
BRECKLAND COUNCIL

At a Meeting of the

CABINET

**Held on Tuesday, 12 January 2010 at 9.30 am in
Norfolk Room, The Committee Suite, Elizabeth House, Dereham**

PRESENT

Mr J.W. Nunn (Chairman)	Lady Fisher
Mr W.H.C. Smith	Mrs T. Hewett
Mr S. Askew	Mr M.A. Kiddle-Morris
Mr P.D. Claussen	

Also Present

Mr J.P. Cowen	Mrs D.K.R. Irving
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In Attendance

Robert Barlow	- Director of Governance and Finance
Julie Britton	- Senior Committee Officer
Phil Daines	- Development Services Manager
Mark Finch	- Head of Finance
Mark Stokes	- Deputy Chief Executive
Andrew Grimley	- Principal Environmental Health Officer
Andrew Gayton	- Historic Buildings Officer
Trevor Holden	- Chief Executive
Maxine O'Mahony	- Director of Organisational Development
Stephen James	- Policy and Performance Manager
Stephen McGrath	- Member Services Manager
Robert Leigh	- Marketing and Communications Manager

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1/10 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 8 December 2009 were confirmed as a correct record and signed by the Chairman.

2/10 APOLOGIES (AGENDA ITEM 2)

An apology for absence was received from Mr R Goreham.

3/10 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Mrs D. Irving and Mr P. Cowen.

4/10 BUDGET SETTING REPORT - ESTIMATES 2010/11 (AGENDA ITEM 7)

The Director for Governance and Finance presented the report.

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The budget setting report had been approved for consultation at the Cabinet meeting on 27th October 2009. The period of consultation had now concluded and Members were being asked to consider the revised budget proposals for 2010/11 and the indicative budget through to 2014/15.

The report reflected the views of Officers, Members and the public who had provided feedback through a substantial consultation exercise.

Officers had been asked to prepare a budget setting report, which was as clear and easy to understand as Local Government allowed, a report that was clearly married to other elements of the Council's Performance and Policy Framework and, in comparison to other years, a much closer alignment to the Council's Annual Delivery Plans to ensure that our resources clearly supported its priorities.

There had been many challenges in trying to set such a robust budget and it was accepted that the turbulence within the economy would no doubt require the Council to adjust its budgetary assumptions during the year ahead.

The Director of Governance and Finance elaborated and emphasised the difficulties that had been placed upon the Council - the lowering of the base rate, the uncertain position of investments placed within institutions that had found themselves in financial difficulties and the public sector spending deficit which would require the Council's finances to be reshaped for possibly many years to come.

The financial performance of the Council in prior years had been sound and had led to adequate balances which had assisted the setting of a robust budget. Government's expectations to become more efficient had been recognised and the Council already had plans in place to react as necessary to ensure its budgets remained sustainable.

The key elements of the budget had been well rehearsed and the requirements of the Local Government Act 2003 had been met. The Director of Governance and Finance was content that the Council's budget was sound and robust and had adequate levels of reserves.

If Council approved the budget, there would be a spend increase of £253,000 to £14.4m. This would give rise to a Breckland precept of £2.7m which equated to a Band D Council Tax of £64.05; a percentage increase of 0%. This charge remained the lowest of any District in England and formed only 4% of the total Council Tax collected from Breckland residents.

The budget report demonstrated the thorough work that Officers had undertaken to produce a comprehensive approach to budget setting.

The recommendations to Council were highlighted at section 21 of the report.

The Chairman supported the budget proposals and commended the exemplary report.

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The Vice Chairman echoed what had been said about the Officers and thanked the Chief Executive and the staff involved for all their hard work over the past 12 months.

He mentioned the very positive response that the Council had received from the Audit Commission. Analysis of the recent Place Survey showed that out of 201 districts, Breckland Council had been placed 22nd for providing value for money and he believed supporting this, the Performance Team had developed the best performance management system in Norfolk allowing all elements of performance to be monitored.

The whole process was much more streamlined and he was pleased to announce that Breckland was the first Council in Norfolk to preset its budget.

Public spending was likely to be reduced by the Government by up to 30%. The Council, despite these uncertain times ahead, was aspiring to keep the Council Tax down until 2014 and maintain the quality of its services.

He wished for it to be clearly understood, from a public point of view, that the special expense charge for the Dereham Thetford, Watton and Bawdeswell areas was for the maintenance of lighting on public footpaths, which was in addition to the precept raised by Breckland Council across the District. Attleborough and Swaffham had elected to be recharged directly for its public lighting costs so it formed part of their own precept. Other parish councils maintained their own footpath lighting requirements and also managed this cost through their own precepts.

He also mentioned the Local Government Review which still covered the Council in uncertainty.

The Vice-Chairman addressed the matter of the Icelandic bank situation following the recent articles in the press. He pointed out that the Audit Commission had been very fair with its views and had stated that Breckland Council was not to blame for something that it did not have any knowledge of.

The Chairman of the Overview & Scrutiny Commission asked if the Icelandic decision with regard to the distribution of creditors and local authority claims would have any impact on the Council. Members were informed that although there was a risk on how much money was likely to be recovered it would not have any bearing on the Council's investments.

Moving on to the General Fund balance, the Vice-Chairman pointed out that although this stood at £3.5m, he believed it to be prudent for the authority at this time.

He congratulated the Officers for producing such a balanced budget in such difficult circumstances.

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Options

No alternative options were presented; however, Cabinet was able to make amendments before recommendation to Council.

Reasons

To comply with the budgetary and policy framework.

RECOMMEND to Council that:

- 1) the revenue estimates and parish council expenses for 2010/11 and outline position through to 2014/15 be approved;
- 2) the capital estimates and associated funding for 2010/11, and outline position through to 2014/15 be approved;
- 3) the fees and charges shown at Appendix 4 of the Cabinet report, for adoption on 1st April 2010, be approved; and
- 4) Council sets the Council Tax for a Band D property in 2010/11 at £64.05.

**Alison
Chubbock**

5/10 COUNCIL ENFORCEMENT POLICY (AGENDA ITEM 8)

The Principal Environmental Health Officer presented the report which recommended the approval and adoption of the revised Enforcement Policy.

Members noted that the Council now had a Policy that could be used to ensure that all enforcement actions were both fair and consistent.

The Vice-Chairman asked how the Council went about ensuring the safety of Officers visiting establishments. Members were advised that the Council operated a booking out system which was monitored by the Environmental Health Team. The Officer would be accompanied by colleagues or the Police if there were any serious situations that had to be dealt with.

Options

To accept/reject or make amendments to the Policy.

Reasons

The Policy had been revised to take account of current requirements and would be reviewed annually. Revisions had been made following discussion of the report at the Executive Board meeting on 14 December 2009.

RECOMMEND to Council that the revised Breckland Council Corporate Enforcement Policy be adopted

**Andrew
Grimley**

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6/10 ST MARY THE LESS, THETFORD (AGENDA ITEM 9)

The purpose of the report was to secure funding to enable the preservation of the redundant church of St Mary the Less, Old Bury Road, Thetford, a Grade II Listed Building, which had been included on both English Heritage's and the Norfolk County Council's registers of Listed Buildings at Risk.

A revised Proforma B was circulated.

Quotes had been prepared to ensure the preservation of the building.

The Historic Buildings Officer provided Members with the background of how the Church had resulted in such a state of unacceptable decline. The building was now considered to be more at risk since the collapse of a large section of roof before Christmas which had exposed parts of the aisles. The Secretary of State would also be informed of this matter.

Members were informed that English Heritage had offered its assistance subject to a successful application. If successful, a Section 54 Notice would be served on the current owner of the Church. The Council would seek to recover costs from the owner if such an Order was served. There was a risk that this money would be irrecoverable and, therefore, the Cabinet was being asked to recommend to Council the authorisation of funds to enable the works to be carried out.

Mr D Jeffrey from the Thetford Society was in attendance. He asked what would happen if the application to English Heritage was unsuccessful. In response, the Historic Buildings Officer advised that a further report would have to be brought back to Cabinet.

The Chief Executive pointed out that all matters had been covered in the context of the report. However, he felt that it would be extremely unfortunate and a highly unlikely scenario for the aforementioned circumstances to prevail.

The Vice-Chairman felt that our heritage was crucial and it was imperative that this link to the past was preserved. He deplored the current state of the building but felt that the Council, in these circumstances, had a duty to protect and preserve English Heritage; it also had a duty to protect the public purse. He felt the current owner should be ashamed for not looking after the building and allowing the planning permission to lapse. He did have concerns, however, about the church's long term viability.

The Chairman agreed that the owner should honour his commitments and proposed that the Council's Legal Team be instructed to pursue the owner to recover any costs associated with the Section 54 Notice. He hoped that this would lead to the owner meeting his own responsibilities.

The Overview & Scrutiny Commission Chairman said that it was incumbent on this authority to pursue the repairs. This might encourage the owner to continue with the work once the remedial works had been carried out. Thetford would see significant growth and investment in the future so it was imperative that the older buildings in the town were

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maintained.

The recommendations, including the additional recommendation to pursue legal action to recover all costs (if necessary), were supported.

Options

1. Following authorisation and successful application to English Heritage for grant aid, serve an Urgent Works Notice on the owner of the building.
2. Continue the current dialogue with the owner and owner's agent, which was proving to be ineffective, given the severity of the current situation, to secure the preservation of the building.
3. Do nothing.

Reasons

The authorisation to apply for grant aid to English Heritage would, assuming that the application was successful, underwrite a maximum of 80% or £30,000 of unrecoverable costs which would potentially only require a 20% contribution from the authority plus a shortfall as described in paragraph 3.1.6 of the report.

An Urgent Works Notice, whether it was funded externally or internally, would enable the execution of works required for the immediate preservation of the external envelope of the building's fabric with the least financial outlay.

RESOLVED that

- 1) a formal application be made to English Heritage for grant aid to underwrite up to a maximum of 80% or £30,000 unrecoverable costs associated with the execution of works applicable to an Urgent Works Notice in accordance with Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 – hereafter referred to as the Act; and
- 2) following a successful application to English Heritage, the serving of a Section 54 Notice on the current owner of the Church be pursued; and
- 3) if the owner fails to undertake the work the Council's Legal Team be instructed to pursue the property owner to recover any costs associated with a Section 54 Notice.

RECOMMEND to Council that in the event that the owner does not comply with the Urgent Works Notice, and if the grant application to English Heritage is successful:

- 1) the full amount of £47,000 be authorised from the capital receipts to fund this work in its entirety, prior to the approval of undertaken works and subsequent claiming of funds from English Heritage to a

**Andrew
Gayton**

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maximum of £30,000; the remaining £17,000 to be provided outright by Breckland District Council. The condition of this payment is that Breckland Council seeks the recovery of monies from the buildings owner.

- 2) If the application to English Heritage is unsuccessful, the total capital cost of £47,000 be authorised to fund this work; this would be subject to a further report back to Cabinet if and when required.

7/10 ANGLIA REVENUES AND BENEFITS PARTNERSHIP (AGENDA ITEM 10)

1. Budget 2010-11 (ARP Minute No. 54/09)

RESOLVED that the relevant part of the ARP partnership budget relating to Breckland Council's budget be adopted.

2. Minutes

The Minutes of the Anglia Revenues and Benefits Partnership Joint Committee were noted.

8/10 BUSINESS IMPROVEMENT SUB-COMMITTEE: 1 DECEMBER 2009 (AGENDA ITEM 11)

The Vice-Chairman drew Members' attention to Minute No. 41/09. He congratulated the Business Improvement Team for the work it had done with regard to the council tax – benefit realisation status. He pointed out that before this project started the level of calls that could be dealt with at the first point of contact by the Contact Centre was only 29%. This project was now delivering benefits with over 90% of the calls being taken resulting in a huge reduction in calls to the back office Revenues Team.

RESOLVED that the Minutes of the Business Improvement Sub-Committee meeting held on 1 December 2009 be adopted.

9/10 NEXT MEETING (AGENDA ITEM 12)

The next meeting of the Cabinet would be held on Tuesday, 2 March 2010 at 9.30am in the Norfolk Room, Elizabeth House, Dereham.

The meeting closed at 10.05 am

CHAIRMAN