

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 17 May 2018 at 10.00 am in the
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Mr T. J. Ashby	Mr A.P. Joel
Mr S. Askew	Mr R.G. Kybird
Mr S.G. Bambridge	Mrs S.M. Matthews
Mr W.P. Borrett	Mrs K. Millbank (Chairman)
Councillor C. Bowes	Mr T. F. C. Monument
Mr R. F. W. Brame	Mr M. J. Nairn
Mr M. P. Brindle	Mr J. Newton
Councillor M. Chapman-Allen	Mr J.W. Nunn
Mr S. H. Chapman-Allen	Mr D. R. R. Oliver
Mr H. E. J. Clarke	Mr R. R. Richmond
Mr P.D. Claussen	Mr M. S. Robinson
Mr J.P. Cowen	Mr J.D. Rogers
Mr D. M. Crawford	Mr F.J. Sharpe
Mr P. R. W. Darby	Mr I. Sherwood
Mr P. M. M. Dimoglou	Mr W.H.C. Smith
Mr R.W. Duffield (Vice-Chairman)	Mr A.C. Stasiak
Mr P.J. Duigan	Mrs L.S. Turner
Councillor E. Gould	Mrs A M Webb
Mrs T. Hewett	Mr N.C. Wilkin
Mrs J. Hollis	Mr P. S. Wilkinson
Mr T. J. Jermy	

In Attendance

Anna Graves	- Chief Executive
Christine Marshall	- Executive Director Commercialisation (S151 Officer)
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Teresa Smith	- Democratic Services Team Leader
Rob Walker	- Executive Director Place

Opening Remarks

The out-going Chairman, Councillor Kate Millbank presented a cheque to her nominated charity Action for Pulmonary Fibrosis; throughout her year as Chairman she had raised £4006.70. Mr Steve Jones, the Chairman of Action for Pulmonary Fibrosis was in attendance to receive the cheque and said a few words about the charity and support they offered. He thanked the Chairman for selecting the charity and for the huge amount of money that had been raised.

The outgoing Chairman went on to say that she had had a great year with many highlights. Since the last meeting her own civic service had been held and she thanked all who came to support her in that event. She went onto thank Alex Elliott who had been her treasured helper throughout the year, and to Julie Britton and the rest of the Democratic Services Team for their support during Council meetings and generally. She added that it had been a great pleasure

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being the Chairman of Breckland Council and wished her successor every success for the ensuing year.

63/18 CHAIRMAN

Nominations were invited.

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

Councillor Duffield signed the Declaration of Acceptance of Office.

Councillor Duffield in the Chair.

64/18 VICE-CHAIRMAN

It was proposed and seconded that Councillor Lynda Turner be appointed Vice Chairman for the ensuing year.

It was **RESOLVED** that Councillor Lynda Turner be appointed Vice-Chairman for the ensuing year.

Councillor Turner signed the Declaration of Acceptance of Office.

65/18 VOTE OF THANKS TO THE OUTGOING CHAIRMAN

The new Chairman thanked Councillor Millbank for the marvellous job she had done throughout the year in representing Breckland.

Councillor Crawford added that Councillor Millbank had been an excellent representative for the Council.

On behalf of the Labour Party, Councillor Jermy congratulated Councillor Millbank on how she had raised awareness of her charity and should be commended on the large sum of money raised for the charity.

Councillor Claussen added that it had been clearly demonstrated at her Civic Service the work she had carried out throughout the district over the past year and thanked her for that.

66/18 APOLOGIES

Apologies for absence were received from Councillors P Hewett, Martin, L Monument, W Richmond and Wassell.

67/18 MINUTES

The Minutes of the meeting held on 12 April 2018 were agreed as a correct record and signed by the Chairman.

68/18 DECLARATION OF INTERESTS

None.

69/18 CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed Members that he would be raising funds for the locally based charity 'The Big C' during his term of office. The disease had affected a number of his friends and family and he intended to raise as much as he could to support the work of this deserving charity. The Big C provided a lifeline of practical and emotional support to those that had been diagnosed with cancer.

He went onto say that he had recently attended the civic reception of the Chairman of the South Holland District Council and had also attended the Queen's garden party at Buckingham Palace.

70/18 LEADER'S ANNOUNCEMENTS

The Leader highlighted what the Council had achieved over the past year which included:

- A balanced budget, removing reliance on the Rate Support Grant (RSG) and had also taken out of the budget £1.7m New Homes Bonus to enable spend on sustainable community projects going forward.
- The launch of the Market Town Initiative that provided support and finance to the five market towns within the district to enable them to be sustainable and vibrant places for residents to use.
- The launch of Shop-Appy across some market towns with an additional launch in Thetford on the 18 May.
- Implementation of the local lottery fund which would support local communities and projects to raise their local funding across the District.
- By working in partnership with The Norfolk Community Foundation, £250,000 had gone back into the communities by supporting grants across the district.
- Over £1million had been committed to providing enough temporary accommodation across the district and to ensure significant resource within the Officer team was available to support this.
- The Council had won The Municipal Journal Local Government Achievement Award for Commercialisation and Property Estate which enabled the Council to keep the Council Tax low by investing and managing the property well.
- £10m secured funding from the Government from the Housing Infrastructure Fund for in and around Thetford which was hoped would be the catalyst for the Sustainable Urban Extension.
- £2.65m had been secured for Snetterton Power which was a great initiative for the Council to have achieved
- £300k had been received from the Ministry for Housing and Infrastructure project, which would be used for housing in Shipdham.
- Working collaboratively with two Town Councils to implement car park enforcement across the market towns.

Councillor Jermy asked the Leader what he thought would be the challenges in the year ahead, and what he had been frustrated with over the last year. The Leader said found delays in delivery frustrating, but he would continue to strive to ensure that policies would be fit for purpose, and to remove red-tape to allow implementation as soon as possible.

Councillor Brindle added that following the plans for future significant growth within Thetford and Attleborough asked what consideration had been given to providing long-term parking as this was essential to the towns. The Leader said car parking

within the towns would always be a challenge, however surveys had been carried out on each of the market town car parks and would be discussed with Town Council colleagues to consider the options going forward.

71/18 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6

None.

72/18 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7

Councillor Jermy had carried out a tour of his ward and noted 20 incidents of fly-tipping. He noted that fly-tipping was in the increase not only in quantity, but also in volume. He asked the Executive Member of Place how many people across the District had been prosecuted for fly-tipping over the last 12 months, and if it was a low figure what actions would be taken to address the fly-tipping issues.

The Executive Member of Place said there had been no prosecutions over the last 12 months. The difficulty was in obtaining evidence and if anyone had such evidence he asked that it be provided to enable Breckland to carry out the prosecutions. In the meantime, if fly-tipping had been reported it would be cleared by Breckland. He added that the new glutton machine (a large vacuum cleaner), had been purchased which enabled access to small alleyways and corners to help clean up areas within the towns.

The Leader of the Council felt that consideration should be given to the root cause and whilst prosecution would act as a deterrent it could be hard to prove that a fly-tip had taken place. He believed the onus was on everyone to tackle the problem head-on.

Councillor Clarke also asked the Executive Member of Place what steps were in place to ensure that it was easy for residents to report fly-tipping. It was confirmed that the 'Report it' function was available on the website for residents to report issues of fly-tipping.

Councillor Joel highlighted that more shops and banks were closing in the market towns across the District and asked the Leader of the Council if Breckland were considering consultation with Landlords to discuss what would happen with those sites. The Leader explained how the Council could use local intelligence from ward members and Town Councils to discuss and share issues within the Towns, and would do all it could to use the Market Town Initiative to assist the towns.

Councillor Brindle said that following the bank holiday weekend, additional rubbish had been discarded in Thetford as the bins were too full. He asked the Executive Member of Place what efforts were being made to ensure the responsibilities of Serco were carried out, in particular picking up litter before the grass is cut, and for the Bank holidays that additional areas for rubbish could be considered. The Executive Member for Place said that collecting the litter before cutting the grass had been raised before, and should be happening, but if this was not the case it should be reported. In addition he would ensure that their responsibilities would be met in a proper fashion. The Leader added that again, it was important to understand why individuals simply dumped the rubbish for others to collect, and felt that further education was needed to stop residents littering.

Councillor Crawford added the litter pick recently held in Thetford had been successful and asked if the Council would be advertising future dates for litter-picking. It was confirmed by the Executive Member for Place that all future dates of litter picks would be advertised on the Council's website.

Councillor R Richmond asked the Executive Member for Growth that following the recent news regarding large developers possibly building properties that were defective; what were the Planning department doing to avoid any issues. The Executive Member of Growth said that through Building Control, systems were in place but he would also raise the issue.

Councillor Oliver asked the Leader of the Council if Members would be receiving information relating to the new General Data Protection Regulations, particularly with regard to explicit consents. The Executive Manager for Governance said work was underway on all of the Data Protection issues that affected the Council including the elements that affected elected Members. Documentation such as privacy notices that dealt with Member ward issues and a set of frequently asked questions would be circulated to Members shortly.

73/18 CABINET MINUTES

Councillor T Monument highlighted minor spelling errors within the minutes which were noted.

RESOLVED that subject to the amendments, the unconfirmed minutes of the Cabinet meeting held on 1 May 2018 be adopted.

74/18 OVERVIEW AND SCRUTINY COMMISSION

Councillor Crawford highlighted the fact that he had been marked as in attendance as well as marked as absent and asked for this to be corrected.

Councillor Dimoglou mentioned that the minute reference 39/18 was incorrect, but that this would be discussed at the next meeting of the Commission. The Chairman of Overview and Scrutiny confirmed that the minutes were unconfirmed, and would be discussed at the next meeting

RESOLVED that the unconfirmed minutes of the Overview and Scrutiny meeting held on the 19 April be adopted subject to these changes.

75/18 PLANNING COMMITTEE

RESOLVED that the confirmed minutes of the Planning Committee meeting held on 9 April 2018 be adopted.

76/18 COMMITTEE OF THE LICENSING AUTHORITY

RESOLVED that the unconfirmed minutes of the Committee of the Licensing Authority meeting held on 28 March 2018 be adopted.

77/18 LICENSING COMMITTEE

RESOLVED that the unconfirmed minutes of the Licensing Committee meeting held on the 28 March 2018 be adopted.

78/18 APPOINTMENT OF COMMITTEES AND OTHER REPRESENTATIVES AND CHAIRMEN AND VICE CHAIRMEN 2018-2019

The Executive Manager for Governance presented the annual report to approve the appointments of Councillors to Committees and to appoint the Chairmen and Vice-Chairmen for the ensuing year.

The Executive Manager for Governance reported on the following changes that had been notified to him:

Planning Committee – Councillor Sharpe would step down as Vice-Chairman and Councillor W Richmond would be his replacement.

Councillor Wilkin thanked Councillor Sharpe for his input into the Planning Committee as Vice-Chairman.

RESOLVED that, subject to the above change to current appointments:

1. the Council appoints for 2018-2019 the Committees and Panels as set out in Appendix A of the report be adopted; and
2. the Council approved the re-appointment the Chairmen and Vice-Chairmen of those Committees and Panels.

79/18 ANNUAL REPORT AND APPOINTMENT TO OUTSIDE BODIES 2018/19

The Executive Manager for Governance presented the annual report, and informed Members that all outside bodies had been contacted to seek updated information such as aims and objectives, as well as insurance arrangements.

Subject to the following changes which were read out by the Executive Manager for Governance, it was **RESOLVED** that the Council re-appoint its existing representatives to serve on the list of Outside bodies as outlined in Appendix A be adopted:

- a) Norfolk County Playing Fields Association – Councillor Rogers to be replaced by Councillor T Hewett
- b) Norfolk Joint Museums and Archaeology Committee – Councillor Harry Clarke to be replaced by Councillor R Kybird.

80/18 APPOINTMENT OF INDEPENDENT PERSON - STANDARDS ARRANGEMENTS

The Executive Manager for Governance explained that the Localism Act 2011 required that the Council's Standards Arrangements included at least one Independent Person who would be consulted during Standard investigations. The previous Independent Person had tendered her resignation, and a competitive recruitment process had been followed to identify a replacement. Members were asked to approve the appointment of Mr B Davis.

RESOLVED that Mr Bob Davis be appointed as "Independent Person" under Section 28(7) of the Localism Act 2011, until the annual Council meeting in May 2019.

81/18 HR POLICY HANDBOOK ADDITIONS - CAREER BREAK

The Deputy Leader and Executive Member for Strategy, Governance and Transformation presented the new Career Break policy as an addition to the HR Policy Handbook. He thanked the Overview and Scrutiny Commission for their input into the policy and their recommendations which had been taken into account and included within the Policy.

It was **RESOLVED** that the Career Break policy be approved.

82/18 CONSTITUTION VARIATIONS

Members were reminded by the Executive Member for Governance that the Constitution had been reviewed in January 2016.

The Monitoring Officer had delegated authority to make minor amendments to the constitution such as correcting grammatical errors and making minor variations, details of which were outlined in the report.

In addition, a number of proposed variations were set out within the report:

- Clarifying the jurisdiction of proper officers and removing anomalies;
- a slight amendment to officer delegation in respect of disciplinary and capability procedure;
- an amendment to the definition of planning applications following to a recent change in the law.

RESOLVED that:

- 1) The minor variations made by the Monitoring Officer and listed in paragraph 1.2 of the report be endorsed and continue to have effect.
- 2) The Monitoring Officer be authorised to amend Part 3 Section F1 of the Constitution to make it clear that where more than one officer is identified as a proper officer then each officer is a proper officer for matters falling within his/her respective jurisdiction.
- 3) That Part 3, Section F1, paragraph 15 of the Constitution be amended in accordance with paragraph 1.3 of the report.
- 4) That the staffing delegations in Part 3, Section F1 of the constitution be amended in accordance with paragraph 1.5 of the report.
- 5) That the definition of Planning Applications set out in Part 3, Section F3 of the Constitution be amended to include reference to the new form of planning application – application for planning permission in principle and technical details.

83/18 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

None.

84/18 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that under Section 100(A) 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 disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

85/18 SNETTERTON POWER SCHEME - GRANT APPROVALS

Approval was sought to accept two external grant funding offers to the Council (subject to the conditions of grant being considered acceptable) that will allow the continuation of a project to enable the delivery of a new and enlarged power supply for the Snetterton Heath employment area.

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In view of the urgent timescales attached to the grant, the Council had undertaken an assessment of procurement options and subject to satisfactory legal advice had identified the opportunity to apply an exemption to the procurement procedure rules. This had been approved by the Cabinet on 1 May 2018.

RESOLVED that the acceptance of the grants be approved in accordance with the terms of the report.

The meeting closed at 11.10 am

CHAIRMAN