

**BRECKLAND COUNCIL**

**At a Meeting of the**

**COUNCIL**

**Held on Thursday, 8 July 2021 at 10.00 am**  
**Applewood Hall, Kenninghall Road, Banham NR16 2DY**

**PRESENT**

Cllr Roy Brame (Chairman)	Cllr Keith Gilbert
Cllr Mike Nairn (Vice-Chairman)	Cllr Chris Harvey
Cllr Stephen Askew	Cllr Paul Hewett
Cllr Roger Atterwill	Cllr Tina Kiddell
Cllr Gordon Bambridge	Cllr Robert Kybird
Cllr Timothy Birt	Cllr Keith Martin
Cllr Bill Borrett	Cllr Linda Monument
Cllr Mike Brindle	Cllr Philip Morton
Cllr Hilary Bushell	Cllr William Nunn
Cllr Trevor Carter	Cllr Mark Robinson
Cllr Marion Chapman-Allen	Cllr Ian Sherwood
Cllr Sam Chapman-Allen	Cllr Sarah Suggitt
Cllr Paul Claussen	Cllr Stuart Terry
Cllr Helen Crane	Cllr Lynda Turner
Cllr Vera Dale	Cllr Alison Webb
Cllr Susan Dowling	Cllr David Wickerson
Cllr Phillip Duigan	Cllr Nigel Wilkin
Cllr Fabian Eagle	Cllr Peter Wilkinson

**In Attendance**

Maxine O'Mahony	- Executive Director Strategy & Resources and Head of Paid Service
Rob Walker	- Executive Director Place & Delivery and Monitoring Officer
Alison Chubbock	- Assistant Director Finance (Section 151 Officer)
Jason Cole	- Assistant Director Customer and Performance
Michael Horn	- Solicitor to the Council
Adele Newsome	- Customer Experience Manager
Rory Ringer	- Democratic Services Manager
Sarah Wolstenholme-Smy	- Legal Services Manager (Deputy Monitoring Officer)
Teresa Smith	- Democratic Services Team Leader
Julie Britton	- Democratic Services Officer

**Chairman's Opening Remarks**

The Chairman welcomed everyone to the first face to face Full Council meeting since the start of the pandemic.

Following some house rules and procedures the meeting commenced.

**64/21 APOLOGIES (AGENDA ITEM 1)**

Apologies for absence were received from Councillors Ashby, Bowes, Clarke, Colman, Cowen, Duffield, Grey, James, Jermy, Kiddle-Morris, Ian Martin, Oliver

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and Taylor.

**65/21 MINUTES (AGENDA ITEM 2)**

The Minutes of the Annual meeting held on 29 April 2021 were confirmed as a correct record.

**66/21 DECLARATION OF INTERESTS (AGENDA ITEM 3)**

None declared.

**67/21 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)**

The Chairman conveyed his congratulations to Councillor Eagle's daughter, Imogen, who had shaved her hair off to make wigs to help unfortunate people who suffered from cancer.

Councillor Eagle thanked the Chairman and was pleased to announce that his daughter had raised £1,520.00 by cutting off 13 inches of hair.

**68/21 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 5)**

The Leader, Councillor Sam Chapman-Allen echoed his appreciation to Councillor Eagle's daughter. He also conveyed his appreciation for the Officer's support in making the arrangements for this Full Council meeting.

The following announcements were then made.

The country was on track to come out of lockdown in less than two weeks. This was a massive milestone for all and testament to how far everyone had come in the fightback against this virus over the last year-and-a-half.

However, the virus was not going to disappear overnight, and complacency was not an option. Whilst everyone took this huge step forward towards near-normal, it did not mean that we should stop being cautious.

The Country was on track to see the rules change on the 19 July, but the Council's support would continue beyond the easing of restrictions.

Towards the end of June, Breckland Council had successfully released £4m to 1,100 businesses via Breckland's discretionary grants programme – the full amount allocated to this authority through Central Government's scheme known as "ARG".

One final further allocation of resource was anticipated to allow continued exceptional support, particularly through the Council's 'Springback' scheme. Therefore, applications would continue to be accepted to the Council's Shop Front, Start-Up, Digital and Covid-Safe schemes.

Overall, this meant since the pandemic began Breckland had managed to issue over £50m.

The Council's Covid Support Officers would continue to have a presence in all the towns in the district over the coming months, to advise businesses, residents and visitors on how to keep ourselves and each other safe.

Covid aside, despite the pressures created by the pandemic – with increased costs and falling income over the last year – the Council ended the last financial year in a good financial position.

This provided the Council with a sound base from which it started this year, and the support to residents and businesses would continue throughout these ongoing

challenging times.

This included activity under the new 'Breckland Cares' programme. The Council was adapting to its changing role, responsibilities and priorities in the wake of Covid and the Breckland Cares campaign was designed to show the commitment in supporting local people, communities and the environment.

During June, the Leader was pleased to announce that the Council played an active role in promoting Pride – both externally by flying the flag to start that conversation and challenge poor attitudes and promoting the district as an inclusive area for all – and internally, by reviewing policies and processes to ensure they were relevant.

Over the course of the year the main focus would be to include projects and activities that promoted the Armed Forces, Mental Health, Personal Safety, Domestic Violence and Climate Change.

On a similar note, the Council would continue its role as enablers and promoters of positive mental health, and he was delighted that the Council would continue to work with organisations such as YANA to train mental health first aiders who could work within the communities to help people return to – or maintain – positive mental health.

As everyone emerged out of lockdown and looked forward to a bright future, this Council was in a strong position and continued to improve the District, either through the new £1.8m Elm Road housing support centre, the £1m Inspiring Communities Programme, the New Waste Depot in Watton, working with all the Towns and hinterlands to develop the plans for the future or investing in areas which residents cared about with Animal Welfare or Fly tipping. The Council would continue to look for opportunities to enhance its communities ensuring that residents and businesses could thrive.

Members were then invited to ask relevant questions.

Councillor Atterwill asked the Leader if he would join him in congratulating the England Football Team that had played very well the previous evening and asked if an England flag would be raised at the offices. As it was rather short notice, the Leader said that he would look in to whether this could be arranged.

Referring to the previous Minutes, Councillor Monument felt that under Minute No. 50/21, the word 'victims' should be added to where it stated that, Councillor Lynda Turner, the former Chairman of the Council had championed domestic violence. In response, the Leader advised that the work that the Council and the former Chairman had done with the Daisy Programme. Leeway and Dereham Town Football Club was to raise awareness and start conversations so that any signs of domestic abuse could be spotted.

Councillor Hewett, the Executive Member for Property & Projects informed Members that the Leader had just highlighted and described the £50m that the Council had paid out to local residents and businesses and had been disheartened to note that at the previous meeting one Member had described the Council's performance as mediocre.

The Leader advised that every Member should be proud of what this Council had achieved throughout this pandemic – it certainly was not mediocre.

Councillor Borrett mentioned the Armed Forces Covenant (AFC) that had been mentioned and felt that the Council should be very proud of the monies that it had given to AFC such vital work that supported families and ex-servicemen and women and had heard nothing but positive statements and thanked Members for their continued support.

The Leader pointed out that the Chairman had very strong links with the armed forces community and was striving to support that further.

Councillor Brindle had listened to the above statements and hoped that thanks were extended to the National Health Service too.

The Leader advised that he had organised a 'Thank-You' video that had incorporated the Council's immense pride in the NHS and reminded Members that most of the Country had turned out week after week in support of all NHS workers.

Councillor Birt revealed that he had made the remark about the Council being mediocre and he still felt it was to a degree as it was mostly about self-congratulations. In his opinion the Council was all too sycophantic and as such any congratulations should be left to people outside of this authority.

The Leader stated it was not about thanking himself or Members, he was thanking the Officers of the Council on behalf of the Council, and he was very thankful for everything that the Officers had done, and he would continue to do so.

The Chairman pointed out that this year was going to be the strangest year for those residents who had been imprisoned in their own homes and he thanked the Leader for allowing him to change the chairmanship to highlight and promote what residents were doing at Full Council meetings such as Councillor Eagle's daughter.

#### **69/21 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6 (AGENDA ITEM 6)**

The Questions on Notice including the responses had been circulated to all Members prior to the meeting (see agenda pack).

It was noted that as Councillors Clarke and Jermy had sent their apologies no supplementary questions would be asked of their questions.

The Members who had submitted questions and were in attendance were invited to ask one supplementary question in accordance with the Council's Constitution, as follows:

Councillor Atterwill thanked the Leader for his response to his first question (question 2 on the list) and was pleased that lessons had been learnt and looked forward to future programmes. In regard to his second question (question 3 on the list), in respect of the Breckworld App, again he thanked the Leader for his comprehensive response but asked if he was confident that the App would be refreshed and updated in time for the up-and-coming holiday season. The Leader was hopeful that the contractors would have the App ready to be re-launched at the start of the July school holidays.

In respect of his third question (question 4 of the list) in regard to the timber building at Wayland Prison. Councillor Atterwill and the Leader had already conversed on this matter on a number of occasions and had agreed to differ.

Councillor Atterwill then asked about the £10,000 that Breckland Council had funded towards the visitor search facility and whether the Council had asked the Police & Crime Commissioners Office if it would have made better use of that money. The Leader informed Members that initially the £10,000 had been allocated towards an ANPR camera at Wayland Prison on the directive of Norfolk Police but due to issues about the siting of this camera and its proximity it was not possible to install. Therefore, in consultation with Norfolk Police, who had also sponsored the camera, the decision had been made to reallocate the money to a search facility.

Cllr Atterwill then asked a supplementary question in respect of his fourth question (question 5 on the list). He had appreciated the response that had been provided in respect of the 250 mental health volunteers in the district and wholeheartedly supported this initiative. However, he had been disappointed as he had only found out about this from a press release and felt it would have been helpful if the Leader had informed Members prior to it going in the press as it was Members who were supposed to be promoting such initiatives across the district. He asked the Leader if he would keep Members informed of any such initiatives in the future. The Leader advised that, he would include such information in his weekly Briefing paper in future. The initial press release was a soft launch and the definitive press release in respect of this matter was still in its final reiterations.

His final question (question 6 on the list) was directed to Councillor Hewett, the Executive Member for Property & Projects. Councillor Atterwill was grateful for his response but in his initial response dated 8 March 2021 where he had asked about the history of the Green Britain Centre, there was a sentence that said 'officer's recollections were' which had caused him some concern about the facts and figures that Councillor Hewett had originally provided. He fully appreciated that Councillor Hewett was not the Portfolio Holder when the arrangements for this building had been made but asked that when significant projects such as these were undertaken in future, a lifetime file/record was kept for historical reference.

In response, Councillor Hewett advised that this was about an acquisition that occurred in the last century when records were not kept electronically, and the Council was a different organisation back then. The biggest challenge was that the Council was looking at assessing a service as an investment and he asked Councillor Atterwill to recall that actually the Green Britain Centre was never, in its early life, designed as an investment, and compared it with the Council's vulnerability strategy that did not make a profit. A service provision and an investment provision were measured in different ways and the Green Britain Centre at first was a place in Swaffham for people to visit but now it should be considered as an investment and would certainly generate a cash return on a cash investment. Councillor Hewett was pleased to report that there was now an employer coming into the building that would generate jobs and prosperity for the town.

Councillor Atterwill asked if all Members could be kept updated when the sale of the Green Britain Centre had been completed. Councillor Hewett was pleased to announce that the sale had been completed last week and when the buyer was happy for this information to go public, he would inform Members accordingly.

Councillor Birt asked Councillor Hewett a supplementary question to his first question (question 9 on the list). He felt that the response he had been given was rather a mixed message and he had not, in his opinion, been given a clear answer to the first two bullet points, as follows:

- If the original investment was made with collective Breckland money, why should any future reinvestment only be made in Swaffham?
- Would such a policy limit achieving 'best value' for Breckland residents as a whole?

Councillor Hewett pointed out that he had answered the same questions at the Full Council meeting in January 2021. He assured Members that the monies from this investment would not only be spent in Swaffham but would also be allocated to other towns and villages to allow them to thrive.

Referring to his second question (question 10 on the list), Councillor Birt had been

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disappointed that this 'forum' mechanism had to be used to gain responses to his questions. He believed that self-certification did not work and felt that his question had not been answered and asked Councillor Mark Robinson, the Executive Member for Customer, Digital & Performance how he was supposed to review contracts prior to them being awarded to ensure best practice.

The Executive Member for Customer, Digital & Performance advised Members that self-certification was standard practice in the tendering process. He was grateful for Councillor Birt's due diligence, but the Council would be working with the contractor going forward as it tied in neatly with the Council's WorkSmart 2020 programme. Councillor Birt was assured that further investigation would be carried as to why he never received an initial response.

In respect of his third question (question 11 of the list) Councillor Birt felt that the response received from Councillor Claussen, the Executive Member for Economic Development & Growth had been very limited, hence this supplementary question. He stated that in 2011 when the New Homes Bonus was announced it was set up to benefit communities but asked if that funding had been used to 'prop up' council tax.

The Leader, Councillor Sam Chapman-Allen pointed out that a response had been provided and could be clearly seen under the heading of Carbrooke. New Homes Bonus had been based on the overall tax base changes and was not separated out by each individual parish as such work would not be appropriate use of Officer time. The New Homes Bonus within the Council's budget quite clearly stated that these monies had not been used and had been ring-fenced for the past 3 years and would be used to support the whole of the district.

Referring to the second part of his original question in respect of the Council's IT equipment, and the assertion that he had made around active monitoring being misleading, Councillor Birt quoted a conversation that he had with a member of the IT Team back in 2019 which, in his opinion, clearly demonstrated that the IT equipment was being monitored.

The Leader, Councillor Sam Chapman-Allen advised that there was no monitoring involved but there had to be clear checks and balances to go through to ensure safety and security and it was Councillor Birt's decision not to use the council's IT equipment.

Councillor Birt then asked Councillor Sarah Suggitt, the Executive Member for Planning, Leisure & Contracts a supplementary question in respect of his final question (question 12 on the list) in relation to the Serco Contract. He asked who decided what he was allowed to see. The Leader deferred this question to Mike Horn, the Council's Solicitor who stated that the question had been referred to him and he had decided that Councillor Birt had already been provided with enough information on this matter.

Councillor Morton asked a supplementary question (question 13 on the list) and directed it to Councillor Claussen, the Executive Member for Economic Development & Growth. He asked if the Cabinet would be adopting more urgently some of these principles that he had mentioned in his original question in respect of climate change.

Members were informed that the Council was fully engaged with its partners in respect of climate change/green agenda.

Referring to his second question (question 14 on the list) he asked Councillor Paul Hewett, the Executive Member for Property & Projects for reassurance that Breckland Bridge was adopting green housing policies and that there would be an emphasis going forward of adopting green materials to be efficient whilst building housing that was profitable.

Members were informed that this question had already been answered.

Councillor Wickerson directed his supplementary question to Councillor Hewett, the Executive Member for Property & Projects (question 15 on the list). He appreciated the confidentiality in respect of the detailed information but asked if Councillor Hewett could confirm whether a deadline had been agreed to resolve this longstanding issue. Councillor Hewett said that he was not prepared to answer this question as it could contain information that was prejudicial to the Council's investment and to the tenant and should therefore be taken below the line.

Councillor Wickerson, thanks Councillor Webb, the Executive Member for Housing, Health & Communities for her written response to his second question (question 16 on the list).

Members were informed that the list of all Flagship managed properties should be available for Members by the end of July.

The Chairman thanked Members for all their questions.

#### **70/21 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 7)**

Councillor Atterwill's question was in relation to Barnham Broom. He reminded Members of the meeting held in February where this matter had been discussed and felt that it would be very helpful if the Executive Member could provide all Members with a below the line up to date response.

Councillor Hewett said that he would oblige this request, but Members had already been provided with a further update in April.

Councillor Atterwill's second question related to the Government's highly controversial proposals to reform the planning system that had recently been published. His particular concern was the proposal to remove the right of local residents to object to individual applications in their own neighbourhood. He asked the Leader if he agreed with this Government proposal, and if not, would he undertake, on behalf of Breckland Council, to write to the Ministry of Housing, Communities & Local Government (MHCLG) and to Breckland MPs George Freeman and Rt Hon Elizabeth Truss to object to these proposals.

Members were reminded that this Council had responded to the Government's emerging White Paper in September 2020. The Leader assumed Councillor Atterwill was referring to the deliberate misleading letter sent by the MHCLG Shadow Secretary of State in which the 'front bench' of the Government had offered no policies of their own. The Government's Reforms thus far was a desire to make the planning system more engaging not less, and to make the process much quicker to provide certainty. These were all emerging ideas and no final decision had yet been made. The Government also wanted to ensure that planning applications that fell outside of the remit of local plans or varied from it would continue, as was mentioned in the consultation document, ensuring full public engagement and enhancing it by ensuring that digital tools were transparent

and uniformed across the whole country. Planning applications would be required in the usual way and in the usual form going forward and the Leader did not feel it necessary to write to the MHCLG as he had been working closely with the District Councils Network (DCN), the local MPs and with Members on this planning reform and would continue to do so to ensure that Breckland's voice was heard at the highest levels.

Councillor Birt raised a question about Covid-19 security and the return to Elizabeth House. He then held up a Covid-19 certificate that had to be signed by oneself and felt that there must be some evidence that allowed someone to sign this form. He had also found that this certificate only applied to employees of the Council, but the Council also consisted of Members and just as importantly members of the public. Just recently, the Prime Minister had indicated that everyone should be taking personal responsibility but in order to take personal responsibility evidence would be required and urged the Leader to publish the evidence that verified that the Council was operating in a Covid secure manner. Councillor Birt said he was still waiting for responses on the new air handling system within Elizabeth House.

The Leader advised that this section was designed to ask questions of the Cabinet and Officers. He himself had never gone into Tesco's or Sainsbury's or to his local coffee shop and asked the proprietor to present their risk assessment or their Covid compliant or their documentation on air filtration. He trusted those establishments to protect their workers and the public. The Council had very clear processes in place, it had a dedicated Health & Safety Officer and along with the Head of Paid Service and the Monitoring Officer all would ensure that the building was Covid compliant. If Councillor Birt had a concern or had issues about these matters he suggested that these be raised directly to the said Officers. The Executive Member for Property & Projects advised that the Council did have Covid compliant certificates displayed around the Council building as well as a risk assessment in support.

Councillor Borrett raised a point of order as this forum was not the only opportunity for Members to ask the Executive questions. He had emailed Executive Members on numerous occasions and had received a thorough response. If all Members availed themselves in the way that some Members had by asking disproportionate questions and taking up precious meeting time, this item on the agenda, although legitimate would become very longwinded and very 'creaky'.

As the Council was installing electric car charging points across the district, Councillor Gilbert wanted to know how many were planned for Watton and when. Councillor Sherwood, the Executive Member for People, Communications & Governance advised that the Council was about to commission a piece of work to look at electric charging points across the whole of the district taking into account other charging points already installed to ensure that they were in the right place and could be easily accessed. He could not provide the answer as to when these would be installed in Watton but he would be happy to provide further information in due course.

Councillor Eagle asked the Leader if he would write a letter on behalf of the Council in support of a new hospital in Kings Lynn as this hospital was used by many residents who lived in the Breckland area.

The Leader stated that he had been working with Councillor Wilkinson, a member of the Queen Elizabeth Hospital Trust on behalf of the Council, who had been keeping him up to date with the latest developments on this matter. The Leader

said that he would be delighted to write a letter of support to the Secretary of Health and the Chief Executive of the hospital. Norfolk County Council and the Borough Council of King's Lynn & West Norfolk had been working immensely hard with the Clinical Commissioning Group (CCG) and NHS East to develop this programme at pace to ensure that the required works and the new build took place in the required timeline. It was noted that Councillor Colman would have asked this question too if he had been present at the meeting.

Councillor Terry directed his question to Councillor Bambridge, the Executive Member for Waste & Environment. He stated that it was a well-known fact that food waste caused much damage to the environment as single use plastic. When throwing away food it disposed of all the energy that had gone into producing it and transporting it. Domestic households produced the majority of food waste more than restaurants, hotels and supermarkets and on average just under three quarters of all food waste was still edible and could be used further down the food chain. In the Borough of Kings Lynn & West Norfolk and Norwich City Council and parts of Broadland District Council households were having their separated food waste collected each week. In the wake of Breckland Council's climate emergency, he asked if it was time that Breckland Council followed suit to introduce a food waste collection for its residents.

In response, Councillor Bambridge said he would be happy to send Councillor Terry further details but pointed out that across the district community fridges were available and in Thetford there was a community supermarket that assisted with such matters. It was very difficult in a rural area to collect food waste in the same way that an urban area could; however, it was, of course something that Breckland Council was looking at and this was considered in some details a number of years ago at the time of the new waste contract and there was a clause in the contract that it could be introduced at some point but at the moment, it had been found that more energy would be used on the collection process.

Councillor Wickerson who had indicated that he wanted to ask a question said that his question had already been answered as it was in respect of the Kings Lynn hospital and thanked the Leader for agreeing to send a letter of support.

Councillor Borrett asked if the Executive Member for Waste & Environment agreed with him that all those who had home composting facilities for their food waste should be encouraged by Members to do more given that we were in a rural area and the disproportionate use of energy to collect such waste members of the public should be encouraged not to put their food waste with the rubbish but to compost it instead and then spread it on their gardens. This was endorsed accordingly.

**71/21 MOTION RECEIVED UNDER STANDING ORDER NO. 8 (AGENDA ITEM 8)**

This Motion was proposed and seconded by Councillor Dowling and Councillor Atterwill.

Councillor Dowling added the following information to the Motion that had been submitted.

The use of herbicides such as glyphosate in the UK had increased by 60% in real terms since 1990. Glyphosate was toxic to all plants unless they were genetically modified to resist it. It was the active ingredient in many herbicides and in weedkiller it was combined with other chemicals that altered the toxicity of the final product making it up to 150 times more toxic.

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Recent research had shown that these other chemicals included arsenic, lead, cobalt and nickel and a recent study had exclusively focused on short term high dose animal trials, but real-life exposure occurred over the long term. Independent research had found that glyphosate was not only carcinogenic, but it also affected the body's endocrine system and interfered with the enzymes in the human gut.

Recent research showed that glyphosate formulations destroyed the micro-organisms in healthy soil and affected earthworms. This herbicide was the most widely and heavily used agrichemical worldwide, in agriculture, parks and amenities as well as in gardens.

If weedkiller was used on grass people could be exposed to glyphosate by breathing it in or touching it, and if exposed people could experience irritation and many other health problems including, if swallowed, nausea and vomiting.

People could also be exposed to glyphosate in food. It reached the food chain in raw food before being processed. A recent World Health Organisation report highlighted that 43 out of 45 oat-based products tested contained glyphosate including breakfast cereals and snack bars.

Glyphosate had been banned in organic farming, but cross contamination could occur from neighbouring fields. It poisoned the soil and reduced the biodiversity impacting on insects, birds and bees at a time when the world was losing a great deal of its insect population every year.

The license for glyphosate usage in the EU had recently been under discussion and the agrichemical industry had requested a 15-year renewal but concerned environmental groups wanted it banned and a compromise was reached for 5 years only. A recommendation was also added minimising its use in parks and public places.

Austria had been the first EU country to ban glyphosate. In France glyphosate would be used until 2023 and in Germany until 2024. It had also been banned in some US states and parts of Australia.

The Hazardous Substances Advisory Committee had also restricted the use of glyphosate and was considering a ban. As a responsible Council, Breckland Council needed to follow other authorities and commit to the phasing out of these toxic pesticides and herbicides and to use a more environmentally friendly approach to weed control, such as hot steam treatment.

An exception to the ban should be given in some cases but such chemicals should be stem injected rather than sprayed.

This Council owed a duty of care to its residents. Children and pets should not be playing on green areas where these chemicals were used. The earth was what everyone had in common, and Breckland Council needed to take action for the environment and for the people in its community, for the planet and for the future.

Just as a Point of Order, the Chairman felt that it would have been better just to have a proposal. All Members had seen the Motion included in the Council papers and the Leader was asked if he had a response to both the proposal and what had just been heard.

The seconder, Councillor Atterwill said that he had been very happy to second this

Motion, for him, the key phrase in here was to ask Cabinet to phase out the use of these chemicals and to come up with a plan. As a district there was a need to have a word with the waste contractor about the liberal application of weed killer. He then referred to his recent email that he had sent to all Members where photographs had been clearly demonstrated the damage this weedkiller had done to the verges in his parish. He believed as a Council it did some very good work with its posters and signs and extracts in the press about protecting the wildlife and bees etc but it did not sit well with him that the Council was doing this on one hand and then secondly spreading so much weed killer in the district.

He then repeated his request that Cabinet phased out the use of these pesticides and herbicides in the district and come up with a plan.

Councillor Suggitt, the Executive Member for Planning, Leisure & Contracts was disappointed that the Members concerned had not engaged with the Portfolio Holders before submitting this Motion. If they had, they would have realised that what was being recommended was already in place. She then made the following observations.

The approach to weed treatment taken by Breckland Council was consistent with most other authorities. The weed killing products were also used elsewhere and all the chemicals that were used locally had been through a rigorous standard's process and had been approved by DEFRA. She acknowledged that the recent events that had been mentioned that had led to this Motion being brought to this Council meeting was deemed acceptable and was aware that some weed spraying had been quite excessive and had not been to the Council standards and not adherent to the Serco contract. This issue had been raised with the Contractor.

Many of the recommendations within the Motion were already in place and most importantly the contract already stated that Serco should use the least amount of chemicals for weed treatments and Officers had been instructed to ensure that this was adhered to by the contractor in future.

As part of the Council's wider commitment on sustainability it was already committed to reducing the overall use of chemicals for weed spraying and Officers had already been instructed to look at alternative products and approaches and this work had been commended by Serco. These findings would be reported back to Members in due course.

Councillor Suggitt did not feel the need to support this Motion as measures were already in place, but she acknowledged Members concerns.

Councillor Brindle had not been able to hear all of what was being said; however, he supported the Motion as Breckland had made itself a 'green' Council and should move forward in this direction accordingly.

Members were then asked to vote on the Motion, and it was:

**RESOLVED** that the Motion was not supported.

#### **72/21 MINUTES (FOR INFORMATION ONLY) (AGENDA ITEM 9)**

(a) Cabinet: 4 May 2021

The Minutes of the Cabinet meeting held on 4 May 2021 were noted.

(b) Cabinet: 21 June 2021

a) Quarter 4 Financial Performance Report (Minute No. 59/21)

**RESOLVED** that:

1. That capital budgets (& associated funding sources) of £7,247,467 be carried forward into 2021-22 to support projects in progress.
2. That the final capital out-turn and funding for 2020-21 as detailed in appendix B of the report be approved.
3. That the revised capital budget and associated funding for the 2021-22 capital programme as detailed in appendix C of the report be approved.
4. That the additional Control Outbreak Management Funding (COMF) totalling £464k be added to the budget to be spent in areas which comply with the funding guidelines (as detailed in paragraph 1.6 of the report).

b) Cabinet Minutes

**RESOLVED** that the Minutes of the Cabinet meeting held on 21 June be noted.

(c) Overview & Scrutiny Commission: 3 June 2021

Councillor Birt asked for his compliments to Councillor Oliver, the Chairman of the Overview & Scrutiny Commission to be recorded for championing and standing up for a hybrid O&SC meeting that had taken place recently. He was aware that such meetings were still being held in Parliament.

**RESOLVED** that the Minutes of the Overview & Scrutiny Commission meeting held on 3 June 2021 be noted.

(d) Planning Committee: 12 April 2021

Members were informed that these Minutes had already been noted at the previous Council meeting in April 2021.

(e) Planning Committee: 5 May 2021

**RESOLVED** that the Minutes of the Planning Committee meeting held on 5 May 2021 be noted.

**73/21 ANNUAL REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2020/21 (AGENDA ITEM 10)**

Alison Chubbock, the Assistant Director of Finance & S151 Officer presented the report.

The report was an annual regulatory requirement and detailed the Council's Capital spend in the last year and highlighted that it had been fully funded. It detailed the Council's cash, investment and Reserve balances and confirmed that the Council

had complied with all indicators and had kept within those indicators.

The report was discussed at a recent Governance & Audit Committee and recommended to Council for approval.

Councillor Borrett, the Chairman of the Governance & Audit Committee thanked the Officers for this report. He pointed out that Breckland Council continued to be debt free and did not have any borrowing requirements which was quite unusual in these uncertain times. He was happy to endorse the recommendations.

The recommendations were proposed and seconded, and it was

**RESOLVED** that:

1. the actual 2020/21 prudential indicators within the report be approved; and
2. the Treasury Management stewardship report for 2020/21 at Appendix B and Appendix C of the report be noted.

#### **74/21 CORPORATE PLAN REFRESH 2021 (AGENDA ITEM 11)**

Councillor Mark Robinson, the Executive Member for Customer, Digital & Performance presented the report.

The current Corporate Plan had been adopted by the Council in February 2019 and was scheduled to finish in 2023. However, over the last 15 months the landscape in which the Council operated and what it had looked to achieve had changed. The current Plan had been impacted by the Covid-19 pandemic, the Council's 10-year strategic partnership with South Holland District Council had ended and a climate emergency had also been declared.

All the above had significantly impacted the Council moving forward and rather than the usual light touch refresh it had been decided that a more fundamental review and rewrite was required to ensure that the Council had a clear and transparent direction of travel going forward.

The new Corporate Plan had been set out at Appendix A of the report and aimed to set the vision under three external focused themes and one internal focused theme (see section 1.4 of the report).

It was noted that the Corporate Plan refresh had also been considered at a recent meeting of the Overview & Scrutiny Commission. The feedback from that meeting was read aloud and Members were assured that the suggestions had been considered and some had been incorporated.

The look and feel of the document would become more accessible to a variety of different audiences and a more infographic style would be adopted and would be included on the Council's website.

The recommendations were proposed and seconded.

Councillor Birt was disappointed about the 'soft touch' of the climate emergency within the Corporate Plan. He did recognise a number of small improvements that had been made and felt that this was a step in the right direction; however, referring to page 91 of the agenda pack under the strategic priorities he was not happy with the wording under bullet point 5 and felt that it should be a 'requirement'

to deliver the Council's target to be NetZero by 2035 and not 'working towards it'. He would; however, vote in favour of this refreshed Corporate Plan but felt it still had some way to go.

Councillor Atterwill had read the Plan thoroughly and had welcomed this Corporate Plan refresh. He did however have a question relating to the last paragraph on page 88 of the agenda pack where it stated: "Finally, we are extremely excited to share our **Breckland Cares** campaign for the first time, which is made up of seven 'campaigns' delivered over a rolling twelve-month programme" and he asked where in this document could any detail about the seven campaigns be found and if, they were not listed anywhere, should they be listed or would these come in an addendum at some point later on.

In response, the Executive Member for Customer, Digital & Performance informed Members that the Corporate Plan was an overarching document and set out the path that the Council would be taking, and such details would follow.

Councillor Atterwill acknowledged what had been said but felt that the way it had been written there should be headings to explain what these seven campaigns were included in that paragraph.

The Leader apologised as he had omitted to include the details of these seven campaigns in his weekly briefing paper that had recently been emailed to all Members but would include them in the next one. As mentioned earlier, the Corporate Plan was an overarching document but underneath it would be the seven themes that would constantly change under the direction of Members, the Chairman of the Council and any feedback received from staff.

**RESOLVED** that the content of the new Corporate Plan 2021-2023 be approved.

#### **75/21 CUSTOMER SERVICE REVIEW (AGENDA ITEM 12)**

Councillor Mark Robinson, the Executive Member for Customer and Performance presented the report.

Adele Newsome, the Customer Experience Manager, was in attendance to answer any questions.

Approval was sought to proceed with the implementation of the proposed structure changes to the Customer Services Team following the service review.

The recommendations were proposed and seconded.

Councillor Atterwill welcomed this review but did have concerns about how good the Artificial Intelligence (AI) would be particularly for elderly residents who would most likely prefer to speak to someone on the telephone and hoped that the technology would be robust enough to do the job that the Council wanted it to do. For clarity, he asked if some of the staff would be working offsite and not in Elizabeth House. Members were informed that there would be a combination of agile working ensuring that the environment was suitable for staff in respect of privacy issues.

**RESOLVED** that:

- 1) the Council approves the implementation of the revised staffing structure for the Customer Services Team; and

- 2) the Council approves the implementation of the revised staffing structure for the Customer Services Team as detailed in this report.

### **76/21 CONSTITUTION - VARIATIONS (AGENDA ITEM 13)**

Councillor Ian Sherwood, the Executive Member for People, Communications & Governance presented the report.

It was noted that this report had already been discussed at the Governance & Audit Committee meeting on Thursday, 24 June 2021, and subject to a number of minor amendments that had been incorporated in this report, the amendments had been recommended to Full Council for approval.

The Executive Member for People, Communications & Governance thanked the Governance & Audit Committee Members for their review and input it had been most helpful.

The Constitution must be reviewed regularly by the Monitoring officer to ensure that it remained fit for purpose and this report detailed amendments that were currently deemed appropriate. The first few amendments followed on from the separation with South Holland District Council and the restructure that followed and the glossary of terms relating to staff and references to Senior Officers had to be amended accordingly.

The remaining variations to the Constitution were highlighted.

The recommendations were proposed and seconded.

Councillor Birt had also attended the Governance & Audit Committee meeting where he had raised a number of concerns. These concerns related to the definition of a 'Special' meeting and reminded Members of such a meeting that had taken place in October 2020. The disclosure of documents ahead of that 'Special' meeting had not been sent within the normal statutory timeframe and was matter of concern. He had queried at the time whether there was such a thing as a 'Special' meeting, and he had received a very confused response. According to the 1972 Local Government Act, there were three types of meeting – an annual meeting, an ordinary meeting and an extraordinary meeting and it was very clearly defined as to how these should work. He did recognise that there could be a place for a 'Special' meeting but such meetings, in his opinion, should not be making any decisions. That was where his concern lied as the parameters had not been defined as to what a 'Special' meeting was.

The Executive Member for People, Communications & Governance reminded Members that the Constitution was reviewed regularly, and a further review was already underway. This would be an ideal opportunity for Members to put forward and consider any further issues or concerns.

The recommendations were taken enbloc, and subject to 4 x votes against the recommendations and 2 x abstentions, it was

**RESOLVED** that:

- 1) With a view to reducing the necessity for multiple Constitutional amendments following any future structure reviews, the following generic definitions be added to the Glossary of Terms (Definitions relating to Staff):

Action By

- "Directors" means tier 2 officers (immediately below the post of Chief Executive whether or not a Chief Executive is actually in post). Currently the Executive Directors
  - "Assistant Directors" means tier 3 officers (immediately below the Directors). Currently, the Assistant Directors
  - "Service Managers" means tier 4 officers (immediately below the Assistant Directors) who manage each service unit. Currently the Service Managers.
- (2) All references to "Executive Directors(s)" within the Constitution be amended to read "Director(s)"; and
- (3) All references to "Executive Manager(s)" within the Constitution be amended to read "Assistant Director(s)"; and
- (4) All references to "Senior Managers" within the Constitution be amended to read "Service Manager(s)"; and
- (5) For clarification, the following definitions be added to the Glossary of Terms (Definitions relating to Staff):
- "Electoral Registration Officer" means the officer appointed under section 8 of the Representation of the People Act 1983. The Electoral Registration Officer is currently [name] the [post]
  - "Returning Officer" means the officer appointed under section 35 of the Representation of the People Act 1983. The Electoral Registration Officer is currently [name] the [post].
- (6) The Constitution be amended so as to clarify the circumstances in which the Monitoring Officer and/or the Senior Legal Officer may amend the Constitution, as detailed in Appendix A; and
- (7) The statutory officer references at paragraph 1.4 of Article 11 of the Constitution be amended in accordance with the details included in Appendix B to this report; and
- (8) The Heading to Part 3 Section F4 be amended to read as follows:
- Delegations to the Senior Legal officer, Solicitor to the Council and the ~~Legal~~ Services Manager responsible for legal services*
- (9) The Heading to Part 3 Section F5 be amended to read as follows:
- Delegations to the ~~Executive Manager Growth~~ Assistant Director responsible for strategic growth*
- (10) The Constitution be amended to clarify the four types of full Council meetings in accordance with the details shown at Appendix C of this report; and
- (11) Standing Order No. 29 (conflict between Council and Executive) be deleted as the issue is repeated more fully in Standing Order no. 63 and 64, and that Standing Order no. 29A be renumbered No. 29; and
- (12) The Constitution be amended so as to add reference to a statutory

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Standing Order relating to independent persons, as detailed in Appendix D; and

- (13) Paragraphs (e) and (f) of terms of reference number 3 of the full Council at Part 3 of the Constitution be deleted; and
- (14) The Financial Procedure Rules be amended as shown in Appendix E; and
- (15) All references in the Financial Procedure Rules to “EMT”, “Executive Management team”, and “Corporate Management team” be standardised to refer to the “Corporate Management Team” and that the following definition be added to the “Glossary of Terms – Definitions relating to staff”:
- “Corporate Management Team – comprises the Chief Executive, Executive Directors and Assistant Directors.”*
- (16) The minor changes made by the Monitoring Officer detailed in paragraph 4 be approved.

**77/21 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 14)**

The Deputy Leader of the Council, Councillor Paul Claussen presented the following changes, and it was:

**RESOLVED** that:

- Cllr Steve Askew to replace Cllr Helen Crane as a substitute member on the Overview & Scrutiny Commission
- Cllr Keith Martin be removed as Vice Chairman of the Licensing Committee & Committee of the Licensing Authority
- Cllr Tina Kiddell to be appointed as Vice Chairman of the Licensing Committee & Committee of the Licensing Authority
- Cllr Tina Kiddell be removed as Chairman of the Member Development Panel
- Cllr Lynda Turner be appointed as Chairman of the Member Development Panel

The Deputy Leader thanked Councillor Keith Martin for his dedication and hard work as Vice Chairman of the Licensing Committees. Councillor Martin would remain as a Member on these Committees.

Councillor Tina Kiddell would remain as a Member of the Member Development Panel.

It was further **RESOLVED** that the following change be made to the following Outside Body Appointment:

- Councillor Fabian Eagle to replace Councillor Helen Crane as substitute member on the Norfolk Health Overview Scrutiny Committee.

**78/21 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT  
(AGENDA ITEM 15)**

None.

**79/21 EXCLUSION OF PRESS & PUBLIC (AGENDA ITEM 16)**

Prior to the vote being taken to move into a private & confidential session, the Chairman expressed his thanks to the public for watching this meeting. The meeting would close after this item had been discussed.

Following a show of hands and subject to one vote against the resolution, it was:

**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the press and the 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 paragraphs 1, 2, 3 & 4 of Schedule 12A to the Act.”

The Chairman announced that the public part of this Full Council meeting was now closed.

**80/21 BRECKLAND TRAINING SERVICES (AGENDA ITEM 17)**

Councillor Paul Hewett, the Executive Member for Property & Projects provided Members with a detailed overview of the report and the background information in respect of Breckland Training Services.

The recommendation was proposed and seconded.

Alison Chubbock, the Assistant Director of Finance & S151 Officer then highlighted the financial aspects of the service and Jason Cole, the Assistant Director for Customer & Performance informed Members of the staff that would be affected.

Following a vote, it was:

**RESOLVED** that the recommendation on page 117 of the agenda pack be approved.

The meeting closed at 12.30 pm

CHAIRMAN