2037 THE QUEEN – DIAMOND JUBILEE

The Chairman suggested that a letter be sent before the next meeting of the Cabinet, congratulating her majesty, the Queen, on her 60th anniversary of her accession to the throne.

RESOLVED: That a letter be sent to the Queen, congratulating her on the 60th anniversary of her accession to the throne.

2038 DECLARATIONS OF INTEREST

The following member declared a personal interest in the matter listed below:

<table>
<thead>
<tr>
<th>Member</th>
<th>Minute No.</th>
<th>Nature of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cllr K Kiddie</td>
<td>2047</td>
<td>Member of the Diss Youth Resource Base Steering Group</td>
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</table>
2039 MINUTES

The minutes of the Cabinet meeting held on Monday 23 January 2012 were agreed as a correct record and signed by the Chairman.

2040 CAPITAL AND TREASURY REVIEW QUARTER 3 2011/12

The subject of the decision

Members considered the report of the Principal Accountant, which monitored the Capital Expenditure and Treasury Management activities in the third quarter of 2012.

The Principal Accountant outlined her report to members. She explained that the overdraft limit had been exceeded by £227,000 last December due to a clerical error. Cabinet was pleased to note that at year end it was anticipated that the Council would have exceeded its budget for interest from investments by approximately £90,000.

During discussion, attention was drawn to the investment of £3 million with Doncaster Council, (not Doncaster Building Society as had been referred to in Appendix A). Members noted that investments in local authorities were a more secure option for larger long term investments.

The Decision

RESOLVED: TO RECOMMEND THAT COUNCIL
a) Notes the progress of the Capital Programme for the third quarter and the financing thereof;
b) Notes the treasury activity in quarter three and that it complies with the agreed strategy;
c) Notes the overdraft limit being exceeded by £227,000 on 22 December 2011;
d) Approves the quarter three 2011/12 prudential indicators;
e) Approves the slippage of the provision for Travellers site £300,000 budget into 2012/13.

The Reasons for the Decision

To ensure a good return on the Council’s investments in accordance with the Treasury Management Strategy.

2041 FINANCIAL & PERFORMANCE REVIEW QUARTER 3

The subject of the decision

Members considered the report of the Financial Services Manager and the Performance and Business Planning Manager, which summarised the performance of the Council against its priorities for the third quarter of 2011/12.
The Performance and Business Planning Manager drew attention to the combination of savings, more efficient ways of working and careful and continuous review of posts, which had led to a lower cost base for the proposed budget for 2012/13. He added that evidence suggested that these savings had not resulted in reduced performance, but sustainable and more efficient ways of working, providing value for money.

During discussion, Cllr K Kiddie referred to the annual estimated recycling rate, explaining that he was hopeful that the final figure at year end would be on target. Cllr M Gray felt the target for 2012/13 of 41% failed to be ambitious enough in light of the estimated outturn for 2011/12 of 42%. The Director of Development and Environment explained he expected the amount of recyclable waste to reduce as residents were throwing less away. For example there had been a reduction in the amount of newspapers being disposed of for recycling, which was a knock on effect from the decline in newspaper sales. Cabinet therefore agreed that the target of 41% was appropriate.

In response to questions, the Performance and Business Planning Manager explained that it was now more difficult to compare performance with other councils, however, a comparison of the more traditional performance measures such as housing benefits, would continue. Members were advised that there would be an opportunity for members to view a demonstration of the new Corvu performance management system and the dates of these sessions would be communicated to members shortly.

Members noted that this was the last Cabinet meeting for the Performance and Business Planning Manager, before his retirement on 21 March 2012. The Cabinet expressed its appreciation for his careful and diligent work in what was a key area for the Council, and wished him a long and happy retirement.

The Decision

RESOLVED:

a) To note the issues raised by Members when reviewing the financial and performance overview for Qtr 3 and the actions officers are taking in response to these;

b) To agree the Performance Plan and the targets set for 2012/13 so that they deliver the Council’s Plans and they can be cascaded into individual work plans in March through the Council’s revised Performance Review Scheme;

c) To agree the funding of four temporary posts to assist with the implementation of new systems to bring in efficiencies as rapidly as possible. These are to be funded in 2012/13 from the increased General Revenue Reserve following the positive variance against budgets for 2011/12.
The Reasons for the Decision

To ensure that the Council is prepared to face the financial challenges ahead, whilst delivering on its priorities.

2042 BUDGET CONSULTATION

The subject of the decision

Members considered the report of the Financial Services Manager, which outlined the key messages, resulting from the Council’s on-line budget consultation exercise.

The Financial Services Manager updated members on the responses received to the consultation. There had been a further 22 responses received since the report had been published, however these additional responses had not changed the overall conclusion of the report.

The Chairman felt it had been a useful exercise but was disappointed that more responses had not been received.

The Decision

RESOLVED: To note the feedback received from the Council’s on-line budget consultation exercise.

The Reasons for the Decision

To take in to account issues raised when determining the budget and level of Council Tax for 2012/13.

2043 REVENUE BUDGET AND COUNCIL TAX 2012/13

The subject of the decision

Members considered the report of the Financial Services Manager, which examined the Council’s revenue budget for 2012/13 and proposed a freeze on the level of Council Tax.

Cllr G Wheatley praised staff for the effective control of Council finances and the levels of savings made. He referred to the Council’s efficient business planning and the healthy balance on reserves.

The Financial Services Manager confirmed that the estimates contained within the budget were of a prudent nature with all known costs budgeted for and a realistic estimate of income budgets. She had no hesitation in confirming that the current level of reserves, which were at their highest for some time, was adequate.
Whilst outlining the key areas of the report, the Financial Services Manager drew attention to the pace of savings made, which had allowed the Council to make a contribution to reserves. Members welcomed the proposals to freeze the level of Council tax, making use of the Council Tax Freeze Grant. It was noted that most fees and charges remained at their current level, although there would be increases in leisure services and there were plans to introduce pre-application planning charges. Turning to future years, the Financial Services Manager stressed that it was difficult to forecast future funding levels, but she predicted that the Council would need to save or generate savings in the region of £1 million between 2013/14 and 2014/15 in order to continue to achieve a balanced budget.

The Chairman commended the budget to members, reminding Cabinet that this was the fourth year in five that Council Tax levels had been frozen. He referred to the increase in reserves and the investments made to ensure a more stable economy.

The Decision

RESOLVED:

1. To note:
   
   (a) the comments and actions arising from the Scrutiny and Overview Sub-Committees January meetings;
   
   (b) the advice of the section 151 officer with regard to section 25 of the Local Government Act 2003;
   
   (c) the position regarding parish precepts;
   
   (d) the future budget pressures contained in the Medium Term Plan

2. TO RECOMMEND TO COUNCIL:

   (a) the approval of the base budget, as shown in para. 8.1 of the report, subject to confirmation of the Revenue Support Grant figures which may necessitate an adjustment through the general revenue reserve to maintain a balanced budget.

   (b) the creation of two earmarked reserves as listed below:
   
      • £500,000 - council tax benefits reserve to smooth out volatility of in year claimants
      
      • £1,500,000 – localisation of business rates to smooth out in year volatility of business rates received

   (c) that the Council’s demand on the collection fund for 2011/12 for general expenditure shall be £6,088,512 and for special expenditure be £77,663;

   (d) that the level of council tax be £130.68 for general expenditure and £1.67 for special expenditure.
The Reasons for the Decision

To provide a budget which meets the Council’s priorities and set a level of Council Tax affordable to residents.

2044 CAPITAL PROGRAMME 2012/13 - 2014/15

The subject of the decision

Members considered the report of the Principal Accountant, which presented members with the proposed capital programme for the period 2012/13 to 2014/15.

Cllr G Wheatley commended the report to members.

The Decision

RESOLVED: TO RECOMMEND TO COUNCIL:

a) That the assumptions on which the funding of the capital programme is based are prudent;

b) Approval of the capital programme for 2012/13 to 2014/15

The Reasons for the Decision

To ensure that the Capital Programme for 2012/13 to 2014/15 is fully funded and complies with Council policies.

2045 TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2012/13 TO 2014/15

The subject of the decision

Members considered the report of the Principal Accountant, which outlined the proposed Treasury Management Strategy, the Prudential Indicators, Minimum Revenue Provision and the Treasury Management Policy Statement for 2012/13 to 2014/15.

Members noted that investments would continue to be of a short term nature unless the security of the investment could be guaranteed.
The Decision

RESOLVED: TO RECOMMEND TO COUNCIL:

a) The Treasury Management Strategy Statement 2012/13 to 2014/15;

b) The Prudential Indicators and Limits for 2012/13 to 2014/15 contained within Appendix A of the report, including the Authorised Limit Prudential Indicator;

c) The Minimum Revenue Provision (MRP) Statement (section 8) sets out the Council’s policy on MRP;

d) The Annual Investment Strategy 2012/13 (section 5) contained in the Treasury Management Strategy, including the delegation of certain tasks to the Financial Services Manager;

e) The Treasury Management Strategy be applicable to CNC;


The Reasons for the Decision

To ensure that the Council’s finances are managed with minimum risk at maximum yield.

2046 “COMMUNITY EMPOWERMENT” DELIVERING THE LOCALISM AGENDA IN SOUTH NORFOLK

The subject of the decision

Members considered the report of the Chief Executive regarding plans to deliver a key part of the Localism Act 2011, by developing the roles of the Neighbourhood Boards to be the catalyst for community empowerment to encourage communities, individuals and relevant organisations to influence and improve service delivery and increase social capital.

Cllr M Wilby introduced the report, referring members to paragraph 2, which outlined the proposed community empowerment pilot. He urged members to support the recommendations of the report.

The Chairman drew attention to plans to use one third of the funds from the New Homes Bonus to enable local communities to help shape services and deliver on local priorities, as opposed to simply supporting ongoing budgets. He stressed that approval of the pilot would promote South Norfolk as a national lead in community empowerment and delivering the Localism Agenda.

The Chief Executive outlined the details of the pilot in more detail. She drew attention to the funding of the pilot scheme, its aims and ground rules, stressing that
it was critical to minimise bureaucracy. She explained that the intention of the scheme was not to grant funding for projects but to provide the funding to commission services.

Cllr M Gray explained that he was not against the devolution of decision making, but felt that the proposals were over ambitious, mis-timed and expensive. He was disappointed that the pilot did not ensure that those villages which bore the brunt of new development, would be rewarded financially. He also suggested that consideration should be give to areas of deprivation, when allocating funds.

Some members were concerned that the intention of the scheme lacked clarity and would prove to be confusing to residents. The Chief Executive drew attention to paragraph 6 and Appendix C of the report, which outlined the key principles and ground rules for the project.

The Chairman was confident, if communicated clearly, the pilot would be a success. He was disappointed that the Liberal Democrat Group was looking to restrict the ambition of the project, adding that by 2015, £1 million would have been distributed to local communities through the initiative.

The Decision

RESOLVED:

To agree:

a) To pilot an innovative scheme by developing the role of the neighbourhood boards to be the catalyst for community empowerment to encourage communities, individuals and relevant organisations to influence and improve service delivery and increase social capital as outlined in this report;

b) To incorporate the operation of the pilot scheme into the fy 2012/13 revenue budget;

c) The ground rules set out in Appendix C of the report, and to delegate further amendments that become necessary as the scheme develops, to the Chief Executive in consultation with the portfolio holder until the detailed, final arrangements are agreed at the full Council meeting in May 2012.

d) That any changes to the constitution are agreed at the full Council meeting in May 2012

e) To give authority to the neighbourhood boards to commence participatory budgeting, as the recognised mechanism for demonstrated local engagement in defining priority areas for enhanced service delivery.

The Reasons for the Decision
To deliver a key element of the Localism Act 2011.

2047 SOUTH NORFOLK ALLIANCE DISCRETIONARY GRANT FUNDING FOR NEIGHBOURHOOD PROJECTS

The subject of the decision

Members considered the report of the Locality and Communities Manager, which sought Cabinet approval for the five projects which had applied for discretionary funding from South Norfolk Alliance budgets, and had been prioritised by the five Neighbourhood Boards.

The Chairman reminded members that the South Norfolk Alliance (SNA) had agreed that £50,000 of SNA funding should be allocated to support neighbourhood priorities, subject to a number of requirements. The responsibility for allocating this funding had been delegated to the Cabinet by the South Norfolk Alliance. Cllr M Wilby expressed his support for the proposals contained within the report.

Members noted that the application from Bunwell Young Parents Project was still pending and a decision on this application would need to be delegated. The Locality and Communities Manager assured members that this application would undergo all the relevant consultation, as had all other applications.

The Decision

RESOLVED:
  a) To note the budgetary position, that funding is available to support the applications recommended in the report;
  b) To agree the recommendations for the applications summarised in the tables in section 3 of the report;
  c) That the decision to fund the Bunwell Young Parents' Project be delegated to the Chief Executive in conjunction with the Portfolio Holder for Community Empowerment and Building the Big Society and Neighbourhood Chair for Tas Valley.

The Reasons for the Decision

To support projects that contribute towards the Council’s priorities.

2048 DELIVERING AFFORDABLE HOUSING THROUGH ENABLING ACTIVITY

The subject of the decision

Members considered a report proposing new arrangements for delivering the Council’s enabling role in the provision of affordable housing.

Cllr Y Bendle outlined the proposals of the report to Cabinet. The Housing Strategy Manager stressed that the new arrangements were not an attempt to reduce the
enabling role, but more about refocusing resources to provide better value for the Council’s money.

Cllr M Gray expressed his support for the recommendations. Referring to paragraph 3.3, regarding the sites not selected as part of the Local Development Framework, he suggested that the Council should write to the promoters of suitable sites only, promoting the affordable housing exceptions scheme.

Discussion followed regarding the Council’s involvement in the exception site selection and it was agreed that this could be discussed as part of a further report to the Localism and Neighbourhoods Overview Sub-Committee. With reference to paragraph 2.6, it was suggested that the Design Review Panel should continue to meet until the Place Making and Design Guide was adopted policy.

The Decision

RESOLVED: That a revised programme of affordable housing enabling activity is developed for 2012/13 onwards on the following basis and the relevant Director be authorised to implement a new scheme in which:

(a) The funding is derived from the new homes bonus to the sum of £300,000 and future new homes bonus from the affordable homes supplement is allocated to this project;

(b) Officers develop a new scheme to enable financial support to be given to affordable housing projects; the scheme to be considered by the Localism and Neighbourhood Overview Sub-Committee;

(c) The Council continues to support the principle of housing for local needs under the exceptions policy via an enabling mechanism and will not renew the Low Cost Housing Project agreement with Saffron Housing Trust.

The Reasons for the Decision

To ensure continued provision of affordable homes for local people, whilst providing better value for the Council’s money.

2049 YOUTH ENGAGEMENT

The subject of the decision

Members considered the report of the Deputy Locality and Communities Manager, which outlined the current issues affecting young people in South Norfolk, and proposals to shape services to tackle these issues, in conjunction with partners.

Members expressed their support for the recommendations of the report.
The Decision

RESOLVED:

To

1. Endorse the development of the relationship between the Council and Norfolk County Council regarding the emerging South Norfolk Youth Advisory Board;

2. **RECOMMEND TO COUNCIL** that the portfolio holder for Community Empowerment and Building the Big Society be nominated to formally represent the Council on the YAB management board.

3. Support the development of Council services to focus on the areas outlined in the proposals in Appendix 4 of the report;

4. Endorse the approach of focusing working with partners to deliver services for young people around the five neighbourhood boards through the community empowerment pilot.

The Reasons for the Decision

To address the key issues affecting young people.

2050 CABINET CORE AGENDA

Members noted the latest version of the Cabinet Core Agenda.

2051 SHARED SERVICES/PARTNERSHIP WORKING – LEGAL SERVICES

The subject of the decision

Members considered the report of the Efficiency and Improvement Manager, which presented members with the Business Case for the options for the future provision of South Norfolk Council Legal Services.

Cllr D Bills presented the report, explaining that a joint meeting of the Scrutiny Committee and the Accounts Audit and Governance Committee had taken place back in January. Both committees had unanimously agreed to endorse the Business Case and in addition had recommended that an effective Change Management Plan be put in place.

The Deputy Chief Executive stressed that the aim was to increase resilience and flexibility, reduce costs and provide a greater all round service by working more effectively. He drew members’ attention to the recommendations of the report at paragraph 8.3.

The Solicitor to the Council addressed the Cabinet, wishing to clarify a number of issues that had arisen from the business case, report and previous discussions. He
advised that annual leave in the team was well planned; ensuring that adequate cover was always provided and staff were contactable by mobile phone in emergencies. He believed that the team provided both a proactive and reactive service. Sometimes, if required, advice was given in strong terms, but he stressed that this had been misinterpreted if it had been construed to be making decisions. With regard to paragraph 6.1 of the report, he acknowledged that the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) would protect the terms and conditions of staff when they first transferred, but stressed that the proposals were more than just a transfer of existing business with the same terms and conditions for staff and additional separate negotiations with staff would need to take place. He added that it had been a great privilege to have worked for the Council for 23 years, and assured members that should the Council decide to transfer the legal service to nplaw, he and his team would do their best to ensure a smooth transition of the business to nplaw.

The Chairman was grateful for the assurances from the Solicitor and thanked him and his team for their services to the Council. He stressed that it was a time of enormous change and the Council needed to think carefully about how it delivered all of its services.

Cllr M Gray had worked closely with the Solicitor to the Council during his time as Chairman of the Planning Committee, and he wished to thank him personally for his much valued advice over the years. He would be very sad to see the legal service transfer to nplaw, but acknowledged that the recommendations of the Business Case were sound and appeared to be the most sensible way forward for the Council.

It was agreed that the public and press and members of the legal team would leave the meeting before discussion turned to the Business Case. It was then proposed, seconded and

RESOLVED that under Section 100A (4) of the Local Government Act 1972, the public and press 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 paragraphs 1 and 3 of Part 1 Schedule 12A of the Act (as amended).

The Efficiency and Improvement Manager summarised the salient points of the Business Case. The transfer would of course result in financial benefits for the Council, but she stressed that the transfer was about more than making savings. She referred to the need for resilience and drew attention to the extensive knowledge and expertise of the nplaw team, high satisfaction levels at nplaw (which were similar to that for the Council’s in-house service) and the recruitment of the Compliance and Risk Manager to provide the in-house client role. She explained that a number of helpful and interesting points had been raised at the concurrent session of the Scrutiny Committee and Accounts Audit and Governance Committee, and these had been detailed at Appendix A of the report. With regard to previous queries concerning the legal advice provided to town and parish councils, members were advised that nplaw offered a service to which town and parish councils could subscribe.
Officers responded to a number of detailed questions from members.

In response to paragraph 10 of Appendix A, Cllr M Gray stressed the importance of a legal representative at all Planning Committees. The Chairman explained that this would, amongst other issues, form part of the Change Management Plan for the Council. The proposed transfer would require a key shift in the attitude of staff with regard to the necessity and nature of advice being sought.

**The Decision**

**RESOLVED:**

1) That officers formally inform the relevant Unions and staff that SNC is likely to join nplaw and therefore formal consultations can commence;

2) To note that should there be any change to the recommendations at Council, then Unions and staff would be informed of these, the reasons why and the implications of these changes on their current roles;

3) To note the Business Case and **RECOMMEND TO COUNCIL** that:

   1) SNC communicates to Norfolk County Council that it wishes to join nplaw from 1 April 2012, signing up for 10 years unless terminated in accordance with the provisions of the stakeholder agreement (SNC could withdraw from the partnership after 5 years if it so wishes but would need to give at least 1 years notice to do so);

   2) Formal due diligence work is undertaken as part of the project planning process;

   3) A Change Management Plan is developed to shape how SNC will manage the transition to nplaw, including staff resources, and will incorporate Member and Officer suggestions to feed into the Service Level Agreement;

   4) A six monthly performance review will be undertaken in the first year by Scrutiny Committee; Accounts Audit and Governance Committee will review Governance Arrangements in the summer of 2013;

   5) Details around the framework for service delivery are delegated to the Deputy Chief Executive in consultation with the relevant Portfolio Holder;

   6) The Stakeholder Agreement, New Participant Agreement and Service Level Agreement can be signed by the Deputy Chief Executive/Portfolio Holder in order to commence the service;

   7) Any constitutional changes be brought to the Council’s AGM in May 2012;
8) Council delegates to the Deputy Chief Executive, in conjunction with the relevant Portfolio Holder, any further decisions necessary to ensure the successful transfer of the service to nplaw from 1 April 2012;

The Reasons for the Decision

To ensure efficiencies and savings to the Council, whilst protecting services.

(The meeting concluded at 11.59 am)

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Chairman