

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 11 July 2019 at 10.00 am in the
Anglia Room, The Conference Suite, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Mr D. R. R. Oliver (Chairman)	Mr M. Kiddle-Morris
Mrs L.S. Turner (Vice-Chairman)	Mr R.G. Kybird
Mr T. Birt	Mr I. Martin
Miss H. Bushell	Mr M. J. Nairn
Mr E. Colman	Mr D. Wickerson
Mr F. Eagle	Mr H. E. J. Clarke (Substitute Member)

Also Present

Mr P. Morton	Mr R. Atterwill
Mr M. Robinson	Mrs S. Dowling
Mr P.D. Claussen	

In Attendance

Matthew Hogan	- Executive Manager Growth
Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Rob Walker	- Executive Director Place
Stephen James	- Communities & Environmental Services Manager
Hannah Hooks	- Housing Manager
Stefan Clifford	- Communities Officer
Alison Chubbock	- Chief Accountant (Deputy Section 151 Officer) (BDC)
Ralph Burton	- Strategic Property Manager (BDC)
Ruth Tudge	- Democratic Services Officer

41/19 MINUTES

The Chairman asked Members to confirm the minutes of the meeting held on 30 May 2019.

Councillor Birt asked if more information could be included in the minutes as he felt some matters had been omitted. The Chairman explained only key outcomes should be recorded as there was a danger of minutes being too lengthy.

Councillor Turner asked if Item 35/19 Q4 2019-19 Performance Overview Report page 3 under staff sickness be expanded to read the following: 'It was explained to members that the CEO as Head of Paid Services was responsible for employment and management of staff. Only if Members had a concern that a service or department was struggling would it be appropriate to get involved.'

The minutes of the meeting held on 30 May 2019 were confirmed as a correct record and signed subject to the amendments as mentioned above.

Action By

Action By

42/19 APOLOGIES AND SUBSTITUTES

Apologies were received from Councillor Jermy. Councillor Clarke was in attendance as Councillor Jermy's substitute.

43/19 CHAIRMAN'S ANNOUNCEMENTS (IF ANY)

The Chairman announced that items 14 and 15 on the Agenda was an option for this meeting to go to a closed session. Councillor Bambridge had already informed Members of the details of this agenda item. The Chairman asked for Members to vote on whether this item should be excluded from Press and Public, the majority of Members agreed it should be excluded from Press and Public.

It was agreed that the Press and Public should be excluded at this time.

44/19 URGENT BUSINESS

None.

45/19 DECLARATION OF INTERESTS

None.

46/19 NON-MEMBERS WISHING TO ADDRESS THE MEETING

None.

47/19 FLY TIPPING REVIEW

Councillor Webb explained that the report of the Fly Tipping Task and Finish Group had been circulated to Members and the results had been previously presented to the OSC. The outcomes highlighted a couple of areas of improvement, a need to improve ease by which public could report fly tips and enforcement had been limited for a number of years.

A new Enforcement Officer had since been employed and progress had been achieved in working with Norfolk Waste Partnership. Councillor Webb reassured Members that there was now a clear prioritisation of resource and that a zero tolerance was being adopted which was what the public wanted.

The Communities and Environmental Services Manager, Steve James introduced the Enforcement Officer, James Harding who he had brought experience and dedication to moving enforcement forwards. Members were informed that, over the last few months the Council had issued 6 fixed penalty notices across the district. Three had been for fly tipping, one for littering, one for fly posting and one for an individual who did not have a waste carrier's licence. A removal service had been conducted without a waste carrier's licence and then a fly tip had occurred on an estate in Thetford. The Enforcement Officer had worked significantly hard with partners such as the police, interviewing the individual under caution, networking with Norfolk County Council, and using CCTV footage to bring that to a conclusion where a fixed penalty notice had

Action By

been issued. The individual had accepted the guilt and is currently on a 6 month payment plan to repay the amount he owed.

The Communities and Environmental Services Manager went on to explain that he had also focussed efforts on wider community work, primarily on the Abbey Estate, the High Street and Butten Island in Thetford. On The Abbey Estate there had been frequent fly tipping which was cleared daily by Serco and had become routine behaviour. Over the last month, officers had attended the estate twice a week, hoping to identify perpetrators by having a visible presence and educating the perpetrators on their duties under the legislation of how to dispose of their waste properly. This would be continued over the summer to help prevent any escalation of issues.

Butten Island was a place where there was a prevalence of day drinkers and general anti-social behaviour. Officers had attended the site on multiple occasions and engaged directly with individuals involved. All were working with the Police in terms of how this could be dealt with, which could lead to the issuing of Community Protection Warning Notices. This work would continue.

The Team had been engaging internally with the Digital Team and with the ICT Web Team about improving the ease of which people could report fly tipping. Positive feedback had been received and evidence of a fly tip being reported had been collected within 30 minutes.

The Chairman explained that the Overview and Scrutiny Commission had been instrumental in both scrutinising and driving forward this progress, and hopefully it would continue and performance would be improved.

Councillor Nairn asked for confirmation on the cost of a fixed penalty notice. The Enforcement Officer, James Harding, confirmed that if it was paid within 10 working days it was £300, post 10 working days was £400.

Councillor Nairn also asked about waste licences and where the responsibility lied for checking that a carrier had a licence. The Communities and Environmental Services Manager confirmed the ultimate responsibility lied with the person using the service. The public needed to check that the company had an appropriate licence. He also explained that Norfolk County Council were running a 'Scrap It' campaign to raise public awareness. The Communities and Environmental Service Manager said that he could work with communications to publicise the message further. Councillor Nairn felt that the Council should also publicise and suggested using Facebook and Twitter to make residents more aware. Councillor Webb agreed that more publicising should be undertaken to ensure the public had the necessary information to make informed choices to dispose of waste.

Councillor Wickerson said that this was not unique to Breckland but countywide, possibly national. The public were unsure what they could dispose of and where to take it. The Task & Finish Group established a misunderstanding from the public and he would be interested in any conversations with Norfolk Waste Partnership. The Communities and Environmental Services Manager pointed out that the Head of Waste for

Action By

Norfolk County Council had attended the Task & finish Group and it had been established that there was a misunderstanding from the residents on what they could or could not take to the Recycle Centres. Research figures showed when they were reviewed that the nature of the fly tips collected, a significant amount could have been taken to the Recycle Centres, and residents should have been better informed.

Councillor Nairn explained although there was a charge for some waste, the charge was for a measured quantity but it seemed that people were being charged the full amount.

The Communities and Environmental Services Manager stated the policy decision had been taken by Norfolk County Council. If the commission felt that this matter should be further explored, the Head of Waste could be invited back to the Commission to establish if that policy decision needed to be reviewed in line with the changes that Breckland Council was making to deal with fly tipping.

It was agreed that the Head of Waste should be invited back to a future meeting. It would be added to the Work Programme accordingly.

Councillor Turner agreed that there was not enough publicity in relation to waste disposal. She suggested publicising information on free sites, where no money changed hands. Councillor Turner also suggested further information for residents might be useful, particularly in a multi-cultural society as well as HMOs explaining possibly in pictorial form what goes in which bin.

Councillor Kiddle-Morris pointed out that another area that needed to be looked at was fly tipping on private land. These costs had to be borne by the land owner were unacceptable and unjust and something that should be investigated. He drew attention to para 1.3 of the report where it mentioned materials being used and asked for this to be explained.

He also questioned the Norfolk Waste Enforcement Group, and asked when this had been set up and how often this met and whether it was a robust enough body to cope with these matters.

The Communications and Environmental Services Manager explained that fly tipping on private land remained with the land owner, however, this was something the Team were looking at and were working with the land owners where possible.

In response to the question about the materials being used, the Communications and Environmental Services Manager stated that this was publicity educational material as a result of a trial from a local authority, largely social media based, that had been sent out in order to educate the communities. This had resulted in a positive impact and Norfolk County Council had followed that template and used that mechanism. He would be happy to circulate it to Members for information.

The Communications and Environmental Service Manager then went on to explain that the Norfolk Waste Enforcement Group reported directly into the Norfolk Waste Partnership. Breckland Council did not have

Action By

representation on it, however the group could be shaped to make it more effective.

Councillor Kiddle-Morris stated Norfolk County Council had arranged a hazardous waste amnesty in September, as well as a new scheme for re-cycling re-usable paint. He felt that this should be advertised through communications.

Councillor Clarke welcomed the progress made so far and was aware, as being part of the Task & Finish Group, where there had been particular concentrations of fly tipping either by volume or incidents. He was pleased that the report had been issued and encouraged Members to read it. The heat map was of particular interest. Also Ward Members needed to be included, if there were any fly tips that the team were investigating in their wards. He also felt that Members should be the 'eyes and ears' for the community and report back to the Enforcement Team if necessary.

Councillor Eagle asked if the Council could publicise a list of Waste Licence Carriers on the website. Members discussed the pros and cons to maintain an up to date list. It was felt the public should be made aware of their responsibilities. The Communication and Environmental Services Manager would look into this and investigate feasible options.

Councillor Bushell suggested getting this information out in a leaflet form which could be made available at surgeries.

Councillor Kiddle-Morris suggested CCTV cameras. In response Councillor Webb confirmed that this was already being considered.

48/19 BRECKLAND LOTTERY UPDATE

Councillor Mark Robinson gave a brief update on the Breckland lottery and how it was launched on 30 March 2018. Current key figures generated thus far was £72,800 revenue and £43,680 had gone directly to local community groups and organisations. On 1 June 2019 the Breckland Lottery Community Fund launched to coincide with the National Volunteers Week and offered verified good causes the opportunity to apply for grants of £250, £500 and £1,000 in return for committing to sign up an additional 10, 20 or 30 new players to the Scheme. The Scheme encouraged community organisations to recruit new supporters to their good cause which in turn generated more funds for the communities to share the following year. In the last month, there had been an increase of over 70 new players generating an additional 140 ticket sales per week giving the Council its highest weekly figure to date. The fund operated on a first past the post system and remained open to existing good causes and new groups interested in signing up. The scheme was operated by the Communities Team and new groups interested in signing up should visit www.ourbrecklandlottery.co.uk.

To date top performing good causes were:

PACT Animal Charity - £4,966.00
Garboldisham Fox CIC - £1,820.00
The Daisy Programme - £1,560.00
Dereham Theatre Company - £1,560.00

Action By

Thetford Netball Club - £1,500

There had also been community winners, and it was a great motivator to support local good causes and have the chance of winning a weekly cash prize of £25,000.

For every £1 ticket sold:

50p went to local good causes that were signed up to the Breckland Lottery:
10p went to The Breckland Lottery Community Fund: and
20p went to the lottery prize fund;
20p went towards running costs.

The Chairman asked for more information on the Lottery Management Company, Gatherwell Ltd. The Communities and Environmental Services Manager explained the amount of research that had been undertaken in appointing Gatherwell. It had a history of working with 42 other local authorities with a proven track record. The Council did not fund it or make money from it. Only 10p in the £1 came into Breckland Council as part of its Community Fund which in turn was distributed to good causes. The support of the Lottery and its communication was on the basis that Breckland Council believed it was a valuable investment to establish a sustainable and ongoing fund for good causes to generate income.

Members questioned how Officer time was paid for in the hours spent helping to run the lottery.

Councillor Turner had concerns over smaller groups missing out and asked if this could be looked at so it could be an all-inclusive lottery.

Councillor Birt asked about the figures quoted on the website which did not equate to the figures mentioned above. He also asked if Breckland Council were fully insured against any pay out and risk. He also questioned how the Council ensured that players were over 16 and a resident of Breckland. Finally he had concerns about the fact that information was stored on Google servers and felt that the Council needs to be careful to ensure it was GDPR compliant.

In response the Communities and Environmental Services Manager explained that the insurance was covered by part of the fee paid to Gatherwell who were fully insured and the Council was not at any risk for any pay out.

In terms of the risk associated with checking ages, a strict and vigorous audit was undertaken by the Gambling Commission who ensured that Gatherwell and Breckland Council were fully compliant with all of the requirements of legislation in order that it was protected from underage players – appropriate safeguards were in place.

As for being GDPR compliant, the Communities and Environmental Services Manager would check with Gatherwell on the storage of information and get a response for the Commission.

The Executive Director Place, Rob Walker explained that he and the

Action By

Place Manager, Riana Rudland held the licence to operate the lottery for Breckland Council and the process and procedures were onerous and rigorous and the Gambling Commission regularly checked to ensure Breckland Council were doing everything it should.

Members asked for an analysis on the Officer time spent and costs taken to run the scheme. The Chairman asked for this information to be reported back to the OSC in 3 months' time.

49/19 OUTSIDE BODY FEEDBACK (STANDING ITEM)

Councillor Kybird stated that the Norfolk Records Committee and the Norfolk Joint Museums Committee had met recently. There was a tour available for District Council Members to visit the Record Office on 25th July at 1.30pm, there was no need to book a place.

Councillor Kybird was elected Vice-Chairman of the Joint Museums committee and minutes would be distributed to Members of the Commission once issued. One matter to note was the final draft of the 5 year forward plan which ran until 2023, 2024 was the 100th anniversary of the Ancient House Museum in Thetford, and he had asked for something to be included on the next Forward Plan in preparation for that celebration.

Council Bambridge was a member of The Norfolk Rivers IDB and a written report was sent to all Members periodically but he was happy to answer any queries at these OSC meetings.

Councillor Wickerson and Councillor Eagle were members of the Hammond Educational Charity of which the remit covered the entire Breckland District. Applications for grants were available to all students up to the age of 21, educational establishments and any activity which encouraged youth physical education and apprenticeships. Councillor Wickerson said he would provide the Charity's document of charitable aims for Members in due course and he asked Members to spread the word.

Councillor Birt gave an update on a number of follow up actions from outside of the meeting.

He had met with Ross Bangs with regard to the website and the number of visits to it. This was still ongoing and would be reported back accordingly.

Response to telephone calls – he and the Customer Contact Centre Manager (Interim), Zoe Webster looked at the reporting function to measure the waiting time. The process was explained in great detail. Further evaluation was required.

At the same meeting Councillor Birt had been offered access to Pentana, the Council's Performance Management System in relation to the KPIs which were presented to the Commission. It was explained that the access was available to anyone who wanted it and if Members were interested in any further information they should contact Ross Bangs and ask for a log in. Councillor Birt felt this was a good step

Action By

forward as it provided a better understanding of the data presented.

There had been no progress on the review of unemployment levels. Councillor Birt would feed this back to the commission when any information had been received on this matter.

The Chairman thanked Councillor Birt for his efforts particularly the telephone handling information and suggested that this should be included on the work programme for the next performance quarterly report review.

50/19 SCRUTINY CALL-INS (STANDING ITEM)

None.

51/19 COUNCILLOR CALL FOR ACTION (STANDING ITEM)

None.

52/19 WORK PROGRAMME

Councillor Kybird queried the Smoke Free Council entry. The Executive Director Strategy and Governance, Maxine O'Mahony explained that the Council was considering going smoke free and that this was currently being researched and would be brought to the Commission for their views in the near future.

Councillor Clarke asked about the entry on 19th December. 'To seek an update from the Flagship Task and Finish Group'. The group had now finished and he asked if this should just be an update on the issues that came out of the report? Councillor Turner confirmed as Chair of the Group that it would be useful to come back and have a further discussion on the outcomes and how these had benefited residents and what the next steps were. She that Flagship be invited to a future meeting for an update.

Councillor Kiddle-Morris reported that the new Local Plan was set to be ratified by Council in September, followed by a 2 year review. He suggested that sustainable development in rural communities should be considered by the Commission to look at how policies should be worded for developments in local communities. He suggested setting up a Task & Finish Group to be discussed at the December meeting.

Councillor Martin suggested Anglian Water should be invited to explain their statutory duty to connect.

The Chairman said that the work programme would be amended to reflect the aforementioned suggestions and would be distributed to Members accordingly.

53/19 NEXT MEETING

The arrangements for the next meeting on 26 September 2019 at 10:00am in the Anglia Room, Eliabeth House, Walpole Loke, Dereham were noted.

54/19 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the disclosure of exempt information as defined in paragraph 3 and 4 of Part 1 of Schedule 12A to the Act.

55/19 PRESENTATION ON PROPERTY ACQUISITION

Members received a presentation relating to the acquisition of the former Norfolk County Council Day Centre and associated land holdings at Elm Road in Thetford. By securing the property the site would be re-furnished to provide a quantum of accommodation that would meet the current demand for temporary housing accommodation.

Action By

The meeting closed at 12.22 pm

CHAIRMAN