

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 16 May 2019 at 10.00 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr T. J. Ashby	Mrs E. Grey
Mr R. Atterwill	Mr C. Harvey
Mr S. Askew	Mr P.J. Hewett
Mr S.G. Bambridge	Mrs J. James
Mr T. Birt	Mr T. J. Jermy
Mr W.P. Borrett	Mrs T. Kiddell
Councillor C. Bowes	Mr M. Kiddle-Morris
Mr R. F. W. Brame	Mr R.G. Kybird
Mr M. P. Brindle	Mr I. 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 J.W. Nunn
Mr H. E. J. Clarke	Mr D. R. R. Oliver
Mr P.D. Claussen	Mr M. S. Robinson
Mr E. Colman	Mr I. Sherwood
Mrs H. Crane	Mrs S. E. Suggitt
Mrs V. Dale	Mrs T. Taylor
Mrs S. Dowling	Mrs L.S. Turner
Mr R.W. Duffield	Mrs A. M. Webb
Mr P.J. Duigan	Mr D. Wickerson
Mr F. Eagle	Mr N.C. Wilkin
Mr K.S. Gilbert	Mr P. S. Wilkinson

In Attendance

Anna Graves	- Chief Executive
Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Rob Walker	- Executive Director Place
Alison Chubbock	- Chief Accountant (Deputy Section 151 Officer) (BDC)
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Julie Britton	- Democratic Services Officer

Outgoing Chairman - Opening Remarks

The outgoing Chairman, Councillor Richard Duffield, presented a cheque for £3875.18 to Dr. Chris Bushby of The Big C cancer charity, his chosen charity for the year. The money was raised through various fundraising events which took place throughout 2018/19.

Dr. Bushby was in attendance to receive the cheque and said a few words about the charity and what it had achieved. He thanked the Chairman for selecting the charity and for the huge amount of money that had been raised.

The outgoing Chairman thanked his wife, Christine, for her support and

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accompanying him to various events throughout the year and he also presented a personal cheque to the Democratic Services Team for their assistance, acting as the Chairman's secretary during 2018/19. He added that he had been very proud to represent Breckland Council; he had met many interesting people during his time as Chairman and wished his successor all the best for the ensuing year.

48/19 CHAIRMAN (AGENDA ITEM 1)

Nominations were invited.

After being duly proposed and seconded and with no other nominations being made it was **RESOLVED** that Councillor Lynda Turner be elected Chairman of the Council for the ensuing year.

Councillor Turner signed the Declaration of Acceptance of Office.

Councillor Turner in the Chair

49/19 VICE- CHAIRMAN (AGENDA ITEM 2)

After being duly proposed and seconded and with no other nominations being received it was **RESOLVED** that Councillor Roy Brame be appointed Vice-Chairman for the ensuing year.

Councillor Brame signed the Declaration of Acceptance of Office.

50/19 VOTE OF THANKS TO THE OUTGOING CHAIRMAN (AGENDA ITEM 3)

The Chairman presented Councillor Duffield with the ex-Chairman's badge of office to warm applause and she thanked him for his support in what she could only describe as a very exciting year.

Councillor Bowes said that Mr Duffield had done an exemplary job and had been firm but fair in chairing the Full Council meetings. On a personal Ward level, she thanked him for attending and supporting many events in Watton.

Councillor Marion Chapman-Allen felt that Councillor Duffield had been an excellent ambassador for Breckland not only for the last year as Chairman but also for the past 20 years since first being elected back in 1999; serving both parishioners and this Council very well. A vote of thanks was extended to Councillor Duffield for his management of the Full Council meetings.

The Leader of the Labour Group, Councillor Jermy, congratulated Councillor Duffield for the money and awareness raised for such a worthy cause. As a Chairman, he had been very fair to the opposition Members and was grateful to him for his support.

Councillor Gilbert echoed the aforementioned comments and thanked Councillor Duffield for the way in which he had represented the Council.

Councillor Brame, the Deputy Chairman, and in his role as Mayor of Thetford, echoed all the above sentiments and in particular for attending all civic ceremonies in Thetford. He felt that Councillor Duffield had been an excellent representative for Breckland Council.

Councillor Robinson highlighted the Chairman's reception where the raffle alone

had raised £670 and stated that Councillor Duffield could look back on his year with pride.

51/19 APOLOGIES (AGENDA ITEM 4)

Apologies of absence were received from Councillor Phil Cowen, Councillor Keith Martin and Councillor Stuart Terry.

52/19 MINUTES (AGENDA ITEM 5)

The Minutes of the meeting held on 14 March 2019 were confirmed as a correct record and signed by the Chairman.

53/19 DECLARATION OF INTERESTS (AGENDA ITEM 6)

None declared.

54/19 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 7)

Councillor Lynda Turner was honoured to have been elected Chairman of the Council, having been a District Councillor since 2007 holding a variety of posts all of which had been very enjoyable; this role; however, she classed as the icing on the cake.

She would do her utmost to promote and support the work of the Council at the many events already appearing in her diary and would Chair the Full Council meetings firmly but fairly.

She then welcomed back returning Councillors and reassured the new Councillors that both Officers and existing Members alike were there to help if required.

The procedures were then explained and the Chairman asked Members to raise their hands if they wished to speak and to use the microphones (due the hearing loop in the chamber) and keep questions short and focussed. She then pointed Members in the direction of the Code of Conduct, the Officer/Member protocol and the Constitution if they were unsure of the procedures.

As far as the new equipment was concerned Members were asked not to look and respond to emails during the course of the Council meeting, and to have their mobile phones on silent.

The charities for the year were local and linked - Leeway and the Daisy Programme. Both charities addressed the issue of domestic violence, aiming to help men, women and children to live in a safe environment and without fear. The Chairman then highlighted the fact that in Norfolk two women a year were killed by their ex-partner or another family member; one in six men would be victims of domestic abuse in their lifetime and one of Breckland's Market Towns had one of the highest recorded number of incidents across Norfolk. In addition to fund raising events, there would be a bucket in meetings for Members to contribute any loose change.

The Chairman then thanked all Members and in particular the outgoing Chairman, Councillor Duffield, for the opportunities that he had given her during this past civic year, and she was looking forward to the next 12 months.

55/19 CABINET MINUTES (AGENDA ITEM 8)

Members were informed that the recommendation on page 14 of the agenda pack would be taken under agenda item 20 (Minute No. 25/19 refers).

1. Contract Procedure Rules (Minute No. 27/19)

RESOLVED that the Constitution be amended in accordance with Appendix B of the report (attached to the Cabinet Agenda);

2. Minutes

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 19 March 2019 be adopted.

56/19 OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 9)

RESOLVED that the unconfirmed Minutes of the Overview & Scrutiny Commission meeting held on 19 March 2019 be adopted.

57/19 PLANNING COMMITTEE (AGENDA ITEM 10)

- (a) 11 March 2019

RESOLVED that the confirmed Minutes of the Planning Committee meeting held on 11 March 2019 be adopted.

- (b) 15 March 2019

RESOLVED that, subject to the changes as highlighted in the Council agenda, the confirmed Minutes of the Planning Committee meeting held on 15 March 2019 were adopted.

- (c) 8 April 2019

RESOLVED that the unconfirmed Minutes of the Planning Committee meeting held on 8 April 2019 be adopted.

58/19 LICENSING COMMITTEE (AGENDA ITEM 11)

RESOLVED that the unconfirmed Minutes of the Licensing Committee meeting held on 27 March 2019 be adopted.

59/19 COMMITTEE OF THE LICENSING AUTHORITY (AGENDA ITEM 12)

RESOLVED that the unconfirmed Minutes of the Committee of the Licensing Authority meeting held on 27 March 2019 be adopted.

60/19 APPOINTMENT OF THE LEADER OF THE COUNCIL AND ANNUAL APPOINTMENT OF COMMITTEES, OTHER REPRESENTATIVES AND CHAIRMEN AND VICE CHAIRMEN 2019-2020 (AGENDA ITEM 13)

1. Appointment of the Leader of the Council

The Leader, Councillor William Nunn nominated Councillor Sam Chapman-Allen as Leader of the Council. He felt that Councillor Chapman-Allen had

been an excellent Deputy Leader for the past three years and had grown immensely in this position.

Councillor Wilkin seconded the nomination.

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

RESOLVED that Councillor Sam Chapman-Allen be appointed as Leader of the Council.

Councillor Borrett conveyed his thanks to Councillor Nunn for all his work as Leader of the Council. He felt that Breckland was a very unusual Council, it received the least but spending was on par with other authorities with the monies raised from the Council's assets and congratulated Councillor Nunn for all that he had achieved for this Council.

Councillor Sherwood also thanked Councillor Nunn on behalf of Breckland Council having been first elected in 1995 then appointed as Leader in 2005 until 2013, then again from 2016 to this present day. He felt that the gratitude owed from this Council and local residents should be recorded. Councillor Nunn should also be congratulated on the work he had done in terms of the Local Government Association and for the advice he had given to other authorities and Leaders and thanked him for his service.

Councillor Wilkin echoed the above comments and said that Councillor Nunn had made some very brave decisions over the years and had shared some very good times with him since both being elected back in 1995.

Councillor Jermy, the Leader of the Labour Group, said that the best compliment he could give to Councillor Nunn was that he always sought alternative views and showed good quality as a Leader. He was delighted for the new Leader, Councillor Sam Chapman-Allen.

2. Annual Appointment of Committees, other Representatives and Chairman and Vice-Chairman 2019-20

RESOLVED that the appointments to Committees and Chairmen and Vice-Chairmen of those Committees, as set out on Appendix A (attached), be approved.

61/19 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 14)

It was announced that Councillor Paul Claussen had been appointed as Deputy Leader of the Council.

Councillor Sam Chapman-Allen thanked Members for the great honour of becoming Breckland Council's new Leader. Councillor Nunn had left the Council in an extremely strong position, financially, operationally and politically and had left very big shoes for him to fill. He looked forward to working with all Councillors from every Party and to embark on the next leg of Breckland's journey together. As the Council's new Leader, he congratulated every single Member on their great success at the local Elections, regardless of their political affiliation. Being selected by local residents as their representative was an absolute privilege for all and he was sure that they would serve the people, all communities and the businesses they represented with the required passion and commitment. He urged all

Councillors to make the most of the training opportunities and support being offered by experienced Members and Officers.

The Leader then set out his objectives for future years this included pursuing Breckland's award winning commercial approach to property investment in order to be as self-sustaining as possible. He would drive Breckland forward working closely with its partners and find real solutions for the long term challenges that authorities faced such as domestic violence, as the Chairman had alluded to, and social mobility. A great deal of hard work was ahead in delivering all these initiatives/projects to ensure that Breckland was a great place for people to live and for businesses to thrive.

The Leader then announced his new Cabinet, as follows:

- Paul Claussen, Deputy Leader
- Gordon Bambridge
- Ian Sherwood
- Alison Webb
- Phil Cowen
- Mark Robinson; and
- Paul Hewett

Councillor Bowes had been appointed as the Executive Support Member.

Roles and responsibilities would be distributed to all Members.

62/19 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6 (AGENDA ITEM 15)

None.

63/19 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 16)

Councillor Gilbert congratulated Councillor Sam Chapman-Allen on his new appointment and he wished him well in steering the Council in the right direction.

He understood that at a Conservative Group meeting in October 2018, the public were given confidential, commercially sensitive, financial information that they had no right to see. Seven months on, not all Councillors had been privy to that information and therefore had three questions to put to the Leader:

1. Did the Leader believe that this person who gave the public this confidential information was in breach of the Council's Code of Conduct and therefore should not be classed as a fit and proper person to hold the office of Councillor?
2. He was aware that an investigation was underway and he asked when this Council would be informed of the outcome and if any proposed sanctions would be applied?
3. When would Members be able to have sight of the private & confidential, commercially sensitive, financial information?

In response to question 1, the Leader said that it was untrue that this information had not been shared with all Members of the Council. It was a 'below the line' item but all Members would have had access to the papers within the Cabinet and Council reports and he would be more than happy to show Members where this information was held. In regard to question 3, confidentiality was exactly that; the

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Council thrived on its investment in its commercial property portfolio and it was right and proper that items such as these were taken in private. These conversations had to be confidential between the Council, as the Landlord, and with the tenant moving forward, to enable this authority to reach the best possible agreement for the Council and its residents. Without the commercial property portfolio, the Council would not be in such a sound position, as it had no reliance on central government and was currently self-sustaining with the lowest Council Tax within Norfolk but was spending exactly the same on services as other authorities.

The Chief Executive responded to question 2. She advised that there was an investigation pending which had not been concluded and therefore no further comments could be made and no details from this investigation could be shared.

The Leader of the Green Party, Councillor Tim Birt, congratulated Councillor Lynda Turner on her appointment as Chairman of the Council.

Councillor Birt's question related to IT issues. Firstly, the lack of information available on the iPads particularly in relation to land sales and secondly, not having access to his emails when his iPad broke at the weekend and the lack of IT support outside office hours. Councillor Birt wanted to know why his request to install iMap to access his emails had been denied.

The Leader stated that all information should be freely available to all Members. As far as land sales were concerned, the Officer/Member Protocol stated quite clearly that the Ward Member(s) would be contacted as part of the potential land sale consultation process. The procedures were then explained in detail. As far as the IT issues were concerned, Members were informed that by moving to iPads the Council would save around one million sheets of paper over 4 years, saving the Council in the region of £90k a year. He hoped Members welcomed the move to a paperless environment and he was pleased to see everyone in attendance with their IT. He appreciated the fact that there would be teething issues but he was pleased that the IT Team had been able to help Councillor Birt with his issue earlier in the week. He would be more than happy to look into the possibility of a 24hr IT Helpdesk Team at a cost to this Council but it would be a Council decision if this came into effect. He reminded Members that all Councillors had been offered a mobile phone for back up but these had not been purchased in advance just in case such offers were declined and would only be ordered on request moving forward.

Councillor Jermy, the Leader of the Labour Group mentioned fly-tipping that still remained a major issue in his Ward. He felt that the Council's existing Policy was not helping and asked the Leader to confirm that if a member of the public were to report an incident of fly-tipping to Breckland but unbeknown to them it was not Breckland owned land would the Council then report it to the relevant land owner and inform the person or would it do nothing. Rob Walker, the Executive Director for Place, informed Members that the Council did contact the landowner (if known) on behalf of the person reporting the fly-tipping issue. The Council had recently recruited a new Enforcement Officer and fly-tipping would be their main priority. The Leader then thanked Councillor Jermy for the work he had done in respect of the Task & Finish Group on behalf of the Overview & Scrutiny Commission. Much of this work had shaped where the Council was currently at in terms of digitalisation engagement.

Councillor Atterwill congratulated the Chairman, the Leader and Deputy Leader on their appointments. He then asked the Leader if he knew of the actual date when

the Local Plan was expected to be approved as he had many concerns that this Plan had been slipping further behind for many months. He also asked what the Council's intention was to ensure that it had a more robust 5 year housing land supply and what the strategy was for achieving the growth that Breckland required. Additionally, he also thanked the Council for the Induction Training that Members had attended, he found it very helpful. He had been most interested in listening to the Housing Team and understanding the amount of stress they were all under in terms of demand. He had been told at the induction that demand had increased by over 100% in the past 12 months and asked what the Council's strategy was for improving this situation.

In response, the Leader advised that in terms of the Local Plan every single Member of the Council had raised concerns about the process and although frustrating, the process would continue and the date when the Local Plan would come forward was still unknown. Everyone involved was working extremely hard with the Planning Inspector in terms of his approach to Breckland's local policies compared to national policies and this approach was where the challenges lay. He felt that if Members had not been so pro-active in wanting local policies for Breckland, to which he had agreed, he believed the Plan would have been adopted many months ago. In the interim, the Portfolio Holder for Planning, Councillor Bambridge would update Members on this matter once further information came forward. In relation to Housing Land supply, this was a real frustration. Members were informed that Breckland Council had local partnerships working with it to investigate blocked sites. These sites were a real issue across the District as developers were not developing them out. The reasons behind this were explained and it was noted that Norfolk as a whole had a poor delivery rate and all Norfolk Leaders were working together on this matter. The Leader was pleased that Councillor Atterwill had found the Induction programme helpful and as far as the Housing Team were concerned, there was a Housing review taking place in July following many changes in policy from central Government where a number of responsibilities had been devolved back to local authorities. The findings of this review would allow the Council to shape the Housing Team moving forward. In response to a request, the Leader agreed to meet Councillor Atterwill outside the meeting to hear a number of suggestions to improve growth particularly in the north of the District.

Councillor Clarke mentioned that at a previous Full Council meeting it had been agreed to live-stream public meetings on the internet and he asked if this was any further forward. The Leader explained that a small business case was being put together which would then be passed to the Overview & Scrutiny Commission for consideration.

64/19 APPOINTMENT OF COUNCILLORS TO OUTSIDE BODIES 2019-20 (AGENDA ITEM 17)

The Deputy Leader, Councillor Paul Claussen, presented the Appointments to Outside Bodies report to Members. He explained that at these annual meetings, appointments were reviewed and in advance of this AGM, Officers had contacted all of the outside bodies in respect of their insurance provision. He then drew attention to the appendices to the report. Proposed appointments were listed.

It was agreed that Councillor Wilkinson would be removed from the Hamond's Educational Charity and replaced with Councillor Fabian Eagle.

Councillor Jermy, the Leader of the Labour Group had noticed a vacancy on the Breckland Area Museums Committee and therefore proposed that as well as

Councillor Harry Clarke, Councillor Chris Harvey be appointed to fill this vacancy. Secondly, the vacancy for a substitute on the Norfolk Health Scrutiny Committee he proposed that Councillor Susan Dowling be appointed.

Councillor David Wickerson stated that as far as Hamond's Educational Charity was concerned, this matter had been discussed at a recent Swaffham Town Council meeting and it had been agreed by Councillor Ian Sherwood and Councillor Ed Colman that as he was already on that particular charity as a Town Council representative he would come off but then fill the vacancy for Breckland. He asked if this was acceptable. The Deputy Leader assured Councillor Wickerson that this change had already been made. The Democratic Services Officer confirmed that Councillor Peter Wilkinson had been removed and Councillors Eagle and Wickerson had been appointed accordingly.

Councillor Duigan then questioned the position of the Breckland Area Museums Committee and whether this was a committee appointment rather than an outside body appointment.

The Executive Manager for Governance, Mark Stinson advised that this would be investigated.

RESOLVED that subject to the aforementioned changes the most suitable representatives be appointed to serve on the list of Outside Bodies (see attached).

65/19 APPOINTMENT OF INDEPENDENT PERSON UNDER THE LOCALISM ACT 2011 (AGENDA ITEM 18)

Maxine O'Mahony, the Executive Director for Strategy & Governance presented the report.

The Localism Act 2011 placed a duty on the Council to appoint an Independent Person as part of assessing standards complaints. The report asked Members to consider the re-appointment of the current Independent Person, Mr Bob Davis who was previously appointed in May 2018.

RESOLVED that the current Independent Person, Mr Bob Davis, be re-appointed for the period 16 May 2019 until the annual Council meeting in May 2023.

66/19 REPORT OF THE INDEPENDENT REMUNERATION PANEL ON MEMBER SCHEME OF ALLOWANCES 2019/20 (AGENDA ITEM 20)

Mark Stinson, the Executive Manager for Governance presented the report that asked Members to consider and approve the Members Scheme of Allowances for the period 1 April 2019 to 31 March 2020. Mr Alistair Skipper a member of the Independent Remuneration Panel was in attendance to answer any questions. The Panel had met on two occasions and had interviewed the former Leader of the Council and had invited Councillor Denis Crawford as the former Leader of the main opposition party. The Panel's recommendations and appendices to the report were highlighted.

Councillor Atterwill stated that he would not be supporting the recommendations due to the allowances paid to the Chairmen of Committees and the disparity between the workload of the Overview & Scrutiny Commission and Planning Committee. Councillor Atterwill asked how often the Council changed the membership of the Independent Remuneration Panel. Members were informed that the re-appointment of Panel members took place in 2018 but normally it was every

4 years. Mr Skipper was asked to comment on the disparity.

Mr Skipper explained the building block system used to establish how the figures were arrived; dependent on the role of the Chairmen and the additional work carried out. The allowances paid were valid and were reliant on information provided to the Panel.

Councillor Harry Clarke felt that the allowance for the Planning Committee Chairman was extremely good value and he would be supporting the basic increase as it was based on the person's time not their performance.

Councillor Tim Birt had been surprised about the mileage rate paid and queried the allowance and asked why it was above the HRMC normal maximum.

The Executive Manager for Governance stated that this would most probably have been addressed some years ago by a former Panel and that rate had been applied since. He reminded Members that they were not obliged to accept the recommendations.

Councillor Roger Atterwill put forward an amendment to the recommendation that the allowance for the Chairman of the Overview & Scrutiny Commission be removed and be paid the same as the Vice-Chairman until such time that the role was reviewed by the Panel.

The amendment was seconded by Councillor Tim Birt but the vote was lost – the vote included 3 votes against and 7 abstentions.

Councillor Bambridge reminded Members that the allowance should not be based on the number of meetings but the work that went on behind the scenes.

Councillor Tim Birt then proposed an amendment to reduce the mileage rate to 45p per mile. This proposal was not seconded.

Each recommendation was then voted on separately; and it was:

RESOLVED that:

- 1) the new scheme is effective from 1 April 2019 until 31 March 2020;
- 2) the Basic Allowance for District Councillors is increased in line with the locally agreed Breckland staff pay settlement of 2% for the year 1 April 2019 – 31 March 2020;
- 3) the Special Responsibility Allowances are increased in line with the locally agreed Breckland staff pay settlement of 2% for the year 1 April 2019 – 31 March 2020;
- 4) the a special responsibility Allowance for the Vice Chairman of the Council be introduced from 1 April 2019; and
- 5) the Carer's allowance is increased to £9 per hour in line with the increase to the "Real Living Wage" with effect from 1 April 2019.

It was noted that Councillor Brame abstained from voting on recommendation no.4.

67/19 NNDR DISCRETIONARY RELIEF (AGENDA ITEM 21)

Alison Chubbock, the Chief Accountant to the Council, presented the report. The report proposed an addition to Breckland's existing guidance on NNDR rate relief to cover the Local Discretionary Rate Relief (LDRR).

RESOLVED that the proposed policy and guidelines to determine applications for LDRR, and the determination process, be adopted with immediate effect.

68/19 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT (AGENDA ITEM 22)

The Leader reminded Members of the photo shoot taking place immediately after the meeting.

The meeting closed at 11.35 am

CHAIRMAN