

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 13 September 2018 at 10.00 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

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

In Attendance

Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Rob Walker	- Executive Director Place
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Ross Bangs	- Corporate Improvement & Performance Manager (shared)
Julie Britton	- Democratic Services Officer

Universal Credit Briefing

Members were reminded that a Universal Credit Briefing would take place immediately after the meeting and would be delivered by Anglia Revenues Partnership and the Department for Work & Pensions.

103/18 APOLOGIES (AGENDA ITEM 1)

Apologies for absence were received from Councillors Bowes, Clarke, Gould, Paul Hewett, Kybird, Matthews, Linda Monument, Newton, William Richmond, Rogers and Sherwood.

104/18 MINUTES (AGENDA ITEM 2)

The Minutes of the meeting held on 12 July 2018 were agreed as a correct record and signed by the Chairman.

Action By

105/18 DECLARATION OF INTERESTS (AGENDA ITEM 3)

Councillor Robert Richmond declared a personal interest in agenda item 10(a) – Planning Minutes 2 July 2018: Minute No. 81/18(d) by virtue of him being related to the applicant.

106/18 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

Dr Chris Bushby, the Chief Executive for the Chairman's chosen charity Big C, Norfolk's Cancer Charity, was in attendance to deliver a short presentation, and he thanked the Chairman and Members for their support. The "Big C Appeal" began in 1980 and was completely dependent on fund raisers. Surgical and diagnostic equipment at Norfolk's hospitals meant that increasing numbers of people could be treated locally and new equipment in hospitals had meant faster and less invasive treatment for a range of cancers. Research across the Norwich Research Park had resulted in significant discoveries as well as greater support within the community.

Booklets about the charity and help with fundraising leaflets had been left in the foyer for Members information.

The Chairman thanked Dr Bushby for his presentation.

The list of engagements that the Chairman had attended since the previous meeting had been attached to the agenda. The Chairman was pleased to announce that his Reception would be held on Sunday, 21 October 2018 from 4pm until 6.30pm at Gressenhall Museum. A tour of the Museum would also be provided for Members at 10.00am – Members were asked to respond to the invite as soon as possible as numbers would be required for both the tour, which would be on a free entry basis, and the reception. Dress code for the reception itself would be casual but no jeans.

The Chairman mentioned the charity cycle challenge that had recently been held for staff in Elizabeth House as part of the Wellbeing programme. Many volunteers had put their names forward to keep the spin cycle spinning all day which was all in aid of Macmillan Cancer support. He urged Officers to keep all Members informed of any further charitable staff events in future.

107/18 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 5)

The Leader provided Members with updates on the following matters:

- Street Lighting – procurement of the contract had completed successfully. Breckland had approximately 340 lighting columns that needed to be replaced within the first year of the contract. The remainder would be replaced over a 4 year period. All would be replaced with LED low consumption lighting which had a 30 year guarantee on the actual columns and an expected 8 year life on the head of the LED. This should generate a cost saving going forward both in terms of electricity and indeed maintenance.
- Waste Services – the joint procurement was going well with Kings Lynn & West Norfolk and North Norfolk District Councils. Due diligence was currently being undertaken by legal advisors and it was hoped that this would go out to the open market in November 2018.

Action By

- Market Town Initiative –under this initiative, the following matters were highlighted:
 - grants were still available not only for the market towns but also for the parishes/villages of Breckland;
 - a Market Town Co-ordinator post was now in place to ensure that these initiatives were being delivered;
 - ShopAppy now had over 100 businesses signed up to it and there had been approximately 15,000 individual hits on the site;
 - start-up business initiative, this was a new initiative in Dereham to start up a virtual reality app. Members were reminded of a young gentleman who came into the Council with a proposed tourism initiative driven by new technology. The Council had backed this initiative and had contacted a couple of tourism bodies to ascertain what they thought about changing the way that tourism was promoted. Stephen Fry had provided the narration for the app. It was hoped that the app would be launched at a Full Council meeting in the near future. The app would then be launched on the Apple platform which would enable anyone who came into our market towns to download the app on their iPhones and walk round whilst having a narrated tour of the area;
 - £20,000 had been awarded to Swaffham Town Council towards the regeneration of the Buttercross and surrounding area. The Council was also working with Thetford Town Council in relation to the Dad's Army Museum and murals for the World War One event. The Leader pointed out that the poppies currently on display that he had recently seen in Thetford were, in his opinion, quite spectacular. There were on-going conversations with all the market towns and all had been encouraged to come forward for the pot of monies available to help them remain viable and take on projects for this year and future years;
 - the Breckland Lottery launched earlier in the year had now raised nearly £30,000 for good causes across the District, with a total income of £50,000 from ticket sales.

Questions were then invited.

Councillor Jermy was very pleased to hear about the street lighting contract and felt that this was a big step forward; however, he was concerned about several street lights that had been removed over a period of time in his Ward and had not been replaced. He asked the Leader if there was any flexibility in the contract to install additional street lights or was this contract going to be on a 'like for like' replacement of the current stock. The Leader believed that the lights would be placed where they were needed to ensure that the light spread/illumination was appropriate for the place; there would be less street-ware but with better lighting.

Councillor Taylor lived in a Conservation Area and a number of years ago contractors had removed some of the old fashioned lamps and replaced them with new modern European lamps. However, one old lamp that remained was not working and he was hesitant to report it as he preferred not to have that particular lamp replaced as it was in character with the area. He wanted to know if it was Breckland Council who owned this lamp or Norfolk County Council. The Leader understood that if it was a genuine heritage lamp in Thetford the Town Council should be contacted to ensure that it was retained. He advised Councillor Taylor to report it and then follow the matter up with the Town Council.

108/18 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6 (AGENDA ITEM 6)

None.

109/18 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 7)

Councillor Jermy directed his question to Councillor Claussen the Portfolio Holder for Place (Health Lead). He apologised for not attending the recent Cabinet meeting but he had read the reports particularly the one in relation to the artificial pitch proposals (Cabinet agenda item 8). He had since been contacted by numerous members of Thetford Town Hockey Club who were concerned that they would not have anywhere to operate in Thetford as the location they currently used was the only suitable pitch in the area and, if these changes went ahead, they would not be able to continue playing there. The Cabinet report that had been agreed would involve the redevelopment of the existing Multi Use Games Area (MUGA) and replacing the existing sand dressed astroturf pitch with an all-weather 3G Artificial Grass Pitch (AGP) located at the Breckland Leisure Centre in Thetford. Councillor Jermy asked if the Portfolio Holder would commit to meeting with the Hockey Club members to discuss their concerns as reassurance would be appreciated. The Portfolio Holder was happy to meet with them, but pointed out that this project was currently at the feasibility study stage only. The funding would be coming from the Football Association who would have a great interest into how their money was going to be spent. He was aware of the Hockey Club's concerns but felt that the feasibility study should continue to assess any potential positive or negative outcomes of the project.

Councillor Brindle asked Councillor Claussen a question in relation to fly-posting. He was receiving more and more complaints about this matter particularly in relation to rival gymnasias/fitness activity groups in Thetford who seemed to be putting up notices wherever they could without relevant permission. He asked what the Council's policy was on this matter. The Deputy Leader, Councillor Sam Chapman-Allen, responded to this question and explained that this issue had already been raised by Councillor Hollis at a previous meeting and had been noted in the Minutes. However, any such matters should be reported to the Place Team who would then report it to Serco to action and, if appropriate, the agent/landlord would be contacted.

Councillor Taylor asked Councillor Adrian Stasiak, the Portfolio Holder for Assets about the recent social 'On the Green' events that had been held in Thetford. These events had proven to be very popular, so much so, that he had been asked if they could be moved around the town to other locations. However, he had been made aware that the monies for such events was limited. As it had been well received, he wondered if it could be repeated in future years in partnership with businesses within the town. The Leader stated that the proposal was to put £20,000 towards it for next year but it would have to be re-tendered.

Councillor Martin asked a question about Barnham Broom Golf & Country Club, the Council's investment asset. On the basis that this would normally be discussed as a private & confidential item, the Leader could not answer the question but would be happy to advise the Member after the meeting.

Councillor Hollis asked the Leader how he felt about the main Tesco's store in Thetford selling off some of its car park for units, a Costa and a burger bar. The Leader had recently had sight of this proposal in the local press and was not surprised as most businesses needed to get the best return from its assets. This

was however, subject to planning. Councillor Claussen, the Portfolio Holder for Place, felt that Tesco's timing was concerning and was, in his opinion, too early as Central Government was encouraging town centre regeneration. The number of initiatives that this Council was putting forward to try and make the town centres more vibrant was the complete opposite to the Tesco proposal.

110/18 CABINET MINUTES (AGENDA ITEM 8)

- a) Community Reserve Potential Projects (Minute No. 80/18)

RESOLVED that:

1. the allocation of £200,000 from the Community Reserve be spent on the funding of Employment Officers;
2. delegated authority be given to the Deputy Leader, the Executive Member of Place and the Executive Director of Place to approve the developing service specification and any associated procurement activity; and
3. £500,000 from the Community Reserve be allocated to establish a scheme of leasing/buying vacant shop units to be used as start-up units for small businesses.

- b) Adoption

RESOLVED that the now confirmed Minutes of the Cabinet meeting held on 24 July 2018 be adopted.

111/18 OVERVIEW & SCRUTINY COMMISSION (AGENDA ITEM 9)

- (a) Unconfirmed Minutes of the Overview and Scrutiny Commission meeting held on 12 July 2018.

Councillor Theresa Hewett had questions in relation to some of the content in both sets of Minutes but she would take this matter back to the next Overview & Scrutiny Commission meeting.

RESOLVED that the unconfirmed Minutes of the Overview & Scrutiny Commission meeting held on 12 July 2018 be adopted.

- (b) Unconfirmed Minutes of the Special Overview & Scrutiny Commission meeting held on 17 August 2018

RESOLVED that the unconfirmed Minutes of the Special Overview & Scrutiny Commission meeting held on 17 August 2018 be adopted.

112/18 PLANNING COMMITTEE (AGENDA ITEM 10)

- (a) Confirmed Minutes of the Planning Committee meeting held on 2 July 2018.

RESOLVED that the confirmed Minutes of the Planning Committee meeting held on 2 July 2018 be adopted.

- (b) Unconfirmed Minutes of the Planning Committee meeting held on 30 July 2018.

RESOLVED that the now confirmed Minutes of the Planning Committee meeting held on 30 July 2018 be adopted.

113/18 COMMITTEE OF THE LICENSING AUTHORITY (AGENDA ITEM 11)

RESOLVED that the unconfirmed Minutes of the Committee of the Licensing Authority meeting held on 17 July 2018 be adopted.

114/18 LICENSING COMMITTEE (AGENDA ITEM 12)

RESOLVED that the unconfirmed Minutes of the Licensing Committee meeting held on 17 July 2018 be adopted.

115/18 GOVERNANCE & AUDIT COMMITTEE (AGENDA ITEM 13)

- a) Annual report of the Treasury Management Service and Actual Prudential Indicators 2017-18 (Minute No. 45/18)

RESOLVED that:

1. the actual 2017/18 prudential indicators be approved; and
 2. the Treasury Management Stewardship report for 2017/18 at Appendices B and C of the report be noted.
- b) Adoption

RESOLVED that the unconfirmed Minutes of the Governance & Audit Committee meeting held on 13 July 2018 be adopted.

116/18 FLEXIBLE HOUSING SUPPORT GRANT (AGENDA ITEM 14)

The Portfolio Holder for Growth, Councillor Gordon Bambridge presented the report that sought Members' agreement to release the Flexible Homelessness Support grant.

This was the second year that the grant had been made available to Breckland Council.

Councillor Jermy knew that this was just a formality to access the grant but wanted to know what this money was going to be used for and how had the monies from the previous year been spent. In response, the former Housing Manager (now on secondment to another post within the Council) explained that the last year's funding had been used to fund two housing link workers to prevent homelessness and the resource would be doubled for this year. Councillor Jermy also asked a question about foodbanks. The Portfolio Holder advised that the Council had little to do with foodbanks but would be happy to talk to Councillor Jermy about these after the meeting.

RESOLVED that:

1. the Council accepts and releases funds to the value of £189,241 provided under the Flexible Homelessness Support Grant; and
2. delegated authority be granted to the Executive Director for Place, in consultation with the Executive Member for Growth, to commit and agree to the spend in accordance with the conditions of the Flexible Homelessness Grant.

**117/18 CAPITAL FOR PUBLIC PROTECTION SOFTWARE SYSTEMS REPLACEMENT
(AGENDA ITEM 15)**

Councillor Alison Webb, the Portfolio Holder for People & Information, presented the report. The report sought approval to release capital and revenue funding and an associated amendment of the Capital Programme.

The recommendation had already been approved by Cabinet at its meeting on 4 September 2018; however, a Council decision was required as there was no provision in the current budget for the capital spend.

The current Public Protection back-office software, that supported the environmental health licensing functions and private sector housing functions, was approaching end of contract and it was now necessary to procure replacement software.

RESOLVED that:

1. funding totalling £71,500 from Reserves be released; and
2. the Capital Programme be revised accordingly.

**118/18 APPOINTMENT OF AN INDEPENDENT REMUNERATION PANEL (AGENDA
ITEM 16)**

The Executive Director for Strategy & Governance (Monitoring Officer) presented the report that asked Members to consider and approve the recommended appointment of members to the Independent Remuneration Panel.

Councillor Jermy asked if it was defined in legislation as to the amount of time a member was allowed to serve on the Panel. He also asked why there were no female members being appointed. Members were informed that there was nothing in the legislation that capped the amount of time a member could serve. In response to the latter, it was noted that no females had applied.

RESOLVED that the Independent Remuneration Panel be established for the period 1 October 2018 – 30 September 2022 comprising the following individuals:

- Andrew Egerton-Smith
- Les Spillman
- Jonathan Rogers
- Samuel Watts
- Alistair Skipper

**119/18 APPOINTMENT OF DEPUTY ELECTORAL REGISTRATION OFFICER
(AGENDA ITEM 17)**

The Executive Manager for Governance (Deputy Monitoring Officer) presented the report. The report asked Members to consider and agree to the appointment of a Deputy Electoral Registration Officer to act in the absence of the Electoral Registration Officer.

RESOLVED that the Democratic Services Manager be appointed as the Deputy Electoral Registration Officer to act in the absence of the Electoral Registration Officer.

120/18 MEMORANDUM OF AGREEMENT (AGENDA ITEM 18)

The Deputy Leader and Portfolio Holder for Corporate Strategy & Investment, Councillor Sam Chapman-Allen, presented the report that asked Members to consider proposed amendments to the legal agreement that underpinned the shared management arrangements.

The Memorandum of Agreement was the written contract between the two Councils that set the framework for the shared management structure, together with the rights and responsibilities of the two Councils. Whilst a review was not due, three areas had been identified for consideration:

- Indemnity
- Allocation of shared management team on termination
- Setting of senior management pay and conditions.

Details of the above areas had been highlighted in the report.

RESOLVED that:

- 1) the wording of the indemnity clauses contained within the Memorandum of Agreement (“the Agreement”) be redrafted to ensure clarity;
- 2) subject to 4 below, the Agreement be amended to ensure that where it proved impossible to share senior managers fairly in accordance with clause 8.6 of the Agreement, the Councils work together in good faith to ensure that identified posts continued to be placed at the disposal of the other Council until a reasonable period had been allowed for recruitment to take place;
- 3) subject to 4 below, a provision be added to the Agreement requiring that, prior to one of the Councils approving any changes to the terms and conditions of employment of any shared officer(s) (including but not limited to pay) that Council must first consult the other Council prior to approving the same;
- 4) the Legal Team to ensure that decisions 2 and 3 above are consistent with shared officers’ contracts of employment and all relevant staffing policies and procedures; and
- 5) the Executive Director for Strategy and Governance be granted delegated authority, in consultation with the Deputy Leader and Executive Member for Corporate Strategy and Investment, to amend the Agreement in accordance with the above recommendations.

121/18 CONSTITUTION (AGENDA ITEM 19)

The Executive Manager for Governance presented the report. The report sought Members’ agreement to accept the variations to the Constitution, all of which had been listed in the report.

Regular reports were brought to Council with the intention of keeping the Constitution up-to-date and accurate. Members were asked that if they were minded to agree the recommendations that additional wording be added to recommendation (f), to read “in consultation with the Leader of the Council”

RESOLVED that:

- (a) **Minor variations to the Constitution** – That paragraph 3 of Article 14 of the Constitution, which deals with minor changes to the Constitution, be amended as shown in Appendix A to the report.
- (b) **Policies submitted to the Governance and Audit Committee** - That items 10 and 12 of the terms of reference of the Governance and Audit Committee be amended as shown in Appendix B to the report.
- (c) **Local Authorities (Functions and Responsibilities) (England) Regulations 2000 - Schedule 1 Functions** - That the Constitution be amended so that the functions detailed in Appendix C to the report are allocated to the decision-making bodies detailed in Appendix C to the report.
- (d) **Contract Procedure Rules**
- That the table at paragraph 13.1.3 of the Contract Procedure Rules be amended as shown at paragraph (a) of Appendix D to the report.
 - That the Financial Management Standards be amended as shown in paragraph (b) of Appendix D to remove reference to Norfolk County Council
 - That paragraph 4.2 of the Financial Management Standards be amended as shown in paragraph (c) of Appendix D to the report.
- (e) **Standing Orders**
- that Standing Order no. 35 be amended as shown at Appendix E to the report.
 - that Standing Order no.19A be added as shown at Appendix E to the report.
 - that Standing Order no.29A be added as shown at Appendix E to the report
- (f) **Virements / transfers** – that paragraphs 3.4.4, 3.4.7 and 3.7.3 of the Financial Procedure Rules be amended as shown in Appendix F to the report; subject to additional wording being added to paragraph 3.4.4 (e) to read: “The S151 Officer, *in consultation with the Leader of the Council*”, shall have the power to.....”.
- (g) **Leader and Deputy Leader**
- That the Constitution be amended to make it clear that one Deputy Leader may be appointed by the Leader
 - That the additional definition of “Deputy Leader” detailed in paragraph 2.25 of the report be approved and the Constitution be amended accordingly.
- (h) **Development Plan Documents** – that Article 4.2 be amended to refer to the Council’s Development Plan Documents.

122/18 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 20)

RESOLVED that:

1. Councillor Gordon Bambridge be replaced by Councillor Roy Brame on the Breckland Area Museum's Committee; and
2. Councillor Jermy be appointed as the Council's representative on the Greater Thetford Development Partnership.

123/18 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT (AGENDA ITEM 21)

None.

Universal Credit Briefing

A detailed presentation was provided by Adrian Mills, ARP Benefits Strategic Manager, Ian Thetford, Partnership Manager, DWP and Lorraine Craven, Transitional Support Officer, Breckland Council.

Members asked a number of questions and in response to a request, leaflets/guidance documents would be made available to all Members.

The meeting closed at 11.15 am

CHAIRMAN