



AGENDA

Committee - CABINET

Date & Time - MONDAY 19 OCTOBER 2020 AT 9.30AM

THIS MEETING WILL BE STREAMED LIVE VIA THE LINK BELOW AND WILL BE ACTIVATED AT THE START OF THE MEETING

<https://www.breckland.gov.uk/virtual-committee-meetings>

THIS MEETING IS IN LINE WITH THE LOCAL AUTHORITIES AND POLICE AND CRIME PANELS (CORONAVIRUS) (FLEXIBILITY OF LOCAL AUTHORITY AND POLICE AND CRIME PANEL MEETINGS) (ENGLAND AND WALES) REGULATIONS 2020

Members of the Committee requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Committee.

The Cabinet

Mr S. H. Chapman-Allen (Chairman)	Mr M. S. Robinson
Mr P.D. Claussen (Vice-Chairman)	Mr I. Sherwood
Mr S.G. Bambridge	Mrs S. E. Suggitt
Mr J.P. Cowen	Mrs A. M. Webb
Mr P.J. Hewett	

Democratic Services
Elizabeth House, Walpole Loke,
Dereham Norfolk, NR19 1EE

Date: Thursday, 8 October 2020

PART A - ITEMS OPEN TO THE PUBLIC

	<u>Page(s) herewith</u>
1. <u>MINUTES</u> To confirm the Minutes of the meeting held on 7 September 2020.	4 - 13
2. <u>APOLOGIES</u> To receive apologies for absence.	
3. <u>URGENT BUSINESS</u> To note whether the Chairman proposes to accept any item as urgent business, pursuant to Section 100(B)(4)(b) of the Local Government Act 1972.	
4. <u>DECLARATION OF INTERESTS</u> The duties to register, disclose and not to participate for the entire consideration of the matter, in respect of any matter in which a Member has a disclosable pecuniary interest are set out in Chapter 7 of the Localism Act 2011. Members are also required to withdraw from the meeting room as stated in the Standing Orders of this Council.	
5. <u>NON-MEMBERS WISHING TO ADDRESS THE MEETING</u> To note the names of any non-members who wish to address the meeting.	
6. <u>CHAIRMAN'S ANNOUNCEMENTS (IF ANY)</u>	
7. <u>BRECKLAND COMMUNITY FUNDING APPLICATIONS (STANDING ITEM)</u> To consider the grants put forward (if any).	
8. <u>THE PLANNING REGISTER AND GENERAL DATA PROTECTION REGULATIONS</u> Report of Councillor Paul Claussen, Executive Member for Planning and Councillor Sarah Suggitt, Executive Member for Governance.	14 - 18
9. <u>UPDATE ON BRECKLAND SUSTAINABILITY STRATEGY (STANDING ITEM)</u> Report of Executive Member for Customer Engagement and Member Champion for Breckland Sustainability Strategy, Councillor Ian Sherwood.	19 - 21
10. <u>ANGLIA REVENUES AND BENEFITS PARTNERSHIP</u> To note the minutes of the Joint Committee held on 15 September 2020.	22 - 27

11. NEXT MEETING

To note that the date of the next meeting of Cabinet will be held on 30 November 2020.

BRECKLAND COUNCIL

At a Meeting of the

CABINET

Held on Monday, 7 September 2020 at 9.30 am

**THIS MEETING IS IN LINE WITH THE LOCAL AUTHORITIES AND POLICE AND CRIME
PANELS (CORONAVIRUS) (FLEXIBILITY OF LOCAL AUTHORITY AND POLICE AND
CRIME PANEL MEETINGS) (ENGLAND AND WALES) REGULATIONS 2020**

PRESENT

Mr S. H. Chapman-Allen
(Chairman)
Mr P.D. Claussen (Vice-
Chairman)
Mr S.G. Bambridge
Mr J.P. Cowen
Mr P.J. Hewett

Mr M. S. Robinson
Mr I. Sherwood
Mrs S. E. Suggitt
Mrs A. M. Webb

Also Present

Mr R. Atterwill
Mr T. Birt
Councillor C. Bowes
Miss H. Bushell
Councillor M. Chapman-Allen
Mr H. E. J. Clarke
Mrs H Crane
Mr P.J. Duigan

Mr F. Eagle
Mrs J. James
Mr M. Kiddle-Morris
Mr I. Martin
Mr P. Morton
Mr J.W. Nunn
Mr S. Terry
Mr D. Wickerson

In Attendance

Anna Graves
Rob Walker
Maxine O'Mahony

Alison Chubbock

Adrian Mills
Sarah Wolstenholme-Smy

Teresa Smith
Julie Britton

- Chief Executive
- Executive Director Place
- Executive Director of Strategy & Governance
(Monitoring Officer)
- Chief Accountant (Deputy Section 151 Officer)
(BDC)
- Strategic Manager (Billing & Benefits) ARP
- Legal Services Manager (Deputy Monitoring Officer
BDC)
- Democratic Services Team Leader
- Democratic Services Officer

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Chairman's Opening Remarks

The Chairman welcomed everyone to the meeting he was pleased to see so many non-members in attendance.

The protocol for non-members wishing to ask questions was highlighted.

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48/20 MINUTES (AGENDA ITEM 1)

The minutes of the meeting held on 13 July were confirmed as a correct record.

49/20 APOLOGIES (AGENDA ITEM 2)

None received.

50/20 URGENT BUSINESS (AGENDA ITEM 3)

None.

51/20 DECLARATION OF INTERESTS (AGENDA ITEM 4)

None declared.

52/20 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

Councillors Atterwill, Birt, Bowes, Bushell, Marion Chapman-Allen, Clarke, Crane, Duigan, Eagle, James, Kiddle-Morris, Ian Martin, Morton, Nunn, Terry and Wickerson were in attendance.

Councillor Morton raised a question under this item.

Central Government was coming forward with a number of funding initiatives in respect of climate change such as the Green Homes Grant (local authority delivery scheme), to improve the energy efficiency of low-income households. Additionally, £1billion was going to be provided to encourage public sector decarbonisation. He asked if the Cabinet Member for Sustainability could confirm that the Council was taking advantage of these funding initiatives to negate climate change in Breckland.

In response, the Chairman advised that it was not normal practice for non-Members to ask questions under this item; however, he assured Councillor Morton that Councillor Ian Sherwood, the Executive Member for Customer Engagement and the Council's Member Champion for Breckland Sustainability Strategy would respond to this question under agenda item 11.

53/20 CHAIRMAN'S ANNOUNCEMENTS (IF ANY) (AGENDA ITEM 6)

The Leader knew that all Members were now aware that the Chief Executive, Anna Graves, had tendered her resignation and would be leaving both authorities, Breckland Council and South Holland District Council, early in October 2020.

He had worked with the Chief Executive for the past five years as Leader and as Deputy Leader and her incredible contribution, energy and determination, not just to this Council, but to the wider success of local government in Norfolk, Lincolnshire and the Eastern region, had been recognised. The networking and partnership skills built through her 30-year career in local government had helped position Breckland as a true partner of choice for many organisations within the eastern region and had made Breckland Council and its communities a greater place in which both residents and

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businesses could thrive. She had also championed particular areas such as domestic violence and modern slavery, raising awareness not just in the public sector, but within the wider community as a whole.

The Chairman pointed out that a formal announcement would be made at the Full Council meeting in September but in the meantime, he hoped that everyone would join him in offering their personal thanks to the Chief Executive for her tireless energy, commitment and service to the residents and businesses of Breckland and Norfolk and he wished her all the very best for the future.

He and Lord Porter were committed to the current partnership between Breckland and South Holland District Council and all options were now being looked at to cover the gap that the Chief Executive would create to deliver a road to recovery

The Chief Executive thanked the Chairman for his kind words.

On another matter, the Chairman highlighted the subject of the Devolution and Recovery White Paper that the Government had recently announced. Members who followed the MJ or the LGA news would be aware that the Government intended to publish this White Paper in the autumn 2020. Norfolk County Council was already holding a Cabinet meeting to discuss its commitment and direction of travel in response to the White Paper when published.

Breckland Council was committed to work through the opportunities for change with its partners across Norfolk and the wider eastern region and develop all options to improve the lives of residents and businesses. Everyone had a role to play in making sure that this publication was considered with an open mind but at present, without any details, it would be premature to discuss the options for Breckland Council; however, preparations were in hand to respond to the Government's anticipated Recovery and Devolution White Paper once published.

**54/20 BRECKLAND COMMUNITY FUNDING APPLICATIONS (STANDING ITEM)
(AGENDA ITEM 7)**

Although, there were no funding applications to report, Councillor Mark Robinson, Executive Member for Community, Leisure & Culture, took the opportunity to remind Members that the funding scheme, administered by the Community Foundation had re-opened on 1 September 2020

**55/20 REVIEW OF THE LOCAL COUNCIL TAX REDUCTION SCHEME (LCTRS)
FOR 2021-22 (AGENDA ITEM 8)**

The Executive Member for Finance and Growth presented the report, the first of three papers that he would be reporting on, all of which were being provided against an unprecedented background that had not been experienced before.

This was the eighth year that Breckland Council had implemented this locally set Local Council Tax Reduction Scheme that had to be reviewed annually. This latest iteration introduced a fluctuating earnings rule that would allow, if approved, a floating tolerance level to make it easier for customers to

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manage their finances month to month.

The current level of maximum benefit being 91.5% for working age claimants and a fully funded package for war pensioners, a key part of Breckland's Armed Forces Covenant.

Whilst living through these unprecedented times and given the impact of the Pandemic, that was affecting all of society and the potential to have a greater impact on the most vulnerable, the fluctuating earnings rule had proved particularly beneficial to many in the Breckland community.

The report identified that Breckland Council had seen a 500% increase in workload as a result of COVID 19 and although this was now reducing to a more typical level, the impact of the pandemic had not disappeared and local flare ups were likely to lead to an increase in casework for the team once more.

There were two options for Members to consider as set out in section 2 of the report. The recommendations in section 3 although unambiguous: should be retained and the scheme be reviewed again in the subsequent year.

Adrian Mills, Strategic Manager (Billing & Benefits) ARP, was in attendance to answer any questions.

Members were asked to support the recommendations.

Councillor Clarke welcomed the review and thanked the Executive Member for his report. He asked however, if the Council would be looking at any changes to the categories of support due to the pandemic in any further reviews going forward.

The Executive Member for Finance & Growth expected an 'open book' review to examine the implications of what everyone had experienced this year and an all Member input into further reviews going forward would be welcomed.

The Executive Member for Community, Leisure & Culture was really pleased to note the introduction of fluctuated earnings within the scheme. He felt that this was a small but significant strut in support for residents whose employment could vary from week to week in terms of income.

Options

- 1) That the Local Council Tax Reduction Scheme for 2021-22 be reviewed as outlined within the report and that Cabinet agree to retain the existing scheme for the 2021-22 year.
- 2) That the Local Council Tax Reduction Scheme for 2021-22 be reviewed as outlined within the report and Cabinet make other recommendations.
- 3) Do nothing.

Reasons for recommendations

The changes made to the current scheme have worked well – introducing a

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tolerance rule for the treatment of Universal Credit awards has reduced the number of notifications customers receive to amend their Council Tax payments, whilst providing stability for customer repayments whilst reducing customer contact.

Given the economic impact of COVID-19 on household budgets and rising unemployment, we do not recommend increasing the contribution rate this year.

RESOLVED that:

- 1) the Local Council Tax Reduction Scheme for 2021-22 as outlined within the report be reviewed; and
- 2) the existing scheme for the 2021-22 year be retained.

56/20 REVISED BUDGET 2020-21 (AGENDA ITEM 9)

The Executive Member for Finance and Growth presented the report

During these unprecedented times, he doubted whether any Member could recall a time when the Council had to consider a change to the budget part way through a fiscal year.

COVID 19 had had a significant impact on the workings and financial status of Councils throughout the United Kingdom and Breckland was no exception.

In June 2020 an interim report had been presented on the likely and potential impact of COVID 19 on the budget that had been set prior to the world changing in March 2020.

The Council had suffered losses through reductions in its income streams as shown in paragraph 1.3 and it had experienced additional costs as identified in paragraph 1.4 of the report.

Government support had been received to target some of the gaps that the pandemic had created and whilst the Government support had been substantial, it had not funded the budget gap fully as a result of the impact of the pandemic on Breckland.

However, the Executive Member was pleased to report that Breckland Council, through its prudent fiscal management, had been able to absorb the majority of the financial gap by drawing down reserves as shown in Appendix A of the report. This authority was confident that as it moved forward it would be able to put in place measures to address the £217k shortfall.

The Executive Member thanked the Teams within the Council who had worked in challenging and, at times, often difficult circumstances to put this revised budget together. This had been a workstream that had never been encountered before and hopefully one which would not occur again.

Full details that supported the revised budget had been set out in the report and appendix A highlighted the summary of the Revenue Budget amendments.

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Alison Chubbock, the Chief Accountant and Deputy S151 Officer was in attendance to answer any questions.

Members were asked to support the recommendations.

Councillor Clarke also paid tribute to the work of the Teams in these difficult circumstances not only for remote working, but for the challenges faced in respect of the reduction to the Council's position. He had noticed that the Council had lost revenue in a number of areas in particular, commercial services, following a number of abatements for tenants and he wondered if it would be possible to have a breakdown of where those particular gaps were taking into account that this would be commercially sensitive information.

The Executive Member stated that there had been a great deal of information that had gone into producing this report and due to the commercially sensitive nature attached to it, it had been summarised accordingly. He was sure that the Chief Accountant and her Team would be able to pull together a supportive document for Members whilst recognising that some of this information might not be able to be released.

Councillor Hewett, the Executive Member for Contracts & Assets, commented that it was odd to publicise and reflect on bad news but this authority had, as Councillor Cowen had said, like many councils, incurred losses and more costs due to Government grants not being met within the current spending plans. However, at the same time, and emphasising one point that had been mentioned earlier, through robust and careful stewardship, the situation that the Council was facing, was far better than, what he believed many councils had faced during this pandemic. Would this report create sensational headlines, probably not, would it receive the press it deserved in respect of the Council's financial propriety, probably not but would it allow the residents and businesses to thrive in future, absolutely, and he commended the report in terms of both the effort that had gone into it and also the effort it reflected in terms of making sure that the businesses and residents would thrive over the next couple of years.

Referring to the figures contained within Appendix A, Councillor Atterwill felt that the Council was looking at a substantial loss of income in respect of planning & building control and land charges etc. He asked the Executive Member for Finance & Growth whether the Council had the ability to claw back any of that income from Capita in terms of the contract. In response, the Executive Member advised that whilst it was clear that there had been a reduced number of applications submitted during this pandemic, Capita was not responsible for that reduction but he was aware through conversations with colleagues in the Capita Planning department that they had never seen such a large number of applications being submitted now. He anticipated that the planning income stream would recover and gather a little more momentum as there were significant applications in the pipeline coming forward.

As for the contract itself, and whether there was any claw back mechanism contained within it, the Executive Member was unable to respond as contracts did not form part of his Portfolio and deferred the question to Councillor Hewett, the Executive Member for Contracts & Assets.

Councillor Atterwill was reassured that if there was a provision for claw back,

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the Council would pursue it.

Rob Walker, the Executive Director for Place, explained that there was no such claw back mechanism within the contract. Income retention was not linked to cost expenditure directly; however, there were mechanisms within the contract if volume of work thresholds were not being met. Members were informed that historically, these volumes had been exceeded but whether this had been the case during Covid would be a matter that would have to be checked.

The Chairman thanked the Executive Member for Finance & Growth for his report and conveyed his thanks to colleagues within the Finance Team. Councils across the country were struggling and many that were announcing new budgets were changing the way their services were delivered whilst having to take money from their reserves. Breckland's proposal would mean that all services would continue to be delivered at the same level pre-Covid as well as remaining committed to all capital programmes that would make a great deal of difference to its market towns in future. He felt that through Breckland's stewardship, prowess and professional this interim budget presented before Members showed that Breckland Council's commitment to its residents and businesses was still there and he looked forward with Cabinet and council colleagues over these next preceding weeks to announce how Breckland would be changing to further improve its commitments on the back of Covid to ensure that Breckland had stronger resilience moving forward for all.

Councillor Atterwill recognised the difficult situation that everyone was in but to mitigate the deficit of £217k a substantial amount of Reserves would have to be drawn down or further savings would have to be made. He appreciated that Breckland Council was in a position where this Reserve could be used but this was money that this Council was having to use as opposed to being offset by Government funding and asked if there was any prospect of further Government funding expected.

In response, the Chief Accountant advised that there had not been any announcements from Government about further funding; however, there could be some more smaller amounts, such as New Burden grants where the Government covered the cost to councils in terms of re-billing processes. If any announcements were made, the Cabinet would be updated accordingly as part of the quarterly financial reports.

The Executive Member for Finance & Growth pointed out that the Council's General Fund currently contained £2.5m none of which had needed to be drawn down as other sources had been used. The Council was currently in a strong financial position and its plan was to build back stronger and better and would be entrenched over the next few months.

The Chairman reminded Members that a number of years ago the Council had removed its reliance on New Homes Bonus from its core budget that had allowed some of that money to be reinvested. He felt that all Councils up and down the country were experiencing some kind of financial struggle not forgetting every Government department that was also suffering financial impairment on the back of Covid.

Everyone had a duty and a responsibility to ensure that Breckland Council

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was spending its taxpayers' money in the most suitable and appropriate way whilst trying to achieve the biggest rate of return. The White Paper that was emerging was being classed as the recovery and devolution White Paper and part of that reform would be how Councils could recover and become sustainable moving forward. All Councils, whether across unitary, county, district or borough councils, had attempted to lobby Government to support everyone financially and billions of pounds had been pumped into the economy at pace from Government that had proved that the Government had listened to all concerns.

It was noted that subject to all the above and the forthcoming White Paper, the normal budget setting would still remain at the end of this financial year.

Options

- 1) That the additional revenue costs, funding and use of reserves as set out in Appendix A of the report be approved and that the changes to the capital programme set out in Appendix B and Appendix C of the report be approved.
- 2) Do nothing.

Reasons for Recommendations

To set a revised budget which reacts to the Covid-19 situation and provides a new budget to monitor against for the remainder of the year.

RECOMMEND to Full Council that:

- 1) the additional revenue costs, funding and use of reserves as set out in Appendix A within the report be approved
- 2) the changes to the capital programme as set out in Appendix B and Appendix C within the report be approved.

57/20 QUARTER 1 FINANCIAL PERFORMANCE REPORT 2020-21 (AGENDA ITEM 10)

The Executive Member for Finance and Growth presented the report

As of 30 June 2020, the forecast overspend was projected to be £217k as mentioned in the previous agenda item. This identified that, taking into account the lost income streams, the additional costs and the governmental assistance, coupled with Breckland's ability to draw on reserves to bridge the gap, the Council was still showing a potential overspend on its revenue budget.

The Capital budgets were showing an underspend of £5.8m and the reasons for this had been explained on page 31 of the report in tables 1 and 2. Additionally, there were some projects in the programme that had been funded externally through grant funding whereas others had been delayed for various reasons.

At this stage, it was anticipated that the majority of these capital projects would continue and some would be central to Breckland Council's desire to

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Build Back Stronger and position Breckland, its residents and businesses in a better place and one that was more readily able to drive its economy forward as we come out of the pandemic.

Once again, the Executive Member was indebted to the Teams in Breckland who had been providing all the information to the Finance Team so that this position statement could be presented to the Cabinet in as full detail as possible.

The report was for noting only.

Councillor Birt appreciated that this report was a working document but had noticed on page 28 of the report pack that a number of items had been classified as one-offs mainly in respect of commercial related matters. He wanted to know if any projections could be carried out and how these would be quantified in future budgets.

In response, the Chief Accountant explained that it was going to be challenge setting the budget for next year, but Breckland Council was fortunate that the demand for commercial properties had remained high. In these unprecedented times, lessons had been learnt and would be built upon and would be applied in the projections going forward in any future budget.

The Executive Member for Finance & Growth reminded Councillor Birt that this report highlighted the end of the first quarter, and it was the best guess that the Council had based on all the information that had been provided. This authority was fortunate to be in a strong financial position and it would be able to pull back some of the overspends and the one-offs were just that, one-offs. With some of the planning applications coming forward, Members could be assured that Breckland was a place where people wished to carry out and base their business.

Options

- 1) That the report and appendix be noted.
- 2) Do nothing.

Reasons for Recommendation

To provide timely information to Members on the overall financial position of the Council, enabling resource re-allocation to priorities where necessary.

The report and appendix were otherwise noted.

58/20 BRECKLAND SUSTAINABILITY STRATEGY (STANDING ITEM) (AGENDA ITEM 11)

Councillor Ian Sherwood, Executive Member for Customer Engagement & Member Champion for Breckland Sustainability Strategy reported on the following three areas:

- the Carbon Audit,
- the development of a Carbon Literacy toolkit; and
- the LGA's Net Zero Innovation programme.

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Prior to that he commented on Councillor Morton's point made earlier in the meeting and he was pleased to inform Members that the Council had applied for the Warm Housing Grant – Councillor Alison Webb, Executive Member for Health & Housing and her Team had submitted the application and a press release including all the details about the Grant was due out soon. If further detail was required Councillor Morton was asked to contact him via email.

Carbon Audit

Members' were reminded that the Council had been looking to procure a carbon audit. All Councils across the country were all looking at climate change and sustainability programmes and many of the bigger carbon audit organisations were unfortunately booked for the foreseeable future. Subsequently, Officers had been asked to look for other available reputable companies or to find out if there were other ways to measure and reduce the Council's carbon footprint. Further ideas would be forthcoming.

Development of a Carbon Literacy toolkit

The intern had been working very hard with Breckland Training Services to develop a Carbon Literacy Toolkit. Councillor Sherwood had carried out his own carbon audit and had been shocked with the results at how big his carbon footprint actually was. The Carbon Literacy Toolkit would help individuals, businesses and organisations to understand the cause and how to reduce it and stop creating carbon that was damaging the environment. This toolkit would first be tested with a small group of Members and Officers ahead of a wide roll out in November/December 2020.

The LGA's Net Zero Innovation programme

This was a new programme that the LGA had introduced for Climate Change Officers from Councils across all regions in England for an initial period of 12 months. Breckland Council would be applying for this grant funding, if successful, it would allow the Council to work with organisations and universities across the country to help achieve their local carbon reduction goals and possible solutions to local challenges. The LGA would grant fund successful Councils on the programme directly with up to £18k towards the cost of the project.

Councillor Atterwill asked if it would be possible to have a written report in future possibly to Full Council to enable Members to monitor progress. In response, Councillor Sherwood agreed to provide more written detail in future.

59/20 NEXT MEETING (AGENDA ITEM 12)

The arrangements for the next meeting on Monday, 19 October 2020 at 9.30am were noted.

The meeting closed at 10.15 am

CHAIRMAN

BRECKLAND DISTRICT COUNCIL

Report of: Councillor Paul Claussen – Executive Member for Planning and Councillor Sarah Suggitt – Executive Member for Governance

To: Cabinet 7th September 2020

Author: Simon Wood – Director of Planning and Building Control

Subject: The Planning Register and General Data Protection Regulations

Purpose: To note the process whereby third party comments will be removed from the planning website after an application is determined.

Recommendation(s):

- 1) That Cabinet note the process whereby third party comments will be removed from the planning website following the determination of a planning application.

1.0 BACKGROUND

- 1.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) [Part 9, Article 40] sets out the requirements with regard to the responsibilities on the Council as the Local Planning Authority (LPA) to maintain a ‘Local Planning Register’.
- 1.2 The Local Planning Register should reflect every application for planning permission relating to the LPA’s area and be kept in 2 parts:
- 1.3 Part 1 of the register must contain the following details in respect of each application, made or sent to the local planning register authority and not finally disposed of [i.e. this is the list of live planning applications]
 - a copy of the application together with any accompanying plans and drawings;
 - a copy of any planning obligation or section 278 agreement proposed or entered into in connection with the application;
 - a copy of any other planning obligation or section 278 agreement entered into in respect of the land the subject of the application which the applicant considers relevant; and
 - particulars of any modification to any planning obligation or section 278 agreement included in Part 1 of the register in accordance with sub- paragraphs (b) and (c).
- 1.4 Part 2 of the register must contain, in respect of every application for planning permission relating to the local planning register authority’s area [this is the list of determined planning applications]
 - a copy of the application and of plans, drawings and Design and Access Statement submitted;
 - particulars of any direction given under the 1990 Act or this Order in respect of the application;
 - the decision, if any, of the local planning authority in respect of the application, including details of any conditions subject to which permission was granted, the date of such decision and the name of the local planning authority;

- the reference number, the date and effect of any decision of the Secretary of State in respect of the application;
- the date of any subsequent approval (whether approval of reserved matters or any other approval required) given in relation to the application;
- a copy of any planning obligation or section 278 agreement entered into in connection with any decision of the local planning authority or the Secretary of State in respect of the application;
- a copy of any other planning obligation or section 278 agreement taken into account by the local planning authority or the Secretary of State when making the decision; and
- particulars of any modification to or discharge of any planning obligation or section 278 agreement included in Part 2 of the register in accordance with sub-paragraphs (f) or (g)

1.4 In each case the copy of the required information may be photographic or in electronic form. Where the register kept by a LPA under this article is kept using electronic storage, the authority may make the register available for inspection by the public on a website maintained by the authority for that purpose.

1.5 The Council is required to keep in its register details of all the planning applications in its area together with associated plans and drawings, details of any decision once it's been made; and information on any associated legal obligations or associated agreements.

1.6 This list of requirements does not include third party or consultee comments. There is also no explicit requirement for a report explaining how the Council reached the decision.

1.7 A copy of the application together with any accompanying plans and drawings can be interpreted in a tight fashion. The accompanying plans and drawings can be construed (in the context of the Part 2 Register) as just those detailed on the decision notice. Superseded plans and documents no longer form part of the submission supporting the application made and therefore there is no requirement to keep these within the register.

Publishing applicant and objector details

1.8 The (old) PARSOL guidance stated that when LPAs “*are making planning application documents available on the Internet they should ensure that only those documents relevant to the public interest are shown at a given point in time.*” At present all comments received on an application are published on the website during the determination of an application and retained as visible after a decision has been made.

1.9 Apart from a high level vetting process which seeks to weed out obviously offensive comments, comments are published as submitted. In many cases this means that the person submitting them can be identified i.e “*I am the neighbour and live at no. 2*”. Information on where objectors live is helpful to the planning officer when undertaking their assessment, but it is difficult to argue that it is in the wider public interest for this to be known.

1.10 Consultee comments are often detailed in nature and are only summarised in the officers delegated or committee report. There is value during the application process for the full details of these technical comments to be available to view/download via the Council's website to allow the Applicant or their Agent to more fully understand any issues raised so these can be addressed.

Redaction

- 1.11 Publishing any comments received imposes a requirement upon the Planning Team to redact personal data. We redact in order to avoid any unnecessary disclosure of telephone numbers, email addresses or signatures. This process does generate an administrative burden on the team. There is also the risk that elements could be missed, or the interpretation of what is or isn't personal information could later be challenged, leaving the Council open to the risk of a possible accusation of a data protection breach.

Data Projection / GDPR

The [PARSOL](#) guidance was previously the best advisory document to Councils on how to publish details of still not been updated to reflect GDPR.

- 1.12 A data protection principle is that personal data shall not be kept longer than necessary. Further, we should only process such information, that is necessary and proportionate to do so. If we publish more data than is necessary we will be breaching data protection and could be liable for fines by the ICO and/or civil litigation by the data subjects. In the assessment of an application a report is produced by the case officer which should identify the relevant planning issues raised by in the responses received and set out how they have been considered. Similarly consultee comments are also summarised and addressed in the assessment made of the merits of the proposal. We publish delegated and committee reports on the website and therefore this summary of issues raised and the office interpretation/assessment of them is in the public domain.
- 1.13 After a decision has been made there are only 2 reasons comments made during the application process might be required:
- (1) An appeal has been lodged against the LPAs decision; or
 - (2) A legal challenge (JR) has been lodged.
- 1.14 In each of these scenarios there is a time limit within which these events must take place. Once these periods (6 weeks-6 months) have lapsed, there is no reason for the comments and other items not listed as statutory requirements of Part 2 of the Local Planning Register. As a consequence holding the comments made can no longer be argued to be necessary.

Publication

- 1.15 The proposed lists for what should be published at each stage is set out below:

During application:

Application form
Plans and drawings
Technical or Supporting reports
Consultee comments
Neighbour comments
S106 matters

Post Decision:

Application form
Approved Plans and drawings, Technical or Supporting reports as listed on the Decision

Notice
Completed S106
Officer report
Decision notice
Appeal / Challenge details (as required)

Post Challenge Period:

Application form
Approved Plans and drawings, Technical or Supporting reports as listed on the Decision Notice
Completed S106
Officer report
Decision notice
Appeal / Challenge details (as required)

2.0 OPTIONS

2.1 It is proposed that at the point of decision neighbour and consultee comments are removed from the website, these would however still be held within the electronic document management system (EDMS) to allow them to be turned on again if there is an appeal or challenge. Once the challenge period has expired, these comments could be deleted from EDMS. This course of action is recommended by Breckland Council's Information Governance Officer.

3.0 REASONS FOR RECOMMENDATION(S)

3.1 To enable compliance with General Data Protection Regulations.

4.0 EXPECTED BENEFITS

4.1 The reduction in risk of non-compliance with GDPR.

5.0 IMPLICATIONS

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Constitutional & Legal; Contracts; Corporate Priorities; Financial; Staffing. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1.1 Constitution & Legal

The Legal basis for imposing these charges is set out within the report.

5.2. Corporate Priorities

5.2.1 The proposal supports the Council's Priorities.

5.3 Financial

5.3.1 Financial implications are covered within the report.

5.4 Staffing

5.4.1 Staffing details are covered within the report.

6.0 WARDS/COMMUNITIES AFFECTED

6.1 All

7.0 **ACRONYMS**

7.1 None

Background papers:- None

Lead Contact Officer

Name and Post: Simon Wood – Director of Planning and Building Control
Telephone Number: 01362 656805
Email: simon.wood@breckland.gov.uk

Key Decision: No

Exempt Decision: No

This report refers to a Discretionary Service.

BRECKLAND DISTRICT COUNCIL

Report of: Executive Member for Customer Engagement and Climate Change Champion

To: Cabinet – 19th October 2020

Author: Greg Pearson, Senior Policy Advisor

Subject: Update on the Breckland Sustainability Strategy

Purpose: To provide a written update on the progress to date in developing the Breckland Sustainability Strategy and to set out the next steps.

Recommendation:

- 1) That Cabinet note the contents of this report.

1.0 BACKGROUND

- 1.1 In September 2019 the council declared a climate emergency and agreed to work towards developing a Breckland Sustainability Strategy and an associated programme of work. It is fundamental that any such strategy and work programme is built on a strong factual evidence base. Therefore, the council has taken a measured approach to the development of its strategy and has not rushed into making commitments that in reality it might not be able to deliver within its resources or timescales.
- 1.2 The coronavirus pandemic has significantly impacted on the council's original timeframes for delivering this piece of work as rightly the council was required to redirect resources to its emergency response activities.
- 1.3 However, since June 2020 we have been making steady progress in bringing forward the strategy and have delivered a number of actions to support the climate change agenda. They are as follows: -
 - a. The Council has now switched tariff within its existing energy contract with Total Gas and Power to one that provides energy generated by wind/solar/hydro which are all seen as zero carbon sources. Our provider has estimated that the switch will save the council and estimated 357.55 tCO₂/year.
 - b. The Council has appointed an organisation called Eunomia to conduct its carbon audit and develop a high level emissions reduction plan. This will enable the council to fully understand its own impact and the work it will need to undertake to become carbon neutral. Once this work is complete it will enable the Council to set an achievable date to become carbon neutral.
 - c. The council has set aside a modest budget of £24,000 for the Portfolio Holder for Customer Engagement and lead officers to commission work to help gather an evidence base to inform the developing strategy. A proportion of this has been used to fund the carbon audit above.

- d. A fixed-term Environment and Climate Change Officer has been created by the Council to provide additional resource to help support and take this agenda forward. The recruitment for this post will be live at the time of this meeting.
- e. The Council has utilised the University of East Anglia's Internship programme to bring in a post graduate student between June and September to assist with research and identifying best practice examples to inform the development of the Council's emerging strategy.
- f. The council is actively working with all the other district councils in Norfolk, Norfolk County Council and the Broads Authority as part of the Norfolk Climate Change Partnership to identify opportunities where joint working would deliver economies of scales and better outcomes for the whole county.
- g. Breckland Training Services have developed a training package around carbon literacy for both elected members and officers. Which we will be looking to test with a small group in the next month before rolling out more widely.

1.4 The next steps the Council will be taking are as follows: -

- a. All elected members will be invited to a member's forum on 9th November 2020 which will set out the proposed themes of the Breckland Sustainability Strategy and set out a proposed programme of work. The purpose of this session will to invite feedback and ideas from members.
- b. A draft strategy and action plan will be taken to Overview and Scrutiny Commission on 3rd December 2020 for consultation.
- c. Subject to feedback from Overview and Scrutiny final sign off will be sort from Council on 21st January 2021.

2.0 **OPTIONS**

2.1 That Cabinet note the contents of this report.

2.2 Do Nothing.

3.0 **REASONS FOR RECOMMENDATION**

3.1 This report is to provide an update to cabinet on progress to date.

4.0 **EXPECTED BENEFITS**

4.1 The work to date and the next steps set out in this report will enable the creation of a Breckland Sustainability and Climate Change Strategy with an associated work programme which will set out how the council will look to address its own environmental impact, use the powers that it has to influence others across the district to lessen their impact and work with communities across the district to make changes.

5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection;

Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1 Carbon Footprint / Environmental Issues

5.1.1 The Breckland Sustainability and Climate Change Strategy will when delivered set out how the Council will look to address its own environmental impact, use the powers that it has to influence others across the district to lessen their impact and work with communities across the district to make changes.

5.2 Corporate Priorities

5.2.1 This directly links to the delivery of the following critical activity set out under the 'Our Place' strategic theme "We will develop an Environmental and Climate Strategy that sets out how as an organisation we will respond to climate change but also identifies how we will empower our communities to take action for themselves"

5.3 Reputation

5.3.1 Climate Change is a matter that is important to many of our residents and it is important that any strategy and related work programme is carefully considered to ensure that it achievable as failure to deliver against this would have significant reputational damage to the council.

5.4 Stakeholders / Consultation / Timescales

5.4.1 As set out in this report an all members forum has been arranged for 9th November to seek their input into the key themes and proposals that have been developed so far.

6.0 WARDS/COMMUNITIES AFFECTED

6.1 All

7.0 ACRONYMS

7.1 NA

Background papers: -

Lead Contact Officer

Name and Post: Greg Pearson, Senior Policy Advisor
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Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service and Discretionary Service

BRECKLAND COUNCIL
EAST CAMBRIDGESHIRE DISTRICT COUNCIL
EAST SUFFOLK DISTRICT COUNCIL
FENLAND DISTRICT COUNCIL
WEST SUFFOLK DISTRICT COUNCIL

At a Meeting of the

ANGLIA REVENUES AND BENEFITS PARTNERSHIP JOINT COMMITTEE

Held on Tuesday, 15 September 2020 at 11.00 am
Virtual meeting via Teams

PRESENT

Mr J.P. Cowen (Chairman)	Mr M. Cook
Mr D Ambrose Smith (Vice-Chairman)	Mrs K. French (Substitute Member)
Mrs S. Broughton	

In Attendance

Paul Corney	- Head of ARP
Jo Andrews	- Strategic Manager (Revenues)
Adrian Mills	- Strategic Manager (Billing & Benefits) ARP
Stuart Philpot	- Strategic Manager (Support Services) ARP
Sam Anthony	- Head of HR & OD
Nick Khan	- Strategic Director (East Suffolk)
Rachael Mann	- Assistant Director (Resources & Performance)
Ian Smith	- Finance Manager & S151 Officer (East Cambs)
Teresa Smith	- Democratic Services Team Leader
Julie Britton	- Democratic Services Officer
Leah Mickleborough	- Service Manager - Democratic Services/Monitoring Officer

50/20 CHAIRPERSON AND VICE-CHAIRPERSON (AGENDA ITEM 1)

After being duly proposed and seconded and with no other nominations being made it was:

RESOLVED that Councillor Philip Cowen be appointed as Chairman for the ensuing year.

After being duly proposed and seconded and with no other nominations being made it was:

RESOLVED that Councillor David Ambrose-Smith be appointed as Vice-Chairman for the ensuing year.

51/20 TREASURER (AGENDA ITEM 2)

After being duly proposed and seconded and with no other nominations being made it was **RESOLVED** that:

Breckland Council be appointed as Treasurer for the ensuing year.

Action By

52/20 MINUTES (AGENDA ITEM 3)

The Minutes of the meeting held on 19 December 2020 were agreed as a correct record.

53/20 APOLOGIES (AGENDA ITEM 4)

Apologies for absence were received from Councillor Jan French and Alison Chubbock, Chief Accountant (BDC).

Councillor Kim French was in attendance as substitute.

54/20 URGENT BUSINESS (AGENDA ITEM 5)

None.

55/20 DECLARATIONS (AGENDA ITEM 6)

None.

56/20 PERFORMANCE AND SERVICE UPDATES (STANDING ITEM) (AGENDA ITEM 7)

Stuart Philpot, the Strategic Manager (Support Services) ARP presented the report.

Notwithstanding the impact of the Covid-19 pandemic, Members were informed that subject to the Council Tax collection rates, all targets had been achieved following the resilience demonstrated by the ARP employees during these unprecedented times.

The collection of Council Tax was behind target by £721,415 and Jo Andrews, the Strategic Manager (Revenues) ARP, explained that Officers had not been able to take normal action to recover outstanding amounts through the Magistrates Court due to the restrictions in place in respect of Covid and also due to the increase in Council Tax support there was less Council Tax to collect. A good response had been received to the soft reminders that had been sent out earlier in the year and many instalment arrangements had been made. Statutory reminders had been sent in August 2020 to those who had not responded and had not paid anything toward their Council Tax.

All targets had been met in respect of Business Rates collection except for East Suffolk. Collection targets had been adjusted to reflect the amount of Government funded rate relief awarded to businesses in early April 2020. However, since then new guidance had been issued increasing the number of eligible businesses and others have been identified. This had increased the amount of relief awarded, which was a significant amount for East Suffolk. The authority would be receiving this funding, but it was not expected to be received in this financial year. Also, in respect of East Suffolk, one significant ratepayer was currently in arrears with instalments amounting to £1.8M and there have been backdated refunds of £862K made in this financial year mostly in respect of appeals against rateable values.

Councillor Broughton thanked all ARP staff for their hard work and

Action By

commitment throughout this pandemic. Referring to the business rates issue, she asked what could be done going forward to prevent businesses going under.

The Strategic Manager (Revenues) ARP pointed out that this year quite a considerable number of businesses had received 100% rate relief and NNDR collection was 'holding up' for most Councils; therefore, it was hoped, going forward, that this would be maintained. Discussions with the Courts were being had in respect of setting Hearing dates but in comparison with Council Tax, NNDR cases were normally relatively low.

The Chairman also congratulated all staff and felt that the business continuity exercise that ARP had carried out in December 2019 had put the Partnership in good stead. He also thanked the Strategic Manager for her update. He pointed out that he had been having conversations with Alison Chubbock, the Chief Accountant (BDC) about the issues with NNDR and felt that moving forward, a close eye needed to be kept on this matter as NNDR could be further affected in the next quarter.

Councillor Ambrose-Smith also conveyed his thanks and congratulated all ARP staff.

The Performance and Service updates report was otherwise noted.

57/20 ARP FORECAST FINANCIAL PERFORMANCE 2020-21 (AGENDA ITEM 8)

Paul Corney, the Head of ARP presented the report in the Chief Accountant's absence.

This report had been based on information provided by each of the partner Councils as at 31 July 2020.

The forecast at this stage of the year showed a deficit against budget of £690k. There was a small overspend due to additional software costs incurred for the award of business grants due to Covid and a large shortfall in income due to loss of income from enforcement work carried out over the 4-month period. All details could be found at Appendix A of the report.

The Head of ARP alluded to the lack of Hearings that the Strategic Manager (Revenues) had mentioned earlier and further alluded to the grants received from Government to cover the extra burden placed on the Business Rate Team awarding many business grants due to Covid. These grants would be retained by each Council and would not therefore show against the ARP over spend.

The Head of ARP also mentioned the Government grant that could be claimed by each Council in respect of lost income and he was pleased to announce that final Government guidance had very recently been received and it appeared that 75p in every £ should be provided in respect of ARP Enforcement lost income. Breckland Council would be claiming this funding and, assuming the amount could be claimed, it would be distributed accordingly.

The Chairman felt that this would be very good news.

The report and appendix were otherwise noted.

58/20 COVID RESPONSE REPORT (AGENDA ITEM 9)

The ARP Strategic Manager (Support) presented the report that informed Members of the impact of Covid-19 on the provision of ARP services.

Referring to when the pandemic first started in March 2020 and following lockdown, 296 staff across the four partner authorities had migrated to working from home.

There had also been many other demands on resource since March to communicate with and update customers, Government and the partner authorities.

These included:

- Updates to website
- Updates to recorded messages on the telephones (RAD messages)
- Amendments to templates which mention recovery action/costs
- Additional web forms published to allow ratepayers to request payment arrangements
- Provision of statistical data for comparison & monitoring of progress
- Regular review meetings with partner authorities for Grant application queries
- Daily monitoring of info from the Government
- Government returns

To address the additional pressure on resources, additional agency staff had been taken on and staff had been re-deployed from other departments to support the Business Rates Team.

Relief had been granted to 5,444 businesses amounting to over £100M and various grants provided by Government had been awarded.

Mitel phone systems had to be re-configured for home workers. A Communication Group had been set up using WhatsApp, and an ARP Staff Support chat group had been created on Facebook.

The post room at Breckland House operates for all partners, receiving all ARP post and document submissions centrally to Breckland House. The post opening procedures had been immediately revised in line with Government guidelines and included a reduction to two members of staff opening the post 2 days after delivery, with gloves and hand sanitising available to staff.

The ARP Strategic Manager (Support) stated that all partners, particularly West Suffolk, had played a huge part in getting all the IT infrastructure in place to allow ARP operations to continue during the transition to homeworking, and he formally thanked them for their commitment.

The forward planning of the desktop disaster recovery exercise and the business continuity actions carried out in December 2019 had put ARP in a very good position.

Councillor Cook felt that the ARP had done an incredible job and had achieved damage limitation. All had learnt to cope with this new technology, and he hoped that all working practices would be continually revised going forward.

Action By

Councillor Broughton admired everyone for working from home but asked if there were any plans to gradually return to the office. Members were informed that for those who were working in the office information had been circulated to use Teams rather than walking round the building and speaking to people in person. Additionally, all sites were constantly being sanitised.

The Head of ARP stated that the strategic work that Officers had been involved in was to get a better understanding of what office space would be needed in future. All Team Managers had been having regular one to ones and staff meetings. The one to ones were increasing and the discussions held were not all about work.

In response to a question, the Head of ARP explained the process in respect of the additional claim forms as noted on page 50 of the agenda pack.

The Chairman added his thanks for the work carried out across all Councils. He asked how ARP was going to manage going forward in respect of customers and clients visiting the building. Members were informed that the Customer Strategy Group (Customer Leads from each Council and ARP Managers) were discussing each Councils plans for customers to come back into their buildings and ARPs part in these plans.

ARP was also working with Capita to enable more to be done on-line and had an assisted process for customers who found self-service difficult.

The report was otherwise noted.

59/20 WELFARE REFORM UPDATE (STANDING ITEM) (AGENDA ITEM 10)

Adrian Mills, ARP Strategic Director (Billing and Benefits), presented the update on Welfare Reform.

Several changes were highlighted (see paragraph 2.2.3 of the report) in respect of Universal Credit (UC). Due to Covid-19, DWP had stopped the Harrogate migration pilot and plans were now on hold. However, in the interim, new UC claims had been submitted but no further information had yet been received from DWP.

The Chairman asked what was happening with the Citizens Advice Bureau (CAB). Members were informed that DWP would be issuing a report suggesting possible procurement which would be shared in due course.

Following further discussion, the report was otherwise noted.

60/20 FORTHCOMING ISSUES (STANDING ITEM) (AGENDA ITEM 11)

The Chairman said that he would like to see the following update reported on in a future Welfare reform report:

- How CAB advice provided to DWP customers concerning UC would be provided once the CAB contract ends.

61/20 NEXT MEETING (AGENDA ITEM 12)

It was noted that the next meeting would most probably be held virtually via 'Teams' but this would be confirmed nearer the time.

ARP

Action By

It was agreed that the pre-meetings would also be re-instated in future, details to be confirmed.

The Chairman thanked everyone involved for all their hard work and to the Officers for setting up these virtual meetings and sorting out all the technical difficulties.

The Chairman and the Vice-Chairman also thanked the former Chairman, Councillor Broughton for her previous term in office.

The meeting closed at 12.00 pm

CHAIRMAN