (BRP) to support the project and authorises the Chief Executive in consultation with the Leader to approve the terms of the grant and enter into the grant agreement.
- 2) Cabinet recommends to Full Council not to approve the allocation and seek alternative proposals for the strengthening of public sector planning and delivery in Breckland's market towns.

**RESOLVED to Recommend to Full Council:**

- 1) Allocation and spend of up to £392,000 to allow commissioning of delivery plans for Breckland's five market towns be approved;
- 2) Subject to a successful funding application, acceptance of up to £196,000 from the Norfolk Business Rates Pool (BRP) to support the project and authorise the Chief Executive in consultation with the Leader to approve the terms of the grant and enter into the grant agreement be approved.

**72/19 SNETTERTON ELECTRICITY POWER UPGRADE PROJECT**

The Executive Member for Finance and Growth explained that the Council had entered into contract with UK Power Networks (UKPN) for the construction of the new Primary Substation for Thetford. The detailed design exercise had led to revised project costs which were higher than previously anticipated. In order to ensure the project could be delivered as originally proposed, the Council had formally requested an uplift of the Norfolk Business Rates Pool grant award of £156,541. Both the LEP and Norfolk County Council were working closely with the Council on the project along with the land owners too.

Councillor Martin asked if consideration could be given to providing a cycle path between Snetterton and Attleborough. The Director of Planning and Building Control confirmed work was underway to consider sustainable forms of transport between the local towns and Snetterton.

Reasons for recommendation

Acceptance of the additional grant funding supports the completion of the new 11kV Distribution Ring at the earliest possible date, estimated at Autumn 2020, whilst maintaining an adequate level of project budget contingency.

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Delaying the work on the new distribution ring could potentially jeopardise a number of development projects at Snetterton Heath which are currently in negotiation.

Options

- 1) Proceed as per the report recommendations (recommended). Under this option, the authority will accept the additional £156,541 of grant funding from Norfolk Business Rates Pool so that the Distribution Ring works could proceed.
- 2) Do not accept the additional BRP funding (not recommended). Under this option, the authority would have the budget to deliver the substation but not the distribution ring. This would undermine the ability of the project to deliver its overarching stated aims, which were to support with power distribution to and around the Snetterton Heath employment area.

**RESOLVED to Recommend to FULL COUNCIL:**

That acceptance and spend of a Norfolk Business Rates Pool (BRP) grant value uplift of £156,541, from £782,706 to £939,247, in order to support with the delivery of a power distribution solution for the Snetterton Heath employment area, be approved.

**73/19 NORFOLK FA ARTIFICIAL GRASS PITCH PROJECT – BRECKLAND LEISURE CENTRE & WATERWORLD**

The Executive Member for Community, Leisure and Culture presented the report that asked Members to consider the release of funds to contribute towards the re-development of the Multi Use Games Area (MUGA) at Breckland Leisure Centre and Waterworld in Thetford.

Councillor Terry informed Members that residents had raised queries over the height of the fence and had asked if this could be raised to stop the footballs going over the fence. In addition, the Thetford Hockey Club also used the site and he asked if there could be the opportunity to provide an additional pitch for the hockey club to use. The Executive Director of Place confirmed the issue of the fencing would be addressed. He went on to say that having talked to the Football Foundation, Hockey could not be accommodated on the pitch, and was committed to working with the Hockey Club to seek an alternative site.

Reasons for Recommendation

- 1) The non-technical feasibility report delivered from TRI-Sports showed a potential significant increase in participation that could see an increase from 45% to 80% hire rate at the facility.
- 2) The Football Association training model estimated that there was a need for four full sized 3G artificial grass pitches within the Breckland District area. Current supply showed there was one full-sized pitch based at Dereham Neatherd High School, with a second small-sized pitch based at Dereham Northgate High School.
- 3) The existing Multi Use Games Area (MUGA) was laid in 2006 with no evidence of ever being resurfaced. The Neil Allen Associates report from 2017 identified that the average age for a pitch carpet is 6-10 years, dependent on the level of use. This means the existing MUGA was at the end of its expected lifecycle.

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- 4) The overall cost for the project would cost £440k without the local football facilities plan initiative from the Football Foundation. The initiative essentially allowed the project to be completed and a high spec new facility to be built for £96k.

Options

- 1) Agree the release of funds to part contribute to the installation of a 3G Artificial Grass Pitch in replacement of the existing Multi Use Games Area at Breckland Leisure Centre & Waterworld, Thetford.
- 2) Do nothing.

**RESOLVED** to release funds of up to the amount of £96,000 from the community reserve for the redevelopment of the Multi Use Games Area (MUGA) site at Breckland Leisure Centre & Waterworld, Thetford with a third-generation (3G) Artificial Grass Pitch (AGP) being installed at its replacement be agreed.

**Cabinet Recommends to Full COUNCIL:** to accept all grant funding including the contribution from Parkwood and set up necessary budgets to spend the grant.

**74/19 NORFOLK STRATEGIC PLANNING FRAMEWORK**

The Planning Policy Manager informed Members that the Norfolk Strategic Planning Framework document set out agreements between Local Authorities and key statutory organisations which met a number of legal and regulatory requirements when preparing Local plans. The Authority must also discharge a legal 'duty to co-operate' with neighbouring authorities in relation to strategically important land use issues which cross administrative boundaries.

The report set out a number of agreements that covered key issues to meet housing and employment needs as well as an emphasis on the environment.

Members questioned why the UK Power Networks were not added as part of the Agreement statements, which would be considered by Officers.

Reasons for Recommendation

To ensure that Breckland continued to have a strong voice within Norfolk and to establish key areas of common ground on key areas relating to the local economy, housing, infrastructure and environment and delivery matters in a cost effective manner.

Options

- 1) That Cabinet endorsed the draft Norfolk Strategic Planning Framework.
- 2) That Cabinet does not endorse the strategy and risks losing influence during the next round of plan preparation and a failure under the duty to co-operate requirement.

**RESOLVED** that:

- 1) the Norfolk Strategic Planning Framework and Statement of Common Ground 2019 and the agreements contained therein be endorsed by Breckland District Council.
- 2) the Council support and welcomes the commitment to continued co-operative working and periodic review of the framework and in

**Action By**

particular would support further collective work in relation to climate change.

**75/19 QUARTER 1 2019-20 PERFORMANCE OVERVIEW REPORT**

The Deputy Leader and Executive Member for Governance presented the report that provided an overview of the Council's performance for the period 1 April 2019 to 30 June 2019. The report had been produced in a new format and the information would be used to inform what support the Council needed to provide.

Members noted the contents of the report.

**76/19 REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMISSION (STANDING ITEM)**

Nothing to report.

**77/19 NEXT MEETING**

The arrangements for the next meeting on Monday 2 December at 9.30am in the Norfolk Room, Elizabeth House, Walpole Loke, Dereham were noted.

**NB:** Members were asked to note the additional meeting of Cabinet that had been arranged for Monday 4 November at 9.30am in the Norfolk Room, Elizabeth House, Walpole Loke, Dereham.

**78/19 BRECKLAND BRIDGE EXTENSION**

(The Executive Member for Finance and Growth, and Maxine O'Mahony the Executive Director for Strategy and Governance left the meeting prior to this item).

The Executive Member for Contracts and Assets presented the report to Members that asked if the Council should continue the Breckland Bridge property development joint venture partnership. He highlighted that there were some changes in the scheme due to lessons that had been learnt along the way. Whilst it was considered a risk for the Council in terms of costs if projects should overrun, everything had been put into place to mitigate those risks. He went onto recommend Option two to Members.

**Reasons for Recommendation:**

Overall the performance outputs of the joint venture have been good based on the two projects which had been completed (Riverside and Mileham) and the forecast outputs from the third project (Chapel Road, Attleborough) were positive. It had been an effective partnership so far and the Council had been able to obtain income from land receipts and loan interest. The joint venture had also added capacity to the Council's property teams and thus access to strategic property advice. The guidance had been efficient and cost effective and delivered at speed which would otherwise had to have been procured. It should not be under-estimated given the additional activity the joint venture had undertaken. The joint venture had also undertaken work to prepare sites for a more delivery-focused business plan over the next period, subject to the decision to continue.

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The Council needed to consider whether to continue with the partnership and the main reasons for doing so were set out below:

- Breckland Bridge was now established and should deliver both a financial return and housing return over the next 5-10 years.
- The next business plan was financially viable, based on the assumptions upon which it had been modelled and providing the risks were managed and the controls embedded within the legal documentation were adhered to.
- There were added benefits to being in the partnership and the changes that were proposed reflected the learning from the first business plan period. This would improve the outputs for the second period which would be more delivery focused with less overhead on the company. It would not lose the flexibility of receiving services from the partnership as required. The re-focused financial vision would also assist the joint venture.
- Delivery over the initial period had been good and the partner Land Group wanted to stay involved in the joint venture.
- Projects had been successfully delivery on time and within budget and achieved what they set out to achieve and they (Mileham) had made a financial surplus.
- The ability to access additional property development expertise and skills efficiently.
- Additional ad-hoc work property related could be undertaken without the need for procurement.
- Allowed for delivery quickly without need for individual procurement on individual projects.
- There was an established and trusted partnership infrastructure and there was no need to re-procure the partner.
- By continuing the joint venture, the Council gained further value from the procurement investment and set up costs.
- There were known break points over the next 10 years should the Council wish to exit.
- The Council earns an enhanced rate of return on its surplus cash.
- An independent property development consultant had undertaken a thorough assessment of the proposed financial model for the next phase of the partnership and concluded that - *the Council would appear to receive a return commensurate with the risk likely for these types of development*

The Council had obtained development and delivery capacity and expertise and skills to deliver complex projects on time and budget against low land values and at the same time creating a financial surplus subject to managing the identified risk.

Options

**Option 1** – Continue to be a partner in the Breckland Bridge joint venture vehicle and in doing so:

- a) Issue an Extension Notice (on the basis of the terms set out in the report) to the Land Group LLP to continue the partnership per the Shareholders Agreement.
- b) The Leader of the Council to continue as the nominated Shareholder



**Action By**

Representative and to undertake all necessary shareholder decisions except for the approval of the business plan annually which is delegated to Cabinet.

- c) To continue the existing governance arrangements and in doing so:
- i. Delegate all the relevant shareholder consent matters to the Shareholders Representative.
  - ii. Delegate the appointment (and any subsequent removals or re-appointments) of:
    - the Officer Director to the Chief Executive.
    - the External Director to the Shareholder Representative.
    - the Member Director to the Shareholder Representative.
  - iii. Indemnify the Council's appointed Directors from personal liability.

d) To continue the appointments of the current Breckland Council appointed Directors to Breckland Bridge until changed by either the Chief Executive or Shareholder Representative (as per c) above.

**Option 2** - As per Option 1 above with the addition of:

- e) Approve the additional small site project delivery.

**Option 3**

Do not continue to be a partner in the Breckland Bridge joint venture vehicle and do not extend the partnership.

If the Council should not continue the joint venture all three initial projects from the initial business plan had been completed and any additional authorised projects any current debt or surplus in the company would be distributed or supported by the shareholders. The Council would receive (if surplus exists) or contribute (if debt exists) 90% to the total. Appendix 3 provided further analysis on the alternative options available to the Council if the option was taken. Further analysis of the options in Appendix 3 would be undertaken and brought back to Members.

**RESOLVED** that **Cabinet Approve Option 2 as stated below:**

Continue to be a partner in the Breckland Bridge joint venture vehicle and in doing so:

- a) Issue an Extension Notice (on the basis of the terms set out in this report) to the Land Group LLP to continue the partnership per the Shareholders Agreement.
- b) The Leader of the Council to continue as the nominated Shareholder Representative and to undertake all necessary shareholder decisions except for the approval of the business plan annually which was delegated to Cabinet.
- c) To continue the existing governance arrangements and in doing so:
  - i. Delegate all the relevant shareholder consent matters to the Shareholders Representative.
  - ii. Delegate the appointment (and any subsequent removals or re-appointments) of:

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- the Officer Director to the Chief Executive.
  - the External Director to the Shareholder Representative.
  - the Member Director to the Shareholder Representative.
- iii. Indemnify the Council's appointed Directors from personal liability.

d) To continue the appointments of the current Breckland Council appointed Directors to Breckland Bridge until changed by either the Chief Executive or Shareholder Representative (as per c) above.

e) Approve the additional small site project delivery.

**RECOMMEND TO FULL COUNCIL** that:

a) The new business plan be agreed as outlined in summary in Table 3 of the report.

b) The financial requirements of the business plan be agreed and delegate the S.151 Officer to undertake any related ancillary matters in order to implement the recommendations of the report and amend the capital and revenue budgets and any other on-going expenditure and release of funding including the following:

- (i) Award loans in accordance with the Council's adopted Treasury Management Policy.
- (ii) Release up to £20,000 for the legal fees to undertake the legal due diligence and extension documentation.
- (iii) Provide the funding and approval of the provision of the client support post.

**79/19 EXCLUSION OF PRESS AND PUBLIC**

The exclusion of the Press and Public was not required.

**80/19 BRECKLAND BRIDGE EXTENSION**

The item was not required.

The meeting closed at 11.00 am

CHAIRMAN