

BRECKLAND COUNCIL

At a Meeting of the

OVERVIEW AND SCRUTINY COMMISSION

**Held on Thursday, 27 January 2022 at 10.00 am in the
The Breckland Conference Centre, Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE**

PRESENT

Cllr Rhodri Oliver (Chairman)	Cllr Fabian Eagle (Vice-Chairman)
Cllr Lynda Turner	Cllr Terry Jermy
Cllr Timothy Birt	Cllr David Wickerson
Cllr Vera Dale	Cllr Peter Wilkinson (Substitute Member)

Also Present

Cllr Philip Cowen	Cllr Mark Robinson
Cllr Paul Hewett	Cllr Ian Sherwood

In Attendance

Rob Walker	- Executive Director & Monitoring Officer
Stephen James	- Executive Director
Alison Chubbock	- Section 151 Officer & Assistant Director Finance
Sarah Barsby	- Assistant Director People and Governance
Ryan Pack	- Innovation and Change Business Partner
Teresa Smith	- Democratic Services Team Leader
Ruth Tudge	- Democratic Services Officer

1/22 MINUTES

The minutes of the meeting held on 16 December 2021 were agreed as a correct record.

2/22 APOLOGIES AND SUBSTITUTES

Apologies for absence were received from Councillors Bushell, Kybird, Martin and Nairn. Councillor Wilkinson was in attendance as a substitute.

3/22 CHAIRMAN'S ANNOUNCEMENTS (IF ANY)

In response to an issue raised from a Councillor Call for Action, at an Overview and Scrutiny Commission meeting on 3 December 2020, where Members had voiced concerns over Banham Poultry and possible breaches in Environmental Protection laws, the Chairman read the following statement:

With regards to the investigation by the Environmental Agency which are bringing charges in the Chelmsford magistrates court (currently listed for 03 March 2022) for the following charges filed with the courts;

1. Between 16 January 2019 and 29 September 2021, Banham

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Poultry (2018) Limited (company number: 11606211) at Station Road, Attleborough, NR17 2AT, are alleged to breach Condition 3.3.1 of their environmental permit (permit number: EPR/KP3132QV) in failing to keep activities free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, by failing to use appropriate measures to prevent, or where that is not practicable, to minimise, the odour. Contrary to Regulation 38(2) of the Environmental Permitting (England and Wales) Regulations 2016.

2. On 08 May 2021, Banham Poultry (2018) Limited (company number: 11606211) of Station Road, Attleborough, NR17 2AT, are alleged to have failed to comply with the requirements of an enforcement notice dated 06 April 2021 issued under Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2016, requiring the steps in the said notice to be taken. Contrary to Regulation 38(3) of the Environmental Permitting (England and Wales) Regulations 2016.

Further information would be made available after the Hearing.

4/22 URGENT BUSINESS

None.

5/22 DECLARATION OF INTERESTS

None.

6/22 NON-MEMBERS WISHING TO ADDRESS THE MEETING

None.

7/22 DRAFT BUDGET SETTING, MEDIUM TERM FINANCIAL PLAN AND CAPITAL STRATEGY 2022-23

The Executive Member for Finance, Revenues & Benefits, Councillor Cowen, explained that the draft budget had been presented to Cabinet on 10 January 2022, he felt it was testament to the diligent work that Breckland Council had undertaken during the pandemic and particularly over the last 12 months.

In summary he drew attention to the following key points, he explained that this was a balanced budget for the coming year set against continued uncertainty around Government funding, potential central policies and fees and charging income streams. He stated that in order to maintain services, deliver on core strategies and initiatives and support residents and businesses the budget proposed an increase in Council Tax, for a Band D property, of £4.95 per year, less than 10p increase per week. The final budget proposals would be put before Cabinet and Full Council in February.

Councillor Cowen said that there was no doubt that Breckland Council would face challenges in the future as a result of widely trailed Central Government Policies surrounding for example recycling provisions and

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the Environment Bill. Similarly, there was a significant risk associated with the National Non-Domestic Rate (NNDR) and its reset that would change the baseline funding level and the team had identified this risk in the budget preparations as having an impact in either the years 2023/24 or 2024/25 and perhaps beyond.

Councillor Cowen explained that Government had provided a further £830,000 of New Homes Bonus (NHB), and that this had been posted to the inclusive growth reserve to enable Breckland Council to maintain delivery of projects and programmes. As a result of the continuing impact of Covid-19 the Council had amended and refined efficiency requirements and as a result of that the Evolve Programme had been developed that would help to offset the anticipated budget deficits in the immediate future.

To conclude Councillor Cowen stated that the draft budget had been based on the following principles:

- Breckland Council had no reliance on NHB funding
- Breckland Council could and would maintain service delivery
- Breckland Council would continue to invest in its priorities, Thriving Places, Breckland 2035, Working Smarter and Inspiring Communities
- Breckland Council had reserves that would be used to provide financial support for projects that led to growth and investment and/or achieve savings or income
- Breckland Council has put in place an achievable efficiencies programme to assist in the management of future funding changes and financial risks
- Breckland Council had increased the Council Tax hardship fund by £35,000 this year

Councillor Birt asked where the funding was for Carbon Efficiency as he felt there were some large projects that needed to be addressed, he could not see that funding had been set aside to achieve this.

The Executive Director, Steve James said that Breckland Council had previously set aside £500,000 in its' reserve to undertake evidence-based analysis of its buildings and carbon footprint alongside other sustainability projects. He further explained that the Evolve Programme also had a strand of funding to look at solar and renewable energy and that they were also working with partners to look at how they could reduce their carbon footprint. The evidence gathered would hopefully enable Breckland Council to attract external funding through Government sources.

Councillor Birt said he recognised that the budget was looking at medium to long term however he felt that proper funding needed to be put in place to start the process now. He felt that Breckland Council was not moving quickly enough or going far enough to be able to achieve the required efficiencies.

Councillor Sherwood responded stating that the commitment had been made and that Breckland Council had been very forward thinking in the campaign towards carbon reduction, sustainability and the green agenda and Net Zero 2035 and that it was a very positive and forward-

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thinking campaign.

Councillor Jermy said that, along with other increases in the cost of living, particularly energy bills, some residents would struggle and with an increase in council tax as well it was important that Members were aware of any additional help such as the hardship fund to be able to offer this support to residents in need. He was pleased to see this had been reviewed and topped up but felt more could be done to make residents aware of help and assistance available to them to pay their current bill and any accumulated arrears. People's circumstances could change quite quickly, and that Breckland Council should be reminding residents on a periodic basis of the help and assistance available should the need arise.

Councillor Jermy also stated that nationally, all councils were moving towards a food waste collection service in a few years' time and a lot of work had already been done in Thetford to reduce the amount of food waste produced. He felt that Breckland Council should be doing more towards the education surrounding the reduction of food waste. The cost in terms of finance and carbon was significant and asked what flexibility there was in the budget to find the finance to support a pilot for a food waste reduction officer.

In response, Councillor Cowen advised a leaflet was included in all council tax bills offering support with different methods of payment along with a telephone number to call if residents were struggling and also information on council tax reduction and hardship schemes along with benefits advice and also that ward Members should be aware of this assistance to help support and advise any residents that were struggling.

In response to the finance to support a food waste reduction officer, Councillor Cowen said that there were insufficient funds within the current budget to support this at this time and Breckland Council had, through previous education programmes, encouraged residents to think about food waste and would continue to encourage this in the future. He said that budgets were flexible and although there were other priorities for the budget at this time, it could change in the future, and should this become more of a priority a decision could be made to support this if Members felt there was a need at the time.

Councillor Turner said that in her Ward they were fortunate to have a parish magazine and ensured that there was information circulated within the magazine to guide residents and remind them of the help available and how to access it.

Councillor Birt stated that in the table on page 26 of Appendix A of the report, the cost-of-living increase had been set at 2% for years 22-23 which he felt was too low a figure and asked what this figure was based on. Also, on the last line of the table, in the tax base, the current year had risen by 600 properties which was what was possibly expected with the increase in house building. However, with the predictions from 2022 to 2026 it was only increasing by approximately 300 properties per year and asked for more details on how this prediction was reached.

Councillor Cowen advised that the 2% cost of living increase was the

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Bank of England target which was the figure that had been worked with. The tax base was assessed on a Council Tax Band D property, 75% of houses in Breckland fell within band A, B or C. The mathematical equation which delivered the tax base number was based on the number of houses that were projected to be built based on the information given to the planning team by the house builders and as a result it averaged out at a band D level.

The Assistant Director Finance, Alison Chubbock explained that the 2% was an assumption only and historically the average that had transpired through time and was a good and fair assumption to use.

The tax base was linked to property, but it could not be linked directly to the number of houses built, it was affected by the local council tax reduction scheme which took 91.5% out of the tax base, it is also affected by disabled exemptions and single person discount at 25%, plus other available discounts, it was a good assumption to use based on previous years taken as an average.

The Chairman said that there had been some discussion in the media regarding National Insurance and asked if the increase did not go ahead what would be the financial impact to the Council.

The Assistant Director Finance explained that in financial terms it would be about £70,000 per year, however this year the Government had given a new grant which would offset the additional cost to cover this type of instance, so it would not affect the budget in the fact that if the rise didn't take place the grant may not be available.

Councillor Birt raised concerns in respect of what public money was being spent on and was worried with the decisions reached with the Market Towns Initiative and whether the money could be better spent elsewhere.

Councillor Robinson said the projects that had been agreed to be financed under the Market Towns Initiative were to support towns and businesses and were led by local Members, across all parties and all districts, driven by local Members which would suggest local demand was being met. Public furniture provided people with more reason to enter the districts towns and villages, which in turn would bring revenue and prosperity.

Councillor Cowen said it was important to recognise towns and villages were still struggling to come out of the pandemic, it was the market towns that would help to rebuild the economy of the district and Breckland Council needed to support this to let it happen and not impose what we thought was right. Breckland Council had engaged with communities, the retail trade, the Chamber of Commerce, residents and businesses to identify what they perceived to be their strengths and weaknesses and the result of that was how to make those places more attractive because the local people were aware of what they wanted and needed to survive.

Councillor Eagle pointed out that Dereham was Norfolk's largest market town as a retail outlet after Kings Lynn, Great Yarmouth and Norwich and as such Breckland Council needed to keep all of its market towns

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inviting to increase footfall and to make them more attractive for people to visit.

Councillor Birt said his concern was in respect of public perception at this time of general need when residents were struggling to meet the cost-of-living pressures and would like to ensure things were done in the right way and for the right reason.

Councillor Jermy proposed that the Overview and Scrutiny Commission request that the Cabinet explore opportunities to recruit a Food Waste Reduction Officer to be included in the budget. This proposal was seconded.

Councillor Wickerson felt that this was not a necessary expense at this time as he felt that the majority of residents were already working towards reducing food wastage.

Councillor Eagle felt that the issue needed to be tackled at the top of the chain with the providers and would like to see it directed at suppliers.

Members of the Commission voted against the proposal at this time.

8/22 Q3 PERFORMANCE REPORT

The Executive Member for Customer, Digital and Performance, Councillor Mark Robinson introduced the Performance Overview for quarter three which was the first time the new suite of indicators would be discussed at this Commission and thanked Members for their feedback as part of the improvement process. He stated that there were some gaps in the report which would be explained but felt that it was important that the Commission could carry out its scrutiny role as soon as possible after the end of quarter three.

There had been strong performances in the last quarter in the Planning and Statutory Information Teams who performed at or above their target for this quarter. Under the Customer Contact Indicators, it now included wait times and abandoned rates for the quarter. Whilst it was disappointing not to be performing at target in this area it was encouraging to see continued improvements within the service. Whilst there was still work to do, the projection was that improvement would be seen gradually in this service as a result of the service review last year.

Appendix B in the pack related to the Covid based performance indicator. As well as providing an update on the current state of the district. The inclusion of this information was due to the Council's commitment to Covid work in its Corporate Plan and therefore made sense to bring this forward now alongside the new suite of indicators. The Council continued to feed into and support the work of the resilience forum within the district including the communities team supporting pop up vaccination centres in areas where the vaccine uptake was lower than elsewhere.

The Innovation and Change Business Partner, Ryan Pack explained the gaps in the report were due to the timescale of the publishing of the report and the information not being available at that time. He said that they were waiting for some information around bin collections and

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planning extensions and said he would email the Scrutiny Commission once that information was available.

Councillor Birt was pleased to see energy usage figures now being included within the report which would be useful in the future to monitor carbon reduction. He noted the reason why the energy figures did not include the Leisure Centres but asked if some impact rating could be included. He also asked if street lighting could be included. The Innovation and Change Business Partner confirmed he would look into this.

Councillor Birt was very pleased to note that the Council had met their obligations with Freedom of Information enquiries at 100%, however he felt this, and the complaints calculations could be better understood if it showed the quotient and the dividend.

Councillor Morton was also pleased to see the energy usage figures included but asked if these could be backdated to show the same quarter the previous year in order that any developing trends could be spotted. The Innovation and Change Business Partner confirmed this could be included.

Members of the Commission noted the report.

9/22 BRECKLAND 2035 SUSTAINABILITY PROGRAMME UPDATE

The Executive Member for People, Communications and Governance, Councillor Sherwood, explained that in the absence of the Head of Strategic Policy, the Executive Director, Steve James would provide the presentation. Breckland Council had spent the time required for base lining and to find out where things were as a Council to ensure the right projects were done at the right time. He felt that this had to be done with the right outside organisations and by listening to those organisations to understand what affects certain changes would have.

The Executive Director, Steve James said he was enthused and excited to be a part of this strategy and moving it forward to progress Breckland Council's ambitions. One of which was the commitment to achieve net zero as an organisation by 2035.

The Executive Director explained the WorkSmart project which had included improvements to lighting at Elizabeth House which would result in a reduction of 24.5 tonnes of carbon per annum. He said that the team had commissioned Southeast Energy Hub to deliver a high-level analysis on both Elizabeth House and Breckland House about the viability of solar or heating options and had procured NPS Property consultants to carry out more detailed technical studies to understand whether delivery was possible on improved insulation, solar and heating options. The Executive Director said that this was important to give an evidence base and an understanding of the current position that would enable Breckland Council to deliver a pipeline of projects and bid for future grant fundings and a detailed carbon reduction plan for the operational buildings.

With regard to electric vehicles, 4 additional charging points were set to be delivered in Swaffham, at Theatre Street car park and a study had

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been undertaken of Breckland Council owned car parks which had identified seven potential sites for additional charging units to be installed including Elizabeth House, Breckland House and the first potential chargers in Watton. Through the Green Grants scheme Breckland Council was enabling the delivery of two charging units at Croxton Village Hall and was working with other Parish Councils to support them to deliver charging units in their Parish.

The Executive Director said that the team had worked with the Woodland Trust who had assessed 8 sites owned by Breckland Council. Five of these sites had been identified as suitable for planting trees and three of those sites were due to be delivered by the end of March 2022.

Councillor Wickerson asked for more information on the 24.5 tonnes of carbon reduction at Elizabeth House and asked how it reflected as a percentage overall which would give Members an idea of how much that had impacted the building as a whole and also asked for a list of the 5 sites that the Woodland Trust had identified.

Councillor Sherwood said he would be happy to provide the list of sites once the Towns and Parishes themselves had been informed as this was yet to happen and then the information would be released. He said he would find out the information regarding the 24.5 tonnes of carbon reduction and let Members know.

Councillor Birt said there was a difference between environmental and carbon issues, and it needed to be clear in any report. He asked if there was finance set aside within the budget to proceed with any projects identified by the report at the end of March 2022.

Councillor Sherwood said that they would be working with partners to ensure any works identified were accomplished in a timely manner.

Councillor Jermy was not clear on the partnership working and the sharing of knowledge surrounding green issues and asked to what extent district councils were working together to share ideas and projects. Also, he felt that the planting of new trees was a great idea, however the benefit would be delayed until they became more established. He enquired about the maintenance and care of existing trees, the cost and difficulty of the maintenance of trees was a concern, and he would like to see more investment put into the maintenance of existing trees.

In response, Councillor Sherwood stated that partnership work was key and explained that the partnership working that was referred to, this was an officer led group at a senior level across the County and very shortly a Members Panel across all districts would match the officers and share ideas and information. They would also invite experts with the knowledge and experience that was needed like the Woodland Trust and the Norfolk Wildlife Trust plus any other agency that it was felt necessary to assist with any projects. With regard to trees, they would be working with the Woodland Trust to understand when the time was right for maintenance or to plant new ones and also to gain their experience on what grants and volunteers were available to assist with any necessary maintenance.

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Councillor Wickerson suggested Breckland Council should also work with the Forestry Commission to be aware of surrounding issues and projects and establish if Breckland Council could have any influence and work together to retain and maintain trees wherever possible.

Councillor Sherwood said that they would include the Forestry Commission within partnership working.

Councillor Turner asked if there could be some mechanism of sharing and collating information on individual schemes that were happening across the Breckland area.

Councillor Sherwood suggested that Ward Members were in a prime position to share this information and education and stated that the Breckland Council website included an interactive map that showed the Green Grants system and where the money was being invested and what projects had been completed. He suggested that this could possibly include other information and he would look into this.

Councillor Morton said that last year there had been a report from Eunomia that had contained some key actions and asked for update on one in particular which suggested communicating with neighbouring councils to assess the possibility of establishing a power purchase agreement.

The Chairman said he understood that there would be a report in March which would include all of the Breckland assets that the Council held and asked if the information would include a breakdown of the Councils carbon versus non-carbon effects of other non-methane greenhouse gases.

The Executive Member for People, Communications and Governance said he would find out this information and report back.

Members of the Commission noted the update.

10/22 TASK AND FINISH GROUPS

The Chairman of the Serco Task & Finish Group. Councillor Turner, informed Members that she had met with the Chairman of the Overview and Scrutiny Commission along with key officers and discussed a purpose and the desired outcomes of the Task & Finish Group.

It had been agreed that there would be six meetings approximately six weeks apart culminating in a summary of outcomes and any recommendations. The first meeting, scheduled for 23 February 22 at 2pm in the Woodpecker Room, would include the parameters of the Task & Finish Group which would include the following three areas:

- To scrutinise the current performance of the Serco contract
- To examine the impact of Covid and the National supply chain issues on the mobilisation of the contract
- To examine the governance arrangements in place to manage and monitor the contract

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Where considered appropriate, other professionals would be invited to participate and to attend the final meeting prior to the report being written and presented to the Commission later in the year. Serco, the responsible Cabinet Member and Contract Managers would also be invited to attend the Overview and Scrutiny Commission when the report would be presented.

11/22 OUTSIDE BODY FEEDBACK (STANDING ITEM)

None.

12/22 SCRUTINY CALL-INS (STANDING ITEM)

None.

13/22 COUNCILLOR CALL FOR ACTION (STANDING ITEM)

None.

14/22 WORK PROGRAMME

Councillor Jermy asked for more information and an update on the Norfolk Police and Crime Panel and progress since a lot of public-facing services had been closed. The Chairman suggested that Councillor Bambridge, as the Breckland Council representative on the Norfolk Police and Crime Panel, should be invited to the next Overview & Scrutiny meeting on the 10 March 2022 to give an update to the Commission and to discuss a possible invite to the Norfolk PCC later in the year.

The Chairman suggested that once the Carbon Footprint report had been published in March and October, Councillor Sherwood be invited to update the Commission on progress.

The Chairman asked for investigations to be continued to invite UKPN and Anglian Water and hoped this could be achieved for May or July.

15/22 NEXT MEETING

The arrangements for the next meeting on Thursday, 10 March 2022 at 10am in the Anglia Room were noted.

The meeting closed at 11.58 am

CHAIRMAN