

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

Held on Thursday, 10 September 2020 at 10.00 am

PRESENT

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

Also Present

Mr R. Atterwill	Mrs S. E. Suggitt
Mr P. Morton	Mr S. H. Chapman-Allen
Mr S.G. Bambridge	Mr P.D. Claussen

In Attendance

Jason Cole	- Executive Manager People & Innovation
Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Julia Perry	- Change Manager and Organisational Development Officer
Rory Ringer	- Democratic Services Manager
Rob Walker	- Executive Director Place
Sarah Wolstenholme-Smy	- Legal Services Manager (Deputy Monitoring Officer BDC)
Simon Wood	- Director of Planning & Building Control
Teresa Smith	- Democratic Services Team Leader
Ruth Tudge	- Democratic Services Officer
Stephen Ottewell	- National Director Capita Planning & Building Control

Point of Order

A Point of Order was raised by Councillor Birt. He stated that he had downloaded the agenda to prepare for the meeting but had subsequently seen that the agenda being referred to at the meeting was different. He had been waiting for the 'below the line' item, (Agenda item 15: Capita Business Plan), but it had not been provided. He felt that the agenda pack was incomplete and in his view the Council were operating outside of the law. He questioned how the Commission could scrutinise the plan if it had not seen the documents.

The Chairman was dismayed that, once again, a Point of Order had been raised and that at no point would he, or any Member, prevent the Commission from scrutinising the Council and that every effort was to ensure that all meetings were as open and transparent as

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possible.

The Democratic Services Manager confirmed that the agenda had been published within the lawful timescale of 5 clear working days. The Capita Business Plan item had been on the agenda, but as the report was not ready at the time of publication it had been re-published once it was available.

The Legal Services Manager also confirmed that this was within the law, as the original item had been listed on the agenda, with the report marked 'to follow'.

The Chairman verified that the reason it had been marked 'to follow' was that he had asked Officers to prepare a report to ensure that Members had as much information as possible which would be discussed in the public session, alongside the presentation that was to be provided.

144/20 MINUTES

The Minutes of the meeting held on the 16 July 2020 were confirmed as a correct record.

145/20 APOLOGIES AND SUBSTITUTES

Apologies had been received from Councillors Jermy and Kiddle-Morris. Councillors Clarke and Crane were in attendance as substitutes.

146/20 CHAIRMAN'S ANNOUNCEMENTS (IF ANY)

None.

147/20 URGENT BUSINESS

None.

148/20 DECLARATION OF INTERESTS

None.

149/20 NON-MEMBERS WISHING TO ADDRESS THE MEETING

Councillors Atterwill, Bambridge, Claussen, Dale and Suggitt were in attendance. Councillor S Chapman-Allen was present for Agenda item 16 only.

Councillor Philip Leslie from Attleborough Town Council was in attendance for Agenda Item 11.

150/20 BRECKLAND COUNCIL RECOVERY PLAN

The Executive Manager for People and Information opened the presentation that reminded Members of the Interim Management structure and the eight cells in which the Council were currently operating in. The model allowed for flexibility of resources should there be a requirement to move back into response mode if required.

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Members heard of some of the key activities that had been carried out during each of the phases, which included:

- Phase 1 (May) - the IT activities that enabled remote working and £26m of payments had been made to businesses across the district.
- Phase 2 (June) – virtual committee meetings began, and £1.5m of payments were made to 200 further businesses.
- Phase 3 (July/August) - customer face to face appointments began, and the level of triage appointments increased which had worked very well.
- Phase 4 (August/September) - the committee suite upgrade was nearing completion and over £29m payments had been made.
- Phase 5 (September onwards) - would see a phased of social prescribing model and expand the response to social isolation and the mobilisation of the new waste contract.

Councillor Kybird congratulated Officers on what had been implemented in a short space of time. He went onto ask for further detail on the housing plans should an eviction spike occur.

The Executive Director of Place said that over 100 people had been placed into temporary emergency accommodation during the pandemic. The Council were proactively working with social landlords to consider the whole system and what measures could be put into place to minimise evictions. Further engagement with the private landlords through the Landlord Forum was underway to manage the demand. Officers were proactively working with those at risk of homelessness and evictions.

Councillor Birt offered his thanks to the Officers and was aware that a large amount of work had been done. He had requested further detail so he would be able to scrutinise and see the priorities following the severity of the impact the pandemic had on the residents. He was aware of what was being carried out with Housing and asked for a cost benefit analysis on both the financial impact and any additional resources that had been required.

The Executive Manager for People and Information confirmed that all tasks had been prioritised as the work carried out was under constrained budget and resources.

Councillor Birt insisted on seeing sight of the raw data information that had been available to the Executive Members.

Councillor Martin offered his congratulations to the Officers and Executive Members for the speed at which they had carried out the recovery plan. He went onto ask if there would be a view as to what would happen now that the Chief Executive had resigned. He also asked for further information on the Planning Policy Public consultation and had been content with the level of detail that had been provided.

The Executive Manager for People and Information said he would ask for clarity on the Planning Policy public consultation and report back to Members. Regarding the level of detail that had been shared, it had

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been in a variety of iterations across the previous 6 months that had been provided to the Executive Members, Leader, Chief Executive and Executive Directors.

Councillor Clarke asked what measures had been put in place to ensure the Elizabeth House building had been made COVID secure. He also asked how the Council would consult with the public on the planning policy under the current climate.

The Executive Manager confirmed that Elizabeth House had been made COVID secure in preparation for the re-occupation of Officers. Currently a minimum number of people could enter the building for several reasons which had been carefully managed. He agreed to respond to Members regarding the Planning Policy detail once this was known.

Councillor Clarke added if the risk assessment carried out for the building would be available on the public website.

Councillor Crane asked for further detail to sourcing sites for delivering vaccinations. The Executive Director for Place confirmed that this would be in support of colleagues at a Norfolk County Council level and at the moment no definitive plan had been put in place.

Councillor Morton asked for more detail on developing private sector leasing proposals, mentioned within the presentation. The Executive Director for Place said it was being considered as part of the Housing Service review, whereby the local authority would work with private sector landlords for letting to social tenants which would increase the availability of stock. Similar schemes were already operational around the county.

In summary, the Chairman asked Members if they wished to see sight of the raw information even though detailed information had already been received. Several Members were comfortable with the current information and it was agreed that if they wished to see anymore to contact the Officers via email.

151/20 WORKFORCE PLAN 2020-2023

The Executive Member for Governance explained that the Workforce Strategy had been developed using the established People Plan and linked to the Council's strategic priorities as part of the Corporate Plan. Its aim was to ensure the right people, with the right skills, were in the right role and performed the right tasks. It was imperative to empower staff and focus on performance and outcomes despite when and where they were working.

The changes within the updated strategy included the creation of a diverse workforce, allowing flexibility to accommodate opportunities to attract the best talent for the role.

The updated strategy would provide many benefits including allowing Breckland Council to become an employer of choice. The pandemic had allowed the authority the ability to enhance the organisational ability as well as maintaining service delivery.

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In addition, working in a digital environment meant the reduction in travel and as such on the carbon footprint.

Councillor Birt was pleased to see that the reference to 'baby boomer' had been removed. In addition, whilst reference had been made to the well-being and mental health, he asked if openness and transparency had been included as it was valuable within the workforce. He also felt that hot-desking was widely known to be damaging to morale and motivation and asked for a response.

The Executive Director for Strategy and Governance thanked Councillor Birt for his comments and reiterated that openness and transparency fell within the Code of Conduct. In addition, as the organisation was considering agile working it would allow Officers to work anywhere and therefore resulted in a change to the policy.

Councillor Kybird asked if employees were given a working from home allowance or received guidelines from Inland Revenue on claiming against the taxable income. In addition, the report outlined political awareness, but he had noted that there had been no mention of keeping Members informed of issues within their Ward.

The Executive Member for Governance was encouraged to hear of the Member charter that would formalise the member and officer working relationship and would like to see stronger correspondence between Ward members and officers going forward.

The Executive Director for Strategy and Governance added that Members were being asked to agree the changes to the Workforce Strategy. Once it had been agreed, the flexible policies would be created as a result. In the meantime, guidance from Inland Revenue had been provided to Officers for information. It was not suggested that Officers would permanently become home workers, but it was being considered.

Councillor Martin was encouraged by the reference to diversify the workforce and looked forward to seeing the charter between Members and Officers. He was encouraged by the reference to using the building as a hub and asked if there were any projections as to how many Officers would need to be accommodated in the building in one day.

The Executive Director of Strategy and Governance informed Members that the Executive Working Group consisting of Councillors Claussen, Hewett and Sherwood would be looking at the Worksmart 2020 programme and were considering ideas on moving forward with the re-occupation of Elizabeth House.

Councillor Eagle asked how the Council would ensure that the residents who had no access to online facilities had easy access to the Councils services, as this would be one of the biggest complaints that Councillors could receive. Members were informed that, where possible, residents were encouraged to use the online facilities as it freed up capacity to meet residents face to face and provide that additional support where appropriate.

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Councillor Turner pointed out that if someone within her Ward required access to a form, she had, on occasion, printed it for them and taken it to the resident.

Councillor Bushell also pointed out that there were many people of all ages who did not have access to the internet, and felt it was crucial that all Council services could be accessed by all.

Councillor Kybird stated that the recent publication from the Council had not included contact telephone numbers.

The Commission noted the report.

152/20 OUTSIDE BODY FEEDBACK (STANDING ITEM)

Councillor Kybird had attended a virtual Norfolk Health and Overview Scrutiny Committee and would forward the issues and outcomes to Members.

Councillor Turner said that she had recently attended a Norfolk Community Foundation Trust event where praise and congratulations had been conveyed to the Breckland Officers for the work carried out during this difficult time.

Councillor Wickerson informed Members that the Hammonds Educational Trust had received over 30 applications for laptops for disadvantaged children across the district. He encouraged Ward Members to contact the Hammonds Educational Trust if they were aware of children requiring support for educational needs.

153/20 SCRUTINY CALL-INS (STANDING ITEM)

None.

154/20 COUNCILLOR CALL FOR ACTION (STANDING ITEM)

(a) Attleborough Town Council

The Chairman reminded Members that a number of issues had been raised by residents of Attleborough and subsequent to the previous meeting of the Commission there had been a change in leadership at the Town Council, Councillor Leslie had been appointed as the new Mayor and a number of changes had been put in place.

Councillor Clarke informed Members that he would not take part in the discussions as he had felt uncomfortable that it had been raised at a District level.

Councillor Leslie said it had been acknowledged, as a Town Council, that there had been significant issues with the council's operations that had caused hostilities both within the Council and for the residents. The division within the Town Council had led to legal action, as well as staff being inundated with numerous Freedom of Information requests from residents who felt that the transparency was not where it should have been. At the first meeting as Mayor, the hot spots had been identified and considered and how they could

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be addressed. This included a review of the personnel committee, discretionary expenditure, solicitors' fees, and press releases, as well as the general operations of the council. Several hotspots had been alleviated, and the Council had called for a full review of the operations within the Town Council. A full policy review, as well as the standing orders would be considered as along with a staff review. It was felt that the Town Council was becoming more efficient and indeed, progress had been made to resolve the division between Councillors. An investigation committee had been set up that was responsible for the judicial review in respect of the legal action of the Council, but it had also taken to answer the Freedom of Information requests.

The Chairman said that he had never heard of a Town Council that had been called to a scrutiny meeting at a District level. He asked Councillor Leslie if the pressure that had been applied was a help or a hindrance as the town council had achieved a significant amount of progress since the last meeting. In his opinion, Councillor Leslie felt that bringing these issues to a District level had provided welcome support and allowing the Town Council to act and change its ways. The negative effect was that it was not common knowledge that there had been difficulties with staffing and whilst some had stepped up to support there had also been resentment and obstruction from others. By attending the Scrutiny Commission meeting it had added to that resentment; however, Councillor Leslie saw this as 'a means to an end' to resolve the issues longer term.

Councillor Turner reassured Members of the Commission that where something affected the residents of Breckland, Members had a duty to stand up for them and whilst it felt uncomfortable it was part of the Members role.

The Chairman congratulated Councillor Leslie and the Town Councillors on the progress that had been made.

Councillor Dale announced that the Town Council had changed, and it had been worth the heartache and was a much nicer place to be.

Councillor Martin felt that by calling in another elected body it should not set a precedent.

The Chairman proposed that the Commission accepted the submission from the Mayor and the item be removed from future agenda items.

RESOLVED to accept the submission from the Mayor and the item be removed from future agenda items.

155/20 WORK PROGRAMME

The Chairman asked Members if they were content with the Work Programme.

Councillor Clarke was content ; however, his email to the Commission prior to the meeting suggested that due to the detailed local plan and consultation on the White Paper it would have been helpful to have all

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information and reports, albeit below the line, in advance of the meeting, so that Members could have prepared asked relevant questions.

The Chairman asked Members if they wanted to see that all agenda items had a report regardless if a presentation was being made. The majority of Members agreed that they would have liked to have seen a report for every item on the agenda. The Executive Director of Place added that whilst this would add to Officers workload he would support the request and asked the Members of the Commission to provide clear direction on the agenda item required so the report and presentation (if required) could be provided.

The Chairman referred Members to the work programme.

Councillor Wickerson asked that the update from Planning Enforcement Team should not just cover the COVID period, but to provide an Overview of the Team in general, how the Team worked, what was their exact remit and how enforcement was carried out. It was also requested that enforcement of Planning Conditions should be included.

Councillor Turner noted that the Housing Associations for the district were to be invited to the next meeting. She explained how over the past months she had received a number of queries about Housing Association, tenancies, breach of contracts, and anti-social behaviour, and felt that there should be key and tangible questions to ask the representatives of the Housing Associations so that a positive outcome could be achieved.

The Chairman asked Members to forward any questions to him as well as to the Democratic Services Team Leader to capture these questions.

He also asked the Executive Director of Place to co-ordinate any issues the Housing Team have had, so that the information could be forwarded in advance of the meeting to the Housing Associations to gain better value from the presentations.

156/20 NEXT MEETING

The arrangements for the next meeting on 22 October 2020 at 10.00am were noted.

157/20 CAPITA BUSINESS PLAN

The Director of Planning and Building Control provided a presentation that updated Members on the planning service and the changes since the last presentation given to the Commission in 2019.

Several issues had been raised at the previous presentation and as a result several improvements had been made including improved access and dialogue with the Town Councils and Members and improved customer service with low levels of complaints received. Regular agents' forums had been introduced and there had been improved resourcing and retention of staff.

The Key Performance Indicators (KPIs) during 2019/20 had seen a significant increase in performance for both the major and minor

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applications. Highlights of the year had been the approval of the application for Attleborough in March 2020 which was the largest application approved nationally between November 2019 and March 2020. Three successful Agents and Developer Forums had been held, the Chairman's Panel had been introduced, and the Local Plan had been adopted by the Council in November 2019.

During the COVID19 pandemic, a full planning service had been maintained during the lockdown, allowing staff to work from home, and virtual Chairman's Panel and Planning Committees had been held.

The Business Plan had been amended to reflect where recording methods had changed, and the ambitious KPIs had been retained as the planning service continued to strive to improve.

Councillor Birt asked if anyone was able to attend the Agents and Developers Forum or if the minutes were available as he was concerned about public perception and the need to be seen to be open and transparent. The Director for Planning and Building Control informed Members that the Forum had been designed to meet a particular need. There were minutes available, but these were informal meetings. He went on to add that his Team would be happy to meet with Parish Councils where it was appropriate to do so.

Councillor Clarke asked for clarity on how Members would have any input into the Governments White Paper consultation as he was particularly keen on the aspect of design codes which had been lacking both locally and nationally. The Director for Planning and Building Control stated that the design codes would be a key part, and that Members would have input into that discussion.

The Capita Business Plan was otherwise noted.

158/20 EXCLUSION OF PRESS AND PUBLIC

Councillor Birt pointed out that under the 2015 Local Transparency Code it stated that commercial sensitivity was not a reason to discuss an item in private, and there was an obligation on the Commission to discuss items with openness and transparency.

The Chairman added that based on the assertions made by the Officers it was for Members to trust what information was contained in the item to be discussed.

The Legal Services Manager confirmed that the specific exemption that had been quoted was correct.

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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

159/20 CAPITA BUSINESS PLAN

Members heard further detail from the Director of Planning and Building

Control.

The contents of the report and presentation were noted.

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The meeting closed at 12.45 pm

CHAIRMAN