

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 18 July 2019 at 10.00 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mrs L.S. Turner (Chairman)	Mr K.S. Gilbert
Mr R. F. W. Brame (Vice-Chairman)	Mrs E. Grey
Mr S Askew	Mr C. Harvey
Mr R. Atterwill	Mr T. J. Jermy
Mr S.G. Bambridge	Mr M. Kiddle-Morris
Mr T. Birt	Mr R.G. Kybird
Mr W.P. Borrett	Mr I. Martin
Mr M. P. Brindle	Mr K. Martin
Miss H. Bushell	Mrs L.H. Monument
Mr T. R. Carter	Mr P. Morton
Councillor M. Chapman-Allen	Mr M. J. Nairn
Mr S. H. Chapman-Allen	Mr D. R. R. Oliver
Mr H. E. J. Clarke	Mr M. S. Robinson
Mr P.D. Claussen	Mr I. Sherwood
Mrs H, Crane	Mrs S. E. Suggitt
Mrs V. Dale	Mrs T. Taylor
Mrs S. Dowling	Mrs A. M. Webb
Mr R.W. Duffield	Mr D. Wickerson
Mr P.J. Duigan	Mr N.C. Wilkin
Mr F. Eagle	Mr P. S. Wilkinson

In Attendance

Anna Graves	- Chief Executive
Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Sarah Barsby	- Executive Manager for Information
Andy Prior	- Digital & Customer Access Manager
Julie Britton	- Democratic Services Officer

69/19 APOLOGIES (AGENDA ITEM 1)

Apologies for absence were received from Councillors Ashby, Bowes, Colman, Cowen, Hewett, James, Kiddell, Nunn and Terry.

70/19 MINUTES (AGENDA ITEM 2)

The Minutes of the meeting held on 16 May 2019 were confirmed as a correct record and signed by the Chairman.

71/19 DECLARATION OF INTERESTS (AGENDA ITEM 3)

None.

Action By

72/19 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman welcomed pupils and staff from Northgate School who were in attendance to observe the meeting. After the meeting the pupils would be taken on a tour of the Council building followed by an opportunity to find out more about the role of the Council by way of a short briefing session taking place in the Norfolk Room with the Chairman and the Executive Director of Place.

The Chairman also welcomed representatives from her chosen charities, the Daisy Programme and Leeway both of which would be providing Members with a 5 minute presentation.

The Chairman encouraged Members to remain after the meeting to listen to a short presentation on the new Digital Inclusion programme led by Andy Prior, the Digital and Customer Access Manager. Zoe Webster and Lorraine Craven from the Customer Contact Team would be available after the meeting for Members to ask questions and find out more about this new service.

Presentations from Lee Taylor, the founder of the Daisy Programme and Emma Nurse, the Central Services Manager from Leeway, then provided Members with their presentations.

The Daisy Programme had been established for 4 years and had been self-funded for the first 15 months. With over 140,000 residents in Breckland, one in four women and one in six men suffered from domestic abuse. The Daisy Programme worked with clients to provide a safe environment to grow and thrive. Such services were provided from the hub in Watton, connecting individuals to social activities through therapeutic interventions. The Programme's particular focus was on the long term recovery with support networks in Thetford, Dereham and Watton. The Daisy Programme's services included social activities, peer support and volunteering opportunities. Gratitude and sincere thanks were then conveyed to the Chairman for choosing the Daisy Programme as one of her chosen charities for the forthcoming year.

Emma Nurse from Leeway then provided Members with her presentation. She echoed Lee's comments and thanked the Chairman for choosing to support the Leeway charity. Leeway had been established in 1974 and was a specialist domestic abuse charity working with adults, children and young people from Norfolk and Suffolk and worked very well in partnership with the Daisy Programme and Pandora in Kings Lynn. It had a range of support services, the main one being the telephone and support line which was the main gateway to services and referrals into different agencies. Leeway also had a high risk advocacy service which was based in Police stations across Norfolk and Suffolk dealing with people who had been assessed as high risk of homicide reducing the risk of self-harm or suicide and support them in the community. There were now 7 refuges across Norfolk, one of which was based in Breckland, and Leeway could support up to 52 women and children at any one time. It also had a male victim service and community based services for the adults and children of Norfolk but also those from other areas of the country who required a place of safety. All these services could not continue without the help and support provided.

The Chairman thanked them both representatives for attending. She pointed out that at the next Full Council meeting Officers would be invited to highlight what Breckland was doing for the community and indeed looking after its own staff within the Council.

Action By

After mentioning a friend that had suffered abuse and the lack of assistance that had been provided, Councillor Duffield then proposed that Breckland Council should write a letter to the Crown Prosecution Service urging them to do more on prosecuting the abusers. The proposal was seconded by the Vice-Chairman of the Council.

Chief Executive

Following a vote, the proposal to write to the Crown Prosecution Service was agreed.

The many engagements that the Chairman and the Vice-Chairman had attended since the last Full Council meeting were noted.

Members were then informed of some very sad news, Jan Godfrey, the founder of Wayland Partnership had recently passed away. The Chairman, the Leader and Councillor Gilbert, a Ward Representative for Watton, all paid tribute to Jan Godfrey and conveyed their condolences to Jan's family.

The Chairman mentioned the Pride in Breckland Awards that had not taken place for the past four years and felt that this should be re-instated to recognise the hard work and commitment that some people did for their community. She asked the Leader and his Cabinet to work with Officers to establish if it was feasible and if there were enough resources to make this happen. The Leader said that he would be happy to take this suggestion forward.

Jo Elks

A minute's silence was then held in memory of Jan Godfrey.

73/19 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 5)

The following announcements were made.

The Cabinet meeting had been held in Swaffham and had attracted many residents and others from the wider community to attend. It had been a great success. One of the main points announced was the Council's pledge to reaffirm to the Armed Forces Covenant Board and the wider support that the Council was now providing to those serving in the Armed Forces.

At the last Full Council meeting the Leader had been asked a question in relation to the Council's Housing Team. The Housing Peer Review had recently taken place and the final recommendations were awaited. From that an Action Plan would be produced. The Leader drew Members' attention to the fact that the Officers of the Housing Team were immensely proud of the work they did, the commitment, the due diligence and the professionalism that they offered was second to none. He felt that the Council had some fantastic foundations which could be built upon moving forward and he asked Members to support the Council through this change process as it progressed.

The Leader also mentioned the recent National Local Government Conference that he attended in Bournemouth accompanied by the Chief Executive. The main topic of discussion with the Secretary of State was the spending review and the challenge that Councils faced with restrained budgets. The Secretary of State praised the work of Councils and what they did for their local communities and he hoped that this good work would continue. A Green Paper was expected in the near future in respect of Councils' work on commercialisation and the Chief Executive had put Breckland's name forward to help with some of the fact finding to ensure that the decisions that were made by Westminster had the whole breadth of knowledge from those who did this really well and those who had not yet fully

explored the benefits of working with a commercial mind-set.

Two hundred cases had been referred to the Early Intervention Hub within Breckland and this was helping to reduce the demand on homelessness. The Housing Peer Review would hopefully strengthen this even further.

The Leader was now a member of the Norfolk Health and Wellbeing Board of which Councillor Borrett was the Chairman. This had reinforced Breckland's commitment to its Health & Wellbeing agenda and would address some of the issues for the vulnerable residents in the community.

Finally, he welcomed both new and re-elected Councillors who had attended his coffee mornings/one to one meetings that had been taking place throughout the District. He felt that the 45 minutes that he had spent with each Councillor was very important as it allowed each Councillor to talk about what they wanted to achieve over the next 4 years – regardless of party political affiliation. All Members and Officers had a job to do and all needed to work together and have a good relationship and respect for each other for the journey moving forward.

Councillor Gilbert mentioned the one to one meetings. This had given him the opportunity to have a very good and meaningful discussion with the Leader and he thanked him for his support.

74/19 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6 (AGENDA ITEM 6)

None received.

75/19 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 7)

Following a Freedom of Information request, Councillor Jermy had been surprised at the amount of money that had been spent on launching ShopAppy. He asked if the Council had seen any benefits and whether it had been value for money. Councillor Robinson, the Executive Member for Community, Leisure & Culture pointed out that the High Street was struggling and needed support. Since the launch of ShopAppy, 91 businesses had subscribed with another 27 expressing an interest, and with over 400,000 views, it had given these businesses a new audience. However, like everything else that the Council did, this would be reviewed at the Overview & Scrutiny Commission meeting in September. Councillor Brame pointed out that ShopAppy had been working extremely well with the smaller businesses in Thetford and had set up a competition day in the summer to bring people into the High Street.

Councillor Dowling asked the Leader what measures Breckland Council was taking in reducing its impact on climate change. The Leader explained that the National Local Government Association adopted the UN Climate Change Emergency Bill. The Chief Executive and the Executive Team were already reviewing this Bill to establish what Breckland Council could do in its communities. A report would be coming forward in the near future in draft form to Cabinet, then onto Overview & Scrutiny Commission for consideration followed by Full Council for adoption. He felt it was important to state, however, that any such policy needed to be deliverable.

Councillor Clarke asked when the Business Case for live streaming of the Council's public meetings would come forward. Members were informed that this came under the remit of the Deputy Leader, Councillor Paul Claussen and the Executive Member for Contracts & Assets, Councillor Paul Hewett's portfolios. The cost to

live stream meetings formed part of the committee/conference suite review which was still on-going. A report would go forward to the Overview & Scrutiny Commission to establish whether these works were value for money and was right for the Council.

Councillor Atterwill had asked the Planning Team many times about the five-year land supply figure without success and had been told that this was due to lack of resources in the Planning department. He asked if there was a plan in place to increase the establishment. Councillor Bambridge, the Executive Member for Planning stated that the five year land supply figure was being sought and he would be happy to discuss further with Councillor Atterwill after the meeting.

76/19 CABINET MINUTES (AGENDA ITEM 8)

(a) 21 May 2019

a) Financial Outturn (Minute No. 37/19)

Councillor Jermy had seen the Cabinet report and had noticed that in one of the appendices a carry forward for street lighting had been mentioned. He had asked the previous Leader and Ward Member for updates on replacement street lights in Thetford and wanted to know the reason for £200k being carried forward. The Leader said that he would look into this and follow the matter up with the relevant Service Manager.

Alison
Chubbock

RESOLVED that:

- 1) Capital budgets (& associated funding sources) of £3,324,705 be carried forward into 2019-2020 to support projects in progress;
- 2) the final capital out-turn and funding for 2018-19 as detailed in Appendix B of the Cabinet report be approved; and
- 3) the revised capital budget and associated funding for the 2019-20 capital programme detailed in Appendix C of the Cabinet report be approved.

b) Adoption

RESOLVED that the confirmed Minutes of the Cabinet meeting held on 21 May 2019 be adopted.

(b) 25 June 2019

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 25 June 2019 be adopted.

77/19 OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 9)

RESOLVED that the now confirmed Minutes of the Overview & Scrutiny Commission meeting held on 30 May 2019 be adopted.

78/19 PLANNING COMMITTEE (AGENDA ITEM 10)

RESOLVED that the confirmed Minutes of the Planning Committee meeting held on 28 May 2019 be adopted.

79/19 GOVERNANCE & AUDIT COMMITTEE (AGENDA ITEM 11)

RESOLVED that the unconfirmed Minutes of the Governance & Audit Committee meeting held on 5 June 2019 be adopted.

80/19 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 12)

RESOLVED that the following appointments be approved:

1) Committee Appointments

a) Joint Appointments & Disciplinary Committee:

Cllr Mike Brindle

b) Joint Appointments & Disciplinary Appeals Committee:

Cllr Susan Dowling

c) Governance & Audit Committee:

Cllr Terry Jermy (substitute)

d) Planning Committee:

Cllr Taila Taylor and Cllr David Wickerson (substitutes)

e) Overview & Scrutiny Commission

Cllr Helen Crane (substitute)

Councillor Wilkin mentioned the training that would be provided to the new Members of the Planning Committee which was taking place on 3 September 2019.

2) Outside Body Appointments

a) Health & Wellbeing Board:

Cllr Sam Chapman-Allen
Cllr Alison Webb (substitute)

b) Norfolk Health Scrutiny Committee:

Cllr Robert Kybird
Cllr Helen Crane (substitute)

c) Norfolk Joint Museums & Archaeology Committee:

Cllr Helen Crane (substitute)

d) Norfolk County Playing Fields Association:

Cllr Sarah Suggitt

e) Restorative Approaches Strategic Board:

Cllr Lynda Turner

f) Youth Advisory Board:

Cllr Vera Dale

81/19 AMENDMENTS TO THE CONSTITUTION (AGENDA ITEM 13)

(a) Constitution - Determination of Planning Applications

The Deputy Leader, Councillor Paul Claussen presented the report.

The report related to a decision made by the Planning Committee at its meeting on 8 April 2019 to amend the existing scheme of delegations to Officers, and to establish a Chairman's Panel.

Members were informed that the Council had been subject to a Peer Review of the Planning Committee in spring 2018 where it had recommended that the Council should regularly review delegations to Officers to determine planning applications, and the ability of Councillors to request call-ins to the Committee. These changes would make the planning system more efficient by having fewer applications to consider at the Planning Committee.

Councillor Atterwill felt that since the May Elections, the membership of the Planning Committee had changed and he did not believe it was appropriate at this stage to consider this proposal. He believed that the need for a Chairman's Panel was sound and supported the proposal in principle but he had concerns about the current wording of the recommendations. He asked if training would be available to any Members who perhaps had limited planning knowledge to help prepare them for the proposed call-in form which was going to be introduced. Having considered the proposals and researched the adopted Constitution covering a Chairman's Panel at South Holland District Council he believed that, in order to provide political balance and oversight, to ensure efficient decision making, the following amendment should be made to the Officer's report. He then drew Members' attention to Appendix A of the report, Section F and proposed that the 3rd paragraph of Section F should be deleted in its entirety and replaced with the following wording:

"The Chairman's Panel comprise of 3 Planning Committee Members following as closely as possible to the political balance of the Planning Committee and shall include the Chairman of the Planning Committee, or in their absence, the Vice-Chairman of the Planning Committee. Relevant Ward Members or a substitute may attend meetings of the Chairman's Panel when the Panel is to consider an item that related specifically to that Members Ward".

Councillor Atterwill pointed out that this closely reflected what was in the South Holland District Council's Constitution and he had been advised by a Breckland Executive Director that it seemed to work very well.

Additionally, paragraph 4 of the same Appendix (Appendix A), he felt that this paragraph should be deleted in its entirety and replaced with the following wording:

"The Panel shall be convened on an adhoc basis as required. Membership should be on a rolling basis to be determined by the Planning Committee Members at each of its meetings".

Councillor Atterwill said that he had discussed these changes with the Chairman of the Planning Committee and felt that there should be a standing item on the agenda at the monthly meetings where it could be decided who would be on the Panel for the following month. This should be the Chairman or the Vice-Chairman, and to maintain Political Balance, one Conservative Member and one

Opposition Member to be determined. He believed that this would work very well and could see no reason to have more than 3 people on the Panel to make it more efficient in the decision making process. He also believed that there should be a six monthly review (if implemented) by the Overview & Scrutiny Commission. He asked the Executive Member for Planning, Councillor Bambridge, if any developments of 10 or more dwellings should automatically go to Committee and not let the decision be made by an Officer. Overall, he supported the report in principle subject to his aforementioned changes to make the process more transparent, politically balanced and to give the public confidence that this was a good solution going forward.

In response, the Executive Member for Planning, Councillor Bambridge advised that it was a long established practice in this Council to appoint Panels under certain committees such as the Licensing Panel and the Licensing Hearing Panel both of which were completely non-political. Any Member appointed to the Planning Committee sat as a Breckland Member not as an Independent, Labour, Green or Conservative Member. Therefore, as a Member of the Planning Panel, he expected the same. He agreed with the rolling membership and any Member of the Planning Committee including the substitutes could sit on the Panel. He mentioned the practical reasons for it being open in this way, as well as being non-political, due to the difficulties on occasions to get together the right amount of Members to attend.

As for the form that Members were being asked to complete for call-in purposes; this had been discussed at great length and he appreciated that it was prior to the Elections but one of the reasons that it was not brought in earlier in the year was because of the new Council being formed and he would like the new Council to endorse the decisions made by the former Council. The form itself was no different to what it was now except for it being formalised. Some Members asked for applications to come before the Committee and this form was asking for a planning reason not a political or personal reason. South Holland District Council had a completely different political balance in comparison to Breckland. He supported local Members being able to input to the Panel particularly if there was a significant application affecting their Ward.

In response to a question from Councillor Askew in relation to the call-in form, the Executive Member for Planning explained that any call-in was directed straight to the Chairman of the Planning Committee but if Members were mindful to approve the recommendations any call-in would be discussed by the Panel.

The Leader, Councillor Sam Chapman-Allen, explained the difference between the current call-in process and the new proposed process. Any call-in would be discussed by the Panel to decide whether or not the application should go before the Planning Committee where Members could challenge the Officer's recommendation of approval or refusal. This was the type of process the Council was trying to adopt, the decision did not sit solely with the Chairman but allowed transparency to other Members to sit in on the Panel as a sounding board. The Panel would not be making the decisions but would be recommending whether the application should continue on its journey to the Planning Committee. Sometimes Planning meetings lasted for more than 6 hours which was not a good approach to making such important decisions. The Council needed to reduce the time of these meetings and make sure that Members considered appropriate applications. Currently, the Committee heard applications where no Ward Member, public or local representatives were present which, in his opinion, was a waste of the Committee's time as they should be debating some of the most challenging applications that Breckland faced. The PAS Review,

independent of this authority, made some very clear recommendations. He acknowledged Councillor Atterwill's comments and these would be reviewed. It would return to the Commission whenever needed for review and he felt that Members should move forward with the current recommendations bearing in mind the amendments that had been put forward by Councillor Atterwill.

Councillor Jermy stated that he had only two occasions in his years as a Councillor to call in an application both of which were refused. On both of those occasions, from a public perception point of view, what the people were really disappointed about was the process, probably more so than the final outcome of the decision. He believed that with Planning, the public had more concerns about how the business was conducted and anything the Council could do to add faith in the process would be welcomed. He suggested that the Chairman of the Planning Committee would welcome wider involvement in the determination of whether or not an application should go to Committee. The principle of having an opposition Member on that Panel would be something that the Chairman and the Vice-Chairman would also welcome to add greater trust and faith in the process. Therefore, he was happy to support the amendment to the process to accommodate that. Personally, he would much rather have two Committees one dealing with applications from the north of Breckland and the other dealing with applications in the south where local knowledge could be well utilised.

Councillor Gilbert fully supported the proposal of forming a Panel but felt that Members needed to realise why the Planning Committee was overloaded by applications and he gave an example of the minor applications that had to be brought to Committee due to departure from policy and agreed that whatever the decision, the Panel be reviewed in a few months' time. He also felt to remove applications from the Committee process for 10 or more dwellings was wrong and should be looked at again. Referring to page 65 of the agenda pack, at section 2.5, it states: "Where an item included on an agenda of a meeting of the Planning Committee related specifically to a ward of the district that a ward member although not being a member of the Committee, may nevertheless attend that meeting and take part in any debate on the item, but not vote on them". He asked if this had changed as currently a Ward Member would be allowed 3 minutes to speak the same as anyone else but this seemed that they could participate in the debate for more than their allotted time but obviously not vote and asked for guidance on this matter.

In response, the Leader explained that any Member could speak at any Committee regardless of whether they had been appointed to that Committee or not. However, it would be at the Chairman's discretion as to how long he allowed that Member to speak. The rule was that the Chairman would allow the Member to speak for 3 minutes and, if minded, add to the debate and the conversation; therefore, there was no change to the current process of Ward Member speaking. He was concerned that Members felt that there was a lack of transparency and accountability for the Council's Planning Committee and rightly or wrongly it was up to Members as local champions to try and dispel that, as it was about the reputation of this local authority. As far as political balance was concerned, the Licensing Panels were made up of those Members who happened to be available on the day of the meeting and if it had to be politically balanced, due to the make-up of the Council, some Members would be extremely busy.

As a Member of the Planning Committee, Councillor Clarke supported the principle of the Panel and broadly supported Councillor Atterwill's proposal and also the points that Councillor Jermy raised about splitting the Planning

Committee meetings into north and south. He asked if the Panel would have the same information presented to them as if they were at the Planning Committee. He also endorsed the principle of the review.

Councillor Oliver had noted that the Panel was not a decision making body and asked if one of the Officers could comment on the following concern. In the event that the Panel made a recommendation that an application should not go to Committee and the Committee had not seen the relevant facts in relation to that application was it the Officers view that it would not form part of the formal planning decision process which would then not allow for a judicial review; or would the Panel have sufficient weight that a judicial review could be brought on the basis that the Panel failed to properly consider the planning application.

Mark Stinson, the Executive Manager for Governance explained that the Panel was not a decision making body, it was an administrative process – a check and balance. The proposal was that the matters were delegated to an Officer, this was simply a mechanism by which either an Officer could check, in certain circumstances, whether this matter ought to be escalated to the Planning Committee or alternatively go before Members to challenge where an Officer was exercising delegated authority. In other words the Panel would be part of the administrative process rather than the decision making process. For clarity, Councillor Oliver asked that if an Officer consulted with the Panel and disagreed with the Panel's view, and therefore decided to proceed on the original course of action, would there be no recourse for Members in that case. Members were informed that despite a matter being delegated to an Officer, the delegating body still retained the legal authority to make those decisions. Such a disagreement was highly unlikely.

The Chairman of the Planning Committee, Councillor Wilkin put the concerns into context and stated that under the current process at Planning Committee meetings, at the end of the agenda, there were many applications that had to be considered even though there were no speakers, Ward Representatives or Parish Councillors present and there had been no issues raised by Highways, drainage or ecology, they were just against Policy and listed the many applications that had to be discussed. The larger applications would still need to be discussed at Committee. He felt that the cost implications to have two Committees a month for north and south applications would be excessive. Additionally, with any application there was the Appeal process if the applicant felt that the decision was unfair. Having three Members on the Panel was adequate and avoided situations where he had to use his casting vote.

Councillor Atterwill then re-iterated the point about political balance, he completely agreed with the Chairman of the Planning Committee's comments, but the fact remained that democratically a certain political balance had to be applied to the Planning Committee as it did in other Committees. At Breckland at the moment, the makeup of the Planning Committee was a 3 to 1 ratio of 9 Conservatives and 3 Opposition Councillors therefore all he was suggesting was, from a public perspective, and what was already in place at South Holland District Council, written in their Constitution, that the Council should, wherever possible, try to have a political balance on the Panel of 3.

Councillor Claussen, the Deputy Leader, had listened with interest to what everyone had said but one observation, in relation to South Holland District Council was that it was not a shared service and secondly, political balance was written in the Constitution; therefore, on a Panel of 5 Members, there would be 4 Conservatives and 1 Labour and Councillor Clarke, as a Member of the Planning

Committee would be extremely busy.

The amendments were put to the vote:

1. That the 3rd paragraph of Section F be deleted in its entirety and replaced with the following wording:

“The Chairman’s Panel to comprise of 3 Planning Committee Members following as closely as possible the Political Balance of the Planning Committee and shall include the Chairman of the Planning Committee, or in their absence, the Vice-Chairman of the Planning Committee. Relevant Ward Members or a substitute may attend meetings of the Chairman’s Panel when the Panel is to consider an item that relates specifically to that Members Ward”.

The proposed amendment was seconded.

The Chairman then asked for a show of hands for this amendment and the vote was lost by 11 votes for the amendment and 24 against. The amendment was not carried.

2. That paragraph 4 of the same Appendix (Appendix A) be deleted in its entirety and replaced with the following wording:

“The Panel be convened on an adhoc basis as required. Membership should be on a rolling basis to be determined by the Planning Committee Members at each of its meetings”.

The proposed amendment was seconded.

The Chairman then asked for a show of hands for this amendment.

A Member asked if a recorded vote could be taken.

Councillor Jermy indicated that he wished to speak on a point of order and asked the Executive Manager for Governance if a recorded vote could be taken or did it have to be supported by a certain amount of Members. The Executive Manager for Governance advised that for a recorded vote to be taken it had to be supported by 13 Members; however, he reminded all Members that any Member could have their individual vote recorded if they so wished.

Following the vote on the second amendment, a number of Members requested that their votes in favour of the amendment be recorded as follows:

Councillor Atterwill
Councillor Birt
Councillor Brindle
Councillor Clarke
Councillor Dowling
Councillor Gilbert
Councillor Harvey
Councillor Jermy
Councillor Morton
Councillor Taylor
Councillor Wickerson

The vote was lost by 11 votes for the amendment and 24 against plus one abstention. The amendment was not carried.

Councillor Duigan queried whether individual votes would be recorded for amendment 1 as they had not been requested at the time the vote was taken.

The Executive Manager for Governance advised that there would be no individual votes recorded against amendment 1.

The Deputy Leader echoed again that once the Constitution was amended, the Panel could still be reviewed, and he thanked all Members for their engagement in this matter.

For the benefit of new Members, Councillor Kybird stated that any changes made to the Constitution did not take effect until the next Full Council meeting. The Executive Manager for Governance pointed out that there was provision in the Constitution for a report that was brought before Council to amend the Constitution, the amendment took place immediately. It was where Members sought to make a change on the day of the meeting that those changes would not take effect until the next Full Council meeting.

The original recommendations were then voted upon; and it was

RESOLVED that:

- 1) paragraph 3 of Part 3 Section F3 of the Constitution be amended as shown in Appendix A of the report in order to extend the current scheme of delegation to officers to determine planning applications, including the establishment of a Chairman's Panel, in accordance with the decision of the Planning Committee held on 8 April 2019; and
- 2) the additional minor changes as shown in Appendix B of the report be approved.

82/19 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 14)

Members were asked to vote on the exclusion of press and public after it was read aloud by the Chairman.

Councillor Birt challenged the exclusion as he felt that requirements of paragraphs 1 and 2 of Schedule 12A were not met.

The Executive Manager for Governance asked Councillor Birt why he considered that the matter was not compliant with Schedule 12A. Councillor Birt explained that Schedule 12A paragraph 1 related to information relating to any individual but that the report starting on page 67 of the agenda pack did not relate to any individual it only related to job roles. Additionally, on page 72 of the agenda pack, it included paragraph 2 which related to information which was likely to reveal the identity of an individual but the only identity that had been revealed was the Chief Accountant who was the author of the report. He also felt that the remaining reports were all of a similar vein.

The Executive Manager for Governance explained that the terms and conditions of service of staff and the potential impact on them of restructure were set out in these reports. Those individuals, even where not named in the reports, were easily identifiable. The question to consider was whether it was fair and reasonable to

put that information into the public domain. At this point the public interest test was applied and given that the Council had data protection responsibilities around those individuals, data protection was not just about naming the individuals it was about information that when put together could make a person identifiable. That was the reason for the recommendation to exclude the press and the public.

RESOLVED that under Section 100(A) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 21A to the Act.

83/19 APPOINTMENT OF AN INFORMATION GOVERNANCE OFFICER (AGENDA ITEM 15)

The Deputy Leader and Executive Member for Governance presented the report.

This was a temporary post and was shared 50/50 between Breckland and South Holland District Councils and the reason for it being brought to Full Council was that General Data Protection Regulations (GDPR) had become a far bigger piece of work than first thought and therefore a permanent post was sought.

He mentioned some of the fines for those that had been in breach of the GDPR. He also mentioned the fact that the Information Governance Officer had achieved a very positive audit report in December 2018 and he urged Members to support the recommendation.

Councillor Borrett endorsed the comments made by the Deputy Leader.

Following a vote, it was

RESOLVED that the role of the Information Governance Officer (shared) be made a permanent post.

84/19 PUBLIC PROTECTION MANAGEMENT TEAM REVIEW (AGENDA ITEM 16)

The Executive Member for Housing & Health & Environment presented the report.

The report proposed an amended structure and ways of working for the Public Protection Shared Management Team.

The proposal would need authorisation from both Breckland and South Holland District Councils. All staff had been completely involved as well as the Trade Union, all of whom were in support of the restructure.

RESOLVED that:

1. the Executive Director for Strategy and Governance, in consultation with the Executive Member for Housing, Health & Environment be authorised to implement the proposals subject to no major change; and
2. the Executive Director for Strategy and Governance, in consultation with the Executive Member for Housing, Health & Environment be authorised to make minor amendments and all consequential/subsidiary actions required, including staffing matters.

85/19 DIGITAL AND INNOVATION SERVICE REVIEW (AGENDA ITEM 17)

The Deputy Leader & Executive Member for Governance presented the report.

The proposal would need authorisation from both Breckland and South Holland District Councils. All staff had been completely involved as well as the Trade Union, all of whom were in support of the restructure.

The service review had the potential of one redundancy but overall the changes were cost neutral.

RESOLVED that:

1. the Executive Director for Strategy and Governance, in consultation with the Deputy Leader/Executive Member for Governance and the Executive Member for Customer Engagement, be authorised to implement the proposals subject to no major change; and
2. the Executive Director for Strategy and Governance, in consultation with the Deputy Leader/Executive Member for Governance and the Executive Member for Customer Engagement, be authorised to make minor amendments and all consequential/subsidiary actions required, including staffing matters such as redundancies.

86/19 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT (AGENDA ITEM 18)

None.

Digital Inclusion Presentation

Following the close of the meeting a digital inclusion presentation was given by the Executive Manager for Information introduced Andy Prior the Digital and Customer Access Manager.

The meeting closed at 12.00 pm

CHAIRMAN