

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 31 January 2019 at 2.00 pm in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Councillor E. Gould (Chairman)	Mr R.G. Kybird
Mr P. M. M. Dimoglou	Mrs S.M. Matthews
Mr R. F. W. Brame	Mr R. R. Richmond
Mr D. M. Crawford	Councillor C. Bowes (Substitute Member)
Mr T. J. Jermy	Mr P. S. Wilkinson (Substitute Member)
Mr A.P. Joel	

Also Present

Mr H. E. J. Clarke	Mrs A. M. Webb
Mr P.D. Claussen	Mr M. S. Robinson
Mr S.G. Bambridge	

In Attendance

Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Rob Walker	- Executive Director Place
Ross Bangs	- Corporate Improvement & Performance Manager (shared)
Matthew Hogan	- Executive Manager Growth
Stephen James	- Communities & Environmental Services Manager
Rory Ringer	- Democratic Services Manager
Susie Richardson	- HR Manager
Julie Britton	- Democratic Services Officer

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1/19 MINUTES (AGENDA ITEM 1)

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

2/19 APOLOGIES AND SUBSTITUTES (AGENDA ITEM 2)

Apologies for absence were received from Councillors Rhodri Oliver (Vice-Chairman), Theresa Hewett and Mike Nairn.

Councillors Claire Bowes and Peter Wilkinson were in attendance as substitutes.

3/19 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 3)

The Chairman wished Councillor Shirley Matthews and Councillor Robert Richmond a very happy birthday.

4/19 URGENT BUSINESS (AGENDA ITEM 4)

None.

5/19 DECLARATION OF INTERESTS (AGENDA ITEM 5)

None declared.

6/19 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 6)

Councillor Gordon Bambridge, the Executive Member for Growth, Councillor Paul Claussen, the Executive Member for Place (Health Lead), Councillor Mark Robinson, the Executive Member for Governance and Councillor Alison Webb, the Executive Member for People and Information were in attendance.

7/19 GENDER PAY GAP REPORT (AGENDA ITEM 7)

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

The Equality Act 2010 Regulations 2017 required employers with 250 or more employees to publish information relating to the gender pay gap in their organisation.

This involved carrying out six calculations that highlighted the differences between the average earnings of men and women (see section 1.2 of the report).

According to the report, Breckland Council's gender pay gap had improved compared to the previous year, showing 22.8% for 2017 and 13.1% for 2018.

In terms of figures, Councillor Webb was proud to report that this authority was well below the national average and had worked hard to reduce the gap.

In response to a question, Members were informed that the Anglia Revenues Partnership (ARP) staff were employed by Breckland Council.

Councillor Dimoglou said that he found the calculations in respect of workforce demographics a little confusing and asked if it was appropriate to base the figures around Contact Centre staff bearing in mind that they were mostly female.

Maxine O'Mahony, the Executive Director for Strategy & Governance advised that, although this was a very good point, Breckland Council's data was comparable to other Councils and the Local Government Association. 76% of Breckland's staff were female and were at the lower end paid roles whereas the Council's contracted services were more of the male gender and if added to the mix the figures would be much lower.

Councillor Jermy was very pleased with the report but asked how this improvement had come about as the previous year Breckland Council had the greater percentage pay gap compared to other authorities in Norfolk. He also wanted to know if Capita had been included and if the process had been found useful.

Councillor Webb explained that Capita staff were not on the Council's payroll and therefore, had not been included in the figures.

The HR Manager advised that the improvement in the gender pay gap had been due to the programme of talent management in recruiting and promoting people based on their natural strengths and placing less emphasis on their qualifications and experience; therefore, widening the Council's pool of applicants. Recruitment adverts had also been improved to be gender neutral and roles were now advertised using social media and online publications which had proved to be a successful method in recruiting talent. There was still a great deal of work to be done and no-one was 100% sure of how the Council had performed compared to other Councils as the results were not due to be published until the end of March 2019.

The report was otherwise noted.

8/19 PAY POLICY STATEMENT 2019/20 (AGENDA ITEM 8)

The Executive Member for People & Information presented the Pay Policy Statement to Members. Under Section 38 of the Localism Act, a Pay Policy Statement was required to be produced annually and approved by 31 March each year.

Councillor Dimoglou asked about the 'makeup' of the Joint Appointments & Disciplinary Committee. He also asked about the Chief Officer pay-bands and why there were such vast differences between them and who decided where these people were put.

The Executive Director for Strategy & Governance explained that pay grades were set collectively by the Joint Appointments & Disciplinary Committee and the pay bands were created via job evaluations that all local Councils had to abide by.

Councillor Joel asked if South Holland staff were on the same pay ceilings as Breckland. Members were informed that it had been agreed that all shared staff would be under Breckland Councils terms & conditions and pay grades. A recent review of South Holland District Council's terms and conditions had been undertaken and were now much more aligned.

Councillor Jermy drew attention to the fact that during his discussions with the Independent Remuneration Panel members, a Panel that set the Members' allowances, an allowance for the use of electric vehicles was discussed and he asked if this could be considered for staff.

The Executive Director for Strategy and Governance said that this would be investigated.

RECOMMEND to Council that the Pay Policy Statement be approved.

9/19 Q3 2018-19 PERFORMANCE OVERVIEW REPORT (AGENDA ITEM 9)

The Executive Member for People & Information presented the report.

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The Council continued to operate at a good level and the areas of success, particularly in relation to the number of complaints responded to within the timescale, were explained (see section 1.3 of the report). The missed waste collections had seen the best quarter performance ever recorded; in total, there were only 17 missed bins for the whole of the district in this period and was a very positive reflection on the SERCO and Environmental Services teams.

There were a few areas of concern including the amount of gross income generated by the Environmental Health, Training and Consultancy (EHT+C) commercial trading arm, staff turnover, staff sickness and major planning application determination times. As far as the EHT+C was concerned, the Team was looking at new ways of marketing with a view of achieving the target at the end of the year. Sickness rates were attributed to seasonal illnesses and for planning there had been a decline in the number of major planning applications with the national standard at just 50%; however, Capita was confident that this would improve in this calendar year.

Councillor Brame queried the content of the key performance indicator table at section 1.2 of the report and felt that the incorrect information had been included as previously agreed. The Executive Member for People & Information apologised but assured Members that the content was in fact correct it was the header that was wrong. Ross Bangs, the Corporate Improvement & Performance Manager also apologised for the date at the top of the header and explained that the monthly data within the graph was not comparable to previous quarters as the indicators changed in each quarter.

Ross
Bangs

Referring to the graph, Councillor Brame had noticed that every previous quarter 3 had been better than this quarter 3 and felt that the chart should not have been included.

Ross
Bangs

The Chairman said there was a benefit in having the chart it just needed to be re-jigged.

With regard to the report itself, Councillor Dimoglou raised a couple of points; the first being at section 1.4 of the report in relation to the number of complaints responded to within the timescale. He felt that it should not be about how fast the Council took to respond it should be how quickly the complaint was resolved and how this was measured. The Corporate Improvement & Performance Manager said that a report could be produced in future showing the number of complaints that had been escalated to stage 2.

Ross
Bangs

The second point raised was in relation to staff turnover highlighted at section 1.9 of the report. Councillor Dimoglou was aware of the difficulty that the Chief Executive had in dealing with a constant undertone of staff discontent and he had grave concerns that Breckland Council could be sleepwalking into an unmanageable situation. The Corporate Improvement & Performance Manager reported that the HR Team was satisfied with the level of staff turnover and the figures had been benchmarked against other authorities. The Executive Member for People & Information said that these benchmarking figures could be included in future reports. Councillor Dimoglou felt that the results of

Ross
Bangs

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exit interviews should also be included in future reports.

Councillor Wilkinson, also referring to section 1.9 of the report, asked the meaning of the sentence – ‘staff choosing to leave rather than be formally managed through a process, which is a positive’. The Executive Director for Strategy & Governance explained that the Council had to have a performance framework and was performance managing appropriately – it was a positive but the wording would be re-considered.

Ross
Bangs

Councillor Jermy mentioned the tables in respect of fly-tipping on pages 46 and 48 of the agenda pack and the 33% increase for quarter 3 and in respect of having faith in the statistics in relation to tonnage. He also mentioned homelessness and felt that the whole point of KPIs and performance was to be aware of where the flash points were. He was aware that Breckland had the biggest increase in homelessness in Norfolk and this had not been reflected in the reports description. In response, the Executive Member for People & Information said that she would work with the Corporate Improvement & Performance Manager in respect of both the aforementioned matters to ensure that the figures etc were indeed correct.

Ross
Bangs

Councillor Crawford also had problems understanding the descriptive note for homelessness. Members were provided with an explanation of the Homelessness Reduction and Act. From 3 April 2018, there had been a major change in the way local housing authorities responded to homeless people and placed renewed emphasis on the prevention of homelessness including extending the period in which a household was threatened with homelessness from 28 days to 56 days and aimed to help all those who were homeless and eligible. In other words there would be a short term fix during this 56 day period such as B&B accommodation until a permanent home could be found

The content of the report was otherwise noted; subject to the aforementioned changes being included in future reports.

10/19 SECTION 106 (AGENDA ITEM 10)

Rob Walker, the Executive Director for Place presented the report.

The report informed Members of the process by which S106 funding was received, processed and released.

A number of key points were highlighted (see section 1.6 to 1.10 of the report). Members were informed that Charlotte Brennan was now the dedicated S106 Officer and regularly liaised with Finance to check that all income due had been raised and confirmed the balances that were still available to spend.

Appendices attached to the report included the S106 funds spreadsheet that highlighted how much S106 Agreement funding had been collected and where it had and could be spent. The remaining appendix, Appendix B, was the actual application form that the Town and Parish Councils were required to complete.

Councillor Kybird had asked for the S106 Agreement report to be

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discussed at an Overview & Scrutiny Commission meeting as he had concerns as to whether the S106 process for deciding where the monies should be spent was, as far as he was concerned, consistent and transparent. Members were informed that Parish and Town Councils were able to put their views forward as a standard consultee but it needed to be evidence led, the transparency concern would be taken on board.

Rob
Walker

Referring to the spreadsheet, Councillor Kybird asked if the sums remaining, if not used by the dates shown, would be returned to the developer. The Executive Director of Place explained that S106 monies were actively monitored and most were spent within the time limit. There were two cases that he knew of that were going beyond the specified time limit that the applicants had agreed to extend.

Councillor Bowes asked if Members could be updated on the S106 monies available in their Wards. The Executive Director of Place said that this information was already shared with the Town Councils. The Chairman asked if it could be uploaded onto the intranet so that it was readily available for all Members to view.

Rob
Walker

Councillor Dimoglou remembered a few that had come close to the date during his time as a Cabinet Member and was reassured that it was being monitored by a dedicated Officer.

The report was otherwise noted.

11/19 UNSIGHTLY SITES (AGENDA ITEM 11)

A presentation was provided by Stephen James, the Communities and Environmental Services Manager.

Cabinet had asked the Overview & Scrutiny Commission to take the lead on this matter and report any un-sightly sites in the Breckland area that were causing a detrimental impact on community well-being to the Communities and Environmental Services Manager.

Since March 2017, 58 sites had been identified out of which 14 had seen some improvement without going through an enforcement process. Slides were shown of the improvements carried out in Thetford, Watton and Swaffham.

The Communities and Environmental Services Manager shared some of the difficulties and challenges Officers faced when dealing with these unsightly sites. Some could be resource intensive particularly when dealing with the historic and complex sites that could lead to the legal team being involved. The first stage of the process was to engage with the owners; however, some owners had no intention of doing anything with the sites/land that they were responsible for.

On-going cases were highlighted some of which were quite complex and the progress that had been made was reported.

Councillor Crawford had noticed works being carried out on St Mary the Less Church on Bury Road in Thetford and asked if it was Breckland Council who had brought that forward. It was noted that Andrew

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Gayton, the Historic Buildings Officer, had been involved in this case for many years due to the historic nature of the site. The Communities and Environmental Services Manager explained that although the process seemed very long winded, Members were assured that it was not always the fault of the Council.

Councillor Jermy sympathised with the hard work involved but felt that this was a huge opportunity to get rid of these unsightly sites and anymore that could turn up in the future. He mentioned the Flagship case studies that formed part of the presentation and felt that these should be used as examples to affect change. In response, the Communities and Environmental Services Manager agreed with this approach as it would enable people to see what was going to happen with these unsightly sites and prove that the Council was trying its hardest to address these issues.

Councillor Clarke was pleased to hear that the unsightly site in Dereham was finally being addressed as it was having an adverse effect on the area and the building was hard to let. As it stood, it could put people off visiting the town which would then have a knock on affect to the Council's Market Town Initiative. He mentioned the pigeon problem too in the town but applauded all Officers involved in the process. The Chairman reminded Members of the budget that was now available for the unsightly site process.

Councillor Dimoglou also congratulated the Team and he hoped that it would be resourced accordingly. He also wanted to see more regimented policies coming through for such matters.

Councillor Wilkinson had a lot of sympathy for the Officers carrying out this work but wanted to know why there were two lists of unsightly sites. Members were informed that it was the intention to prioritise the list and get end results for the most important ones so that the people were aware of what the Council was doing and raise the profile.

Councillor Robert Richmond asked if there were many sites where grant funding could be utilised. Members were informed that at the moment, there were no cases that he was familiar with that would be suitable for grant funding.

The Executive Director of Place felt that the Council could be better with its Public Relations in regard to these matters and publicise its successes to encourage other owners to take a more positive approach. The most common unsightly site had been the one along the A47 at Necton and on this occasion, the open market did it itself, It was about encouraging owners to engage with the Council and do something positive for the site as it had in Necton. The Team had the right approach but it was just about patience.

Councillor Brame asked when Ward Members would be notified of any improvements to these unsightly sites. An email once a month would be appreciated so that residents' could be responded to accordingly when asked.

Councillor Claussen did not agree with this approach as it would put more strain on Officers' invaluable time and felt that the Commission

Stephen
James

was the best forum for an update. The Chairman agreed, emailing Ward Members would put an extra burden on Officers and would be a poor use of their time.

The Chairman thanked the Communities and Environmental Services Manager for his presentation.

12/19 AMENDMENTS TO THE BRECKLAND HOUSING ALLOCATIONS POLICY (AGENDA ITEM 12)

Gordon Bambridge, the Executive Member for Growth presented the report which concerned proposed amendments to the Council's Housing Allocations Policy.

Breckland Council's current Housing Allocations Policy was last reviewed and adopted by the authority in 2016. The Policy sets out who was eligible to apply for housing and then set out an approach to the prioritisation of eligible households.

The Council's current Housing Allocations Policy stated that affordable housing within the Breckland district be ring-fenced for households with a local connection to the District as a whole, and that priority for housing be awarded to local households in the highest housing need. The only exception to this was for homes developed on 'exception sites', whereby homes were developed on small sites in response to the identification of a locally rising need for additional affordable housing. In this scenario, homes built on exception sites were typically prioritised for households with a connection to the parish where the homes had been built, over and above those who did not have a connection to the parish.

Separately to the processes relating to the housing allocations, a number of local communities across Breckland were developing Neighbourhood Plans. As Members were aware, the Neighbourhood Planning process had been developed by Government as a means of providing local communities with the opportunity to shape development in their areas. It was common place for Neighbourhood Plans to include policies on matters relating to design, amenity space and the location of development with settlements. However, an increasingly common ask by local communities developing Neighbourhood Plans was for a proportion of affordable housing delivered on sites allocated by the District Council (through the Local Plan process) to be prioritised for households with a local connection to that specific development area featured within Neighbourhood Plans related to affordable housing.

The amendment, if adopted, would enable additional preference to be given to applicants with a local connection to the parish, rather than just the District, in relation to sites being allocated over and above those already allocated in the District Council's Local Plan.

The proposed amendment to the Council's Housing Allocations Policy had been considered previously by the Overview & Scrutiny Commission at its meeting on 8 November 2018. Following a detailed discussion, Members requested that Officers returned to a future meeting as a means of providing clarity on a number of points raised by the Committee. The two key points raised had been as follows:

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- That further consideration be given as to whether the policy amendment should be amended in order to enable the parish local connection requirement to apply to lettings 'in perpetuity' – as opposed to simply applying on 'first let'.
- Whether it would be possible to apply a parish local connection requirement to all sites in all parishes in the District, regardless of whether a Neighbourhood Plan was in place.

Councillor Bambridge advised that having given further consideration to the Policy, it was now being proposed that the Policy proceed to public consultation on the basis of the Policy applying on 'first let' as opposed to 'in perpetuity'.

He urged Members to support this amendment.

Councillor Bambridge advised that a future re-appraisal of the whole Policy going forward would take time but this amendment, if approved, would be the first step, as an interim measure and would support anyone who wanted to use the Neighbourhood Planning process.

A detailed, lengthy discussion then ensued and many questions and concerns were raised including:

- Land ownership
- Risk of legal challenges to the soundness of the Policy
- Social Housing that could be sold (this concern was withdrawn)
- Why amend the Policy for the benefit of one Neighbourhood Plan request
- Parishes without a Neighbourhood Plan would be disadvantaged unless there were exception sites.

In response to a concern, the Executive Director of Place tried to explain the difference between 'in perpetuity' and 'first let'. He advised that if the parish local connection requirement to apply to lettings 'in perpetuity' – as opposed to simply applying on 'first let' this would mean that if there was no demand the property would remain void. He reminded Members of the several hundred people on the waiting lists and the demand for social housing.

Members were not at all happy with the proposed amendments.

The Chairman felt uncomfortable about going ahead with the amendments and proposed that the consultation be delayed until the report had been discussed by Cabinet at its next meeting on 5 February 2019. This proposal was seconded by Councillor Matthews.

Councillor Jermy felt that this matter should be added to the O&SC Work Programme and a procedure/process be created so that the Council would end up with an appropriate Housing Allocations Policy for all concerned.

RECOMMEND to Cabinet that consideration be given to the proposed amendments to the Council's Housing Allocations Policy.

13/19 TASK AND FINISH GROUPS (AGENDA ITEM 13)

(a) Findings from OSC Task & Finish Group - Impact of Fly-tipping

Councillor Jermy, the Chairman of the Task & Finish Group, thanked the Members for their time spent on this matter of fly-tipping, meeting on three occasions during the autumn of 2018. He also thanked the Officers involved who contributed the meetings as well as the external guests that had attended.

Councillor Jermy would have preferred Members of the T&F Group to scrutinise the report prior to it being presented to the Commission; however, he felt that all involved now had a better understanding of fly-tipping issues.

Officers had been able to confirm that all Councils across Norfolk were working together to tackle fly-tipping and that the materials being used for the county-wide campaign had been based on best practice in other counties.

The Norfolk Scrap campaign had recently been launched by Norfolk County Council and the Norfolk Waste Enforcement Group (NWEG) had been tasked with dealing with the increased activity; an Officer from Breckland Council was a member of this Group.

Members were informed that communication was key and the function on the Council's website that allowed residents to upload photos as well as map locations had increased the speed at which fly tips were responded to and also allowed the evidence used to pursue the individual for the offence.

Councillor Wilkinson was aware of the problems that Breckland District was having with fly-tipping and suggested that the information gathered should be forwarded to Norfolk County Council. The Chairman concurred with this suggestion but felt that a letter should be sent to Norfolk County Council informing them about these findings and a watching brief be kept on all activity. She also suggested that a further report be brought back to an Overview & Scrutiny Commission meeting in 6 months.

The Chairman thanked Councillor Jermy, Members and the Officers involved for the comprehensive report.

RESOLVED that a progress report be brought back to the Overview & Scrutiny Commission in 6 months.

14/19 MEMBER INDUCTION PROGRAMME (AGENDA ITEM 14)

Rory Ringer, the Democratic Services Manager presented this item.

A Member Induction Programme had been produced following feedback from the Member Development Panel.

The programme started with an Induction Day on Tuesday, 7 May 2019 which would be kept short so not to overwhelm new members, training

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sessions had been duplicated to allow flexibility and maximum attendance. Specific workshops would be held for Members of Committees, such as Planning, Licensing and Governance & Audit as part of a legal requirement.

Overview & Scrutiny would also have a specific workshop to focus on questioning skills and the role of Scrutiny itself.

E-Learning would be pushed forward to eliminate or reduce the use of paper.

Personal Development Plans would be produced by Breckland Training Services following interviews with each Member and would form the basis of the Member Training Programme going forward.

All new Members would receive Ward packs, created to explain the demographics for each Ward, plus Member Information packs (all would be sent electronically where possible).

Further work would continue to develop the programme and a final programme would be issued with the nomination packs that would be given to all candidates in March/April 2019. It would also be given to each elected candidate as part of their welcome pack.

The Chairman felt that speaking into the microphones at meetings should be added as part of the training too.

Councillor Jermy pointed out that the matter of issuing the IT equipment was discussed at the Member Development Panel specifically to reduce the rush following the Elections. He also felt that once the person(s) became an official candidate they should be directed to the website as a great deal of information about the Council was readily available. The Democratic Services Manager advised that issuing of the IT equipment had been considered but it was felt not to be such a good idea until after the Election.

Councillor Richmond asked if new Members would be supported by mentors as he found the benefits of having mentor to be invaluable when he was first elected. Members were informed that Karen Hitchcock, the Learning & Development Officer would be emailing Members asking them if they wanted to take on the role of being a mentor to newly elected Members.

Councillor Bowes asked if twin-hatters would be receiving Breckland iPads as she did not believe it was necessary as they would be supplied with IT equipment by Norfolk County Council. The Democratic Services Manager advised that the IT team were aware of this, but he would discuss this further with Jason Tillyard, the IT Manager.

Rory
Ringer

The report was otherwise noted.

15/19 OUTSIDE BODY FEEDBACK (STANDING ITEM) (AGENDA ITEM 15)

Councillor Kybird mentioned the Norfolk Museum Service preview of the new Viking Exhibition which would run until the middle of September 2019. He encouraged Members to attend.

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Councillor Wilkinson would be attending the Youth Advisory Board conference being held on 21 February 2019 at the Abbey Centre, the former Colman's site in Norwich, facilitated by Breckland YAB.

He also mentioned the Norfolk & Waveney Health survey which was still running and encouraged all Members to take part by visiting the website: www.healthwatchnorfolk.uk

16/19 SCRUTINY CALL-INS (STANDING ITEM) (AGENDA ITEM 16)

None.

17/19 COUNCILLOR CALL FOR ACTION (STANDING ITEM) (AGENDA ITEM 17)

None.

18/19 WORK PROGRAMME (AGENDA ITEM 18)

The Chairman advised that the next meeting could be a one item agenda. A pre-meeting would take place and lunch would be ordered.

Councillor Jermy asked if the briefing paper could be circulated to Members prior to the pre-meeting.

The Executive Director of Place asked Members to let him know if there was anything they wanted to be included in the briefing paper. The Chairman asked the Executive Director of Place to attend the pre-meeting.

A fly-tipping update would be added to the work programme for the O&SC meeting in July.

19/19 NEXT MEETING (AGENDA ITEM 19)

The arrangements for the next meeting on Tuesday, 19 March 2019 at 2pm in the Anglia Room were noted.

Teresa
Smith

The meeting closed at 5.00 pm

CHAIRMAN