

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

Held on Thursday, 5 November 2020 at 10.00 am

This meeting is in line with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

PRESENT

Mrs L.S. Turner (Chairman)	Mrs K. Grey
Mr R. F. W. Brame (Vice-Chairman)	Mr C. Harvey
Mr T. J. Ashby	Mr P.J. Hewett
Mr S Askew	Mrs J. James
Mr S.G. Bambridge	Mr T. J. Jermy
Mr T. Birt	Cllr T. Kiddell
Mr W.P. Borrett	Mr M. Kiddle-Morris
Councillor C. Bowes	Mr R.G. Kybird
Mr M. P. Brindle	Mr I. Martin
Miss H. Bushell	Mr K. Martin
Mr T. R. Carter	Mrs L.H. Monument
Mr S. H. Chapman-Allen	Mr P. Morton
Mr H. E. J. Clarke	Mr M. J. Nairn
Mr P.D. Claussen	Mr J.W. Nunn
Mr J.P. Cowen	Mr D. R. R. Oliver
Mrs H Crane	Mr M. S. Robinson
Mrs V. Dale	Mr I. Sherwood
Mrs S. Dowling	Mrs S. E. Suggitt
Mr R.W. Duffield	Mr S. Terry
Mr P.J. Duigan	Mrs A. M. Webb
Mr F. Eagle	Mr D. Wickerson
Mr K.S. Gilbert	Mr P. S. Wilkinson

In Attendance

Maxine O'Mahony	- Executive Director of Strategy & Governance (Monitoring Officer)
Rob Walker	- Executive Director Place
Mark Stinson	- Executive Manager Governance (Deputy Monitoring Officer)
Teresa Smith	- Democratic Services Team Leader
Julie Britton	- Democratic Services Officer

Welcome

The Chairman welcomed everyone to the Full Council meeting.

76/20 APOLOGIES (AGENDA ITEM 1)

Apologies for absence were received from Councillors Atterwill, Marion Chapman-Allen and Taylor.

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77/20 MINUTES (AGENDA ITEM 2)

(a) 24 September 2020

The Minutes of the meeting held on 24 September 2020 were agreed as a correct record.

(b) 8 October 2020

Subject to a number of abstentions from Members who had not been in attendance at this meeting, the Minutes of the Special meeting of the Council held on 8 October 2020 were agreed as a correct record.

78/20 SUSPENSION OF STANDING ORDER NO. 5 (AGENDA ITEM 3)

The Executive Manager for Governance advised that as this was a standing item on the agenda, Members were asked to suspend Standing Order 5 of the Council's Constitution. Following a show of hands, it was:

RESOLVED that Standing Order No. 5 be suspended.

79/20 DECLARATION OF INTERESTS (AGENDA ITEM 4)

In the interests of transparency and as a High Street retailer, Councillor James declared an interest in Agenda item 9.

80/20 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 5)

The Chairman was delighted to announce that Breckland Council had been awarded Gold status in the Stray Dog category in the RSPCA 2020 PawPrint Awards. This was the 5th award in as many years and it recognised the Council's care and provision in dealing with stray dogs and the work of the Dog Warden, kennels, re-homing and veterinary care as well as the promotional work in micro chipping and the neutering of dogs.

This award underlined the Council's ongoing commitment to excellent animal welfare standards. Breckland Council was in the process of recruiting an Animal Welfare Officer, a role even more vital during this pandemic.

The Chairman also conveyed her thanks to the IT department for keeping all Members on-line during these difficult times and was thankful that this service had been brought back in-house.

Volunteer community groups had offered their services again during this second lockdown and Members who had volunteered to assist people in their Wards had been invited to do so again but this time would be backed up by a safeguarding training session being held next week.

In respect of Remembrance Sunday, and following the recent Government guidelines, the Chairman and the Leader had agreed that a Breckland Council wreath should be laid by a representative at each of the market towns. The Chairman's wreath would be laid at Shipdham's War Memorial. A short video from the Chairman and the Leader had been filmed for the 11 November and for White Ribbon day on 25 November 2020.

Councillor Kiddell, a Ward Representative for Watton, thanked the Breckland

Community Team for helping numerous people in the town, including herself, through this pandemic. The Team were 'boots on the ground' and a voice at the other end of the phone and had made a great difference to many lives already for which she was very grateful.

81/20 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 6)

The Leader, Councillor Sam Chapman-Allen made the following announcements.

Thursday, 5 November 2020 marked a new national restriction period announced by Government during which it was hoped that the number of Covid cases would reduce to a manageable level. Breckland Council was prepared to support all local people in any way it could; this included providing advice, information on medical collections, hardship support both in the form of the £500 isolation grant and the discretionary grant payment ringfenced by this Council to help all those experiencing difficulty.

Breckland Council had previously made a decision to allocate thousands of pounds to help those most in most need to access food and essential items. It had also committed £25k to local food banks and would continue to support the community fridges throughout the District.

It remained essential that anyone with Covid symptoms booked a test and consistently followed the current guidance - hands, face and space, to protect themselves and their family friends and colleagues.

The last few months had been a challenge for many local businesses, but Breckland Council had secured over £400k to support High Street resilience and any recovery activity. Over 500 businesses and shops had already been supported as well as providing over 5000 hours of frontline High Street support and engagement.

Officers continued to work closely with businesses by providing grant funding, training and organising promotions and campaigns so that businesses continued to thrive and operate safely.

Members' attention was drawn to an item later on the agenda in respect of the Norfolk Strategic Fund which, if approved, would enable the Council to support businesses not just now but into the future.

It was noted that the Breckland Council grant scheme support for local businesses would go live on the website later in the day.

Animal welfare was also mentioned and as 5 November was fireworks night, it was a timely opportunity to remind residents to be considerate to all animals so as not to cause distress. The Council had made a commitment earlier in the year in respect of raising awareness of fireworks and sky lanterns on council owned land during celebratory periods. The Animal Welfare Officer, when appointed, would be a new role for the Council and would be employed to carry out important visits and inspect licensed premises ensuring animal welfare was followed correctly whilst providing advice to all concerned.

The Leader thanked Members for their continued support to residents and communities within their Wards and all were encouraged to attend the forthcoming safeguarding training session that had been organised by Stephen James, the Communities & Environmental Services Manager and to contact him by email for

any further advice.

Members were then invited to ask the Leader questions based on his announcements.

Councillor Clarke congratulated the Council on the RSPCA award and for the new Animal Welfare Officer post. He hoped that, once appointed, this person would work with all organisations to reduce cases of animal cruelty and neglect. Councillor Clarke said that he would email some suggestions to the Leader for the remit of the post.

The Leader assured Members that the new post would work with all relevant charities not just in the Breckland area but in Norfolk.

Councillor Jermy thanked the Leader for his update. He also thanked the Communities Team for the way that they had responded to Members when submitting requests for assistance. He had recently been dealing with two very difficult cases and had been grateful to know that those individuals had been supported and not just lost in the system.

Referring to Covid, Councillor Jermy felt that many now regarded food processing factories as high risk which was a particular concern for Breckland. He was aware that there had been calls recently for regular mass testing to be undertaken at such sites and asked the Leader if he supported this approach.

The Leader stated that Public Health England was already supporting such industries, but it had placed an extra strain on Norfolk. The question of mass testing depended upon the science and the epidemiology but he agreed that a more sporadic on the spot testing approach within different areas of the industry needed to be carried out more frequently to allow outbreaks to be managed quickly and efficiently. He and the Leader of NCC had met with representatives of Public Health England and the local MP had written to the Secretary of State for Health to raise these issues and concerns that Norfolk was now experiencing. In relation to the wider position of food manufacturing in Breckland, officers had worked proactively with all such businesses throughout and in conjunction with New Anglia LEP to understand best practice. The governance for this type of approach sat within many different areas including local authorities, the FSA, the Health and Safety Executive and Trading Standards and it was important that best practice was shared at pace so that lessons could be learnt. The Leader offered to discuss any further concerns with Councillor Jermy after the meeting.

Councillor Hewett, the Executive Member for Contracts & Assets asked the Leader if he could offer any message of reassurance to residents and businesses in terms of support and assistance, financial or otherwise over the next 28 days.

The Leader advised that Breckland Council was ready to support those in hardship through the tens of thousands of pounds already allocated through the hardship scheme in respect of either financial support, utility vouchers, or money to pay primary bills. There was also the £500 isolation grant for those entitled to it which was processed through the revenue and benefits authority for Breckland. The well-being service in conjunction with the Communities Team supported anyone in the District who needed medication collections or be-friending services. The Government had provided business support grants for those businesses that were required to close, and all those affected by closure were encouraged to visit the Breckland website and complete the relevant on-line form. There was also the Discretionary Business Grants scheme that the Government had recently

announced and although final direction and guidance was still awaited, if businesses felt that they could benefit from this extra grant funding, the on-line form should be completed so that it could be processed at pace on receipt of the guidance. As a whole, the Council had once again pivoted as it had done previously to ensure that it was putting its resources where they were needed most, ensuring that those most vulnerable were safe and protected and that businesses could thrive in a safe environment and open once again in early December.

82/20 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6 (AGENDA ITEM 7)

None received.

83/20 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 8)

Councillor Jermy, the Leader of the Labour Group asked the Leader, Councillor Sam Chapman-Allen a question relating to test, trace and isolate which he felt had been a disaster nationally despite the significant costs incurred by Serco. Local Councils had been achieving a much better success rate in contacting people despite the lack of funding and he was aware of several local Council Leaders who had written to the Health Secretary calling for a greater role and more funding in respect of these tests and he asked if the Leader had written to the Health Secretary about this matter and if not would he commit to do so.

The Leader explained that local authorities were central to the NHS Test and Trace service and each upper tier local authority had been awarded funding to develop tailored outbreak control plans. Norfolk County Council already had a dedicated Team in place that delivered track and trace and the District Councils across Norfolk had pooled their resources to ensure that the right Officers were in place to undertake this service although Breckland Council had a bigger role to play in respect of the recent outbreaks within the District.

The Leader Stated that he had not written to the Health Secretary but had attended a recent meeting with the Director for Track & Trace along with other colleagues in which this question was raised and a response was still awaited.

Councillor Gilbert also directed his question to the Leader. He understood from reading the local newspaper that last month a meeting had been held between Breckland Council, the Cranswick Factory, the agency that supplied most of the factory's work force and the Police about the living conditions of many of the Cranswick workers. He felt that it would have been a good idea if discussions could have taken place with local Members to see if they had any local knowledge or information that could have been taken to that meeting. Councillor Gilbert asked what the outcome was from that meeting and what was being done about the large number of Houses in Multiple Occupation (HMOs) in Watton many of which were within a few minutes walking distance of the factory. He said that he had reported over 20 HMOs in Watton.

The Leader urged Members, where they were aware of such incidences occurring, to raise these with Officers immediately. The meeting itself related to an isolated incident of two individuals who lived in non-permanent accommodation that had been dealt with at pace once it came to the Council's attention. Re-education work was taking place with Cranswick on how the Council's systems worked on allocations of housing and with Norfolk Police, on how the Council processed and supported any reports of rough sleeping and homelessness. The Leader was not

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aware of any further incidents in relation to rough sleepers or transient individuals but if there were, he asked Members to let Officers know immediately.

In respect of HMOs, Breckland did have legal HMOs across the District and there was a public register that any Member or the public could request. In relation to illegal HMOs, the Leader felt it was fair to state that this incident that had occurred in Watton had highlighted the fact that there were some within the community but was no different to any other market town and community across the country and he asked Members and the public if they had any concerns about the safety or welfare of fellow residents please do report it to Breckland Council using the website and officers would take the relevant action as necessary.

Councillor Gilbert said that he had notified the Officers of many HMOs in the town. He also applauded the Council for the actions that had been taken in respect of the rough sleepers in his Ward.

Councillor Birt asked the Leader two questions about the recent appointment of the Head of Paid Services (HoPS). The HoPs was a statutory role and one which must be filled, by law, by an Officer of this Council and he asked how this fitted with the comments that the Leader had made at the 8th October Full Council meeting in respect of this temporary position. Secondly, it had been claimed that the HoPs would have no line management responsibilities but he felt that this was not strictly correct because the HoPS was the ultimate person who hired and fired the executives of this Council which in his opinion was a line management responsibility. Councillor Birt felt that the Council had been misled at the said meeting.

The Leader thanked Councillor Birt for his question but pointed out if he had been aware of this question in advance of this meeting, he would have been able to provide a fuller response. He had not been given any advice to suggest that the recently appointed HoPS could not undertake that post's statutory responsibilities.

As far as line management responsibilities were concerned, Councillor Birt was incorrect. It was not the role of the HoPS or the Chief Executive to undertake hiring and firing of Chief Officers as that fell within the remit of the Joint Appointments Committee of both Breckland and South Holland District Councils. Others went through the appropriate reporting channels with their Line Manager and the Head of HR. As such, the Leader was confident that the fixed term HoPS had no direct line management responsibility and was not responsible for hiring and firing.

Mark Stinson, the Executive Manager for Governance, explained that the Council was not restricted to making the appointment from within its existing officers and that there were many examples of external individuals being classed as officers of the Council.

Councillor Clarke had read in a local newspaper that Norfolk County Council had confirmed that it was working closely with Breckland Council on a Flood Risk Study and as many residents in his Ward had been affected by surface water flooding he asked Councillor Bambridge, the Executive Member for Environmental Services & Public Protection, if residents in these high risk areas around the Dereham stream would be consulted and be involved in this Study.

Councillor Claussen felt that the question should have been directed to him. As Councillor Duigan had made him aware of this situation, he had subsequently asked Rob Walker, the Executive Director of Place to investigate and these investigations were still on-going. The Executive Director was asked to provide

Councillor Clarke with an up to date position after the meeting.

Councillor Kiddell referred to the earlier question in respect of the number of HMO's that had been identified in Watton and asked Councillor Alison Webb, the Executive Member for Health & Housing, if she could provide an update on what was happening with these. In response, Members were informed that although Watton had been raised as a concern, there were HMO's in other areas within Breckland where outbreaks of Covid had occurred and had been dealt with accordingly. The Council was looking at each case individually and making sure that self-isolation was being adhered to and being supported and Members were assured that all known HMO's would be fully investigated and any necessary action would be taken to control the spread of the virus. The Executive Member asked Members to notify the Council if they had any concerns.

Councillor Dowling mentioned the Cosy Carpets building in Thetford and the money that Norfolk County Council had spent on it following which the building was returned to the premise's owner. She asked the Leader if he had been made aware of this decision and whether he had been consulted on this matter.

The Leader said that he was not aware of the asset's disposal and it would be unjust for him to comment on Norfolk County Council's disposal policy and although he was pleased that the asset could be brought back into use he would discuss the decision further with Norfolk County Council.

Councillor Wickerson asked Councillor Claussen, the Executive Member for Planning, if he could confirm the total number of cases referred to the Planning Enforcement Team in 2020, as the website only reported three but at the September Overview & Scrutiny Commission meeting, Members were informed that 207 enforcement cases had been resolved.

Councillor Claussen said that if he had received written notice of the question, he would have been able to provide the figures, but he would find out and report back accordingly. Councillor Wickerson apologised; he did have his question prepared but had missed the deadline for submission on the agenda.

Councillor Morton welcomed the recruitment of a fixed term officer to assist with the establishment of the Council's climate emergency response and he looked forward to the forthcoming Climate Change Forum. However, he was concerned as to whether the Council was sufficiently resourced to take advantage of substantial schemes being rolled out by Central Government and asked Councillor Sherwood, the Member Champion for Sustainability, if he could confirm that this Council would be seeking funds under the Green Homes Grant where expressions of interest had to be submitted by midday on 6th November 2020.

Councillor Sherwood was pleased to announce that the Council had received a high number of applications for the fixed term post. The Officer who had been supporting him during this initial phase of the Climate Strategy had been in contact with all relevant departments who had been looking at all the various grants and schemes available; however, he was unsure whether a request under the grant specifically mentioned had been submitted but he would find out and report back to him directly.

Councillor Brame, the Vice-Chairman of the Council, thanked the Leader for reinstating his Members' Briefing papers and sending them out to all Town & Parish Councils. This information kept everyone up to date with everything that was happening in Breckland in respect of the pandemic. He asked, however, if the

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Leader could explain to everyone watching this meeting why Norfolk should be part of the national lockdown particularly as the number of cases were quite low in the region in comparison to elsewhere in the country.

Members were informed that many had called for a circuit breaker of two weeks but the medical advice was that for this to be affective it had to be for a longer period of time due to the epidemiology around the virus itself and its ability to spread. This was the most appropriate opportunity for the Government to initiate a 28 day restriction period and it was hoped that during these next 4 weeks, people would take stock and work from home if they could and reduce their travel to essential trips only to bring the spread of the virus and the 'R' rate down. If the virus continued on its trajectory, as it had in other parts of the country, there would be a wider impact to medical support and a significant reason for this lock down was to prevent hospitals from being overwhelmed. He hoped that by 2 December 2020 all would be moved back to 'Tier 1' status.

In relation to the Member Briefing communications, this would continue until the early part of 2021.

Councillor Harvey reported that he had received many messages from concerned residents about the increase of rat infestation along the river banks in Thetford and he asked the Executive Member for Environmental Services & Public Protection if the baiting regime was still working efficiently or whether it needed to be updated.

Councillor Bambridge recognised that there was a problem but needed to know the exact area. If it was on Breckland-owned land or elsewhere, a written response would be provided. Councillor Harvey confirmed that it was on Council owned land and he would email Councillor Bambridge accordingly.

Councillor Terry thanked Nathan Flatman, the Senior Communications Officer, for all his help throughout the last few weeks regarding a number of issues within his Ward.

His question was directed to the Leader.

Following a recent meeting with Thetford Police, it had been found that there was a growing concern that young people were becoming increasingly engaged in County Lines. This was of a great concern and he asked the Leader to update Members on what the Council was doing with its partners to try to address these worrying issues.

The Leader agreed that this was a growing concern not just in Thetford but across the whole of the County. Members were reassured that Breckland Council had invested over £1m into its Vulnerability Programme and part of that work was to reduce County Lines and again this Council had committed the sum of £70k to Norfolk Constabulary to reduce and deter criminal activity entering into the County. He and Councillor Terry had been due to undertake an engagement session at Thetford Academy to raise awareness and encourage individuals to report any drug related activity; but due to the lockdown this had unfortunately been deferred. Norfolk Constabulary was the pioneer in what it was trying to achieve in respect of County Lines and should be commended. He asked Members to use the Norfolk Police 'Report It' function if they had any concerns in respect of drug related activity within their Wards.

The Chairman reminded Members that if they had any questions in future to send them to the relevant Officer or the Cabinet Member prior to the meeting so that a

detailed response could be provided.

84/20 NORFOLK STRATEGIC FUND (AGENDA ITEM 9)

The Leader provided Members with a detailed overview of the report explaining how the Norfolk Strategic Fund (NSF) had been established and highlighted the various projects/programmes that would benefit from this funding.

Breckland Council had been highly proactive and successful in its approach to this opportunity and if Members' agreed to accept the funding, it would ensure that Breckland's economy was both resilient now and into the future.

Members were asked to accept the funds from the Norfolk Strategic Fund to enable Breckland Council to realise opportunities for an economic response to Covid-19 that would enable Breckland to be more resilient and better placed to grow back stronger.

The recommendations were highlighted and proposed.

Councillor Borrett supported the proposal and wanted to congratulate everyone involved in delivering this incredibly important piece of work through these unprecedented times and felt that if Breckland could create jobs within the District, residents would have more work opportunities that would lead to greater resilience and greater prosperity. He endorsed the recommendations.

RESOLVED that:

1. the £583,572 from the Norfolk Strategic Fund be accepted, to enable programmes in support of:
 - Digital enablement of High Street businesses in Breckland
 - Master Planning around Snetterton Heath
 - A new Business Start-Up scheme targeting those who have been impacted by Covid-19; and
 - A business support programme run by the Cambridge to Norwich Tech Corridor.

85/20 APPOINTMENT OF PROPER OFFICERS, AND ASSOCIATED AMENDMENTS TO THE CONSTITUTION (AGENDA ITEM 10)

Mark Stinson, Executive Manager for Governance, presented the report.

Section (a)(i) contained a list of gaps in Proper Officer appointments that had been left due to not having a Chief Executive in place. Members were therefore invited to appoint all three existing Directors, in addition to the Chief Executive, as the Proper Officers for those roles.

Section (a)(ii), (b) and (c) were minor changes to the wording of various sections of the Constitution to reflect the fact that currently and potentially in the future, the Head of Paid Service and Chief Executive roles may or may not be one of the same person.

The recommendations were proposed and seconded, and it was

RESOLVED that:

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- (a)(i) **Proper Officers** - that all Directors be appointed, in addition to the Chief Executive, as Proper Officers for the following functions in accordance with the Local Government Act 1972:

Section 13(3) - (Acting, along with the Chairman of the parish meeting, as Parish Trustee for any parish where there is no parish council)

Section 83(1)-(4) - (Witness and receipt of declaration of acceptance of office)

Section 84 - (Receipt of declaration of resignation)

Section 88 - (Convening of meeting of the Council to fill vacancy in the office of Chairman of the Council)

Section 210(6) and (7) (Charity functions of holders of offices with previous authorities transferred to Proper Officer, if no equivalent officer)

Any reference to any enactment passed before or during the 1971-72 session of Parliament other than the Local Government Act 1972 or in any instrument made before 26 October, 1972 to the Clerk of the Council which, by virtue of any provisions of the said Act, is to be construed as a reference to the Proper Officer of the Council.

- (a)(ii) **Proper Officers** - that paragraph 3 of Part 3 Section F2 (Delegations to Chief Executive) of the Constitution be amended to read as follows:

"3.0 to be (along with any other officers duly appointed to act as Proper Officer, which appointments are detailed in the list of Proper Officers maintained by the Senior Legal Officer) the Proper Officer of the Council in relation to":

- (b) **Terms of reference of the Joint Appointments and Disciplinary Committee** - that, arising from the resignation of the Chief Executive, the proposed amendments shown in Appendix A to the report be approved, and the Constitution be amended accordingly
- (c) **Other amendments arising from the resignation of the Chief Executive** - that the Constitution be amended as shown in Appendix B to the report to deal with any periods during which there is no Chief Executive in post.

86/20 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (IF ANY) (AGENDA ITEM 11)

The Deputy Leader, Councillor Claussen, advised Members of the following change to the membership of the Overview & Scrutiny Commission, and it was:

RESOLVED that:

Councillor Colman be replaced by Councillor Dale on the Overview & Scrutiny Commission.

87/20 AMENDMENTS TO THE CONSTITUTION (IF ANY) (AGENDA ITEM 12)

None.

88/20 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT
(AGENDA ITEM 13)

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None.

The meeting closed at 11.15 am

CHAIRMAN