

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

**Held on Thursday, 14 October 2021 at 10.00 am in the
The Breckland Conference Centre, Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE**

PRESENT

Cllr Roy Brame (Chairman)	Cllr Jane James
Cllr Tristan Ashby	Cllr Terry Jermy
Cllr Stephen Askew	Cllr Tina Kiddell
Cllr Roger Atterwill	Cllr Robert Kybird
Cllr Gordon Bambridge	Cllr Keith Martin
Cllr Timothy Birt	Cllr Linda Monument
Cllr Claire Bowes	Cllr Philip Morton
Cllr Mike Brindle	Cllr Mike Nairn (Vice-Chairman)
Cllr Marion Chapman-Allen	Cllr William Nunn
Cllr Sam Chapman-Allen	Cllr Rhodri Oliver
Cllr Ed Colman	Cllr Mark Robinson
Cllr Paul Claussen	Cllr Ian Sherwood
Cllr Philip Cowen	Cllr Sarah Suggitt
Cllr Helen Crane	Cllr Stuart Terry
Cllr Vera Dale	Cllr Alison Webb
Cllr Susan Dowling	Cllr David Wickerson
Cllr Phillip Duigan	Cllr Nigel Wilkin
Cllr Chris Harvey	Cllr Peter Wilkinson
Cllr Paul Hewett	

In Attendance

Sarah Wolstenholme-Smy	- Legal Services Manager (Deputy Monitoring Officer)
Ralph Burton	- Assistant Director Property and Projects
Maxine O'Mahony	- Chief Executive
Rob Walker	- Executive Director Place & Delivery and Monitoring Officer
Alison Chubbock	- Assistant Director Finance (Section 151 Officer)
Julie Britton	- Democratic Services Officer
Ruth Tudge	- Democratic Services Officer

Chairman's Opening Remarks

The Chairman welcomed everyone to the meeting including those watching at home via Youtube.

112/21 APOLOGIES (AGENDA ITEM 1)

Apologies for absence were received from Councillors Borrett, Bushell, Clarke, Duffield, Eagle, Gilbert, Kiddle-Morris, Ian Martin, Taylor and Turner.

113/21 MINUTES (AGENDA ITEM 2)

The Minutes of the meeting held on 2 September 2021 were agreed as a correct record.

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114/21 DECLARATION OF INTERESTS (AGENDA ITEM 3)

None declared.

115/21 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman mentioned Trevor Carter who had recently resigned as a Breckland Councillor. Trevor had been a Councillor for many years, and he hoped that all Members would agree that Trevor had done a superb job over the years representing his communities within the Hermitage Ward. Members joined the Chairman in wishing him the very best for the future.

The Chairman also thanked everyone who had attended his and Councillor Turner's, the previous Chairman of the Council, recent civic reception. It had been a very successful evening and it was lovely to see so many people. It had been a very different event celebrating two Chairmen at the same time and over £400 was raised that would be put towards his various projects within Breckland's communities.

116/21 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 5)

The Leader announced that he had recently attended one of the most exciting events Manchester had seen for some time, the 'Corridor of Life' event.

The activity was held by the Cambridge Norwich Tech Corridor partners to showcase the breadth of opportunities across the Breckland district and the region.

With support from George Freeman MP, and a number of businesses along the corridor, including Snetterton's Equipmake, politicians, business-leaders, and potential investors heard how the corridor, with the Breckland district at its heart, offered unique employment and growth opportunities to both existing and prospective employers.

These opportunities would provide new and better-paid jobs to the Breckland area and help create a cluster of industries. He was delighted to highlight this tremendous potential, alongside the national political Conference. He hoped it would help stimulate investment in local infrastructure, business growth, skills, and employment, which would be excellent news for residents.

Closer to home, the exciting Future Breckland programme scheme continued at pace, with attentions currently focused on Watton and Swaffham. Public engagement events were set to take place very soon, allowing people in these towns the chance to tell the Council what was great about their area, as well as what they wanted to see Breckland Council, and its partners focus on improving.

In doing so, this Council would provide the chance for the people to shape plans for their towns and the district for years to come and he urged residents to come forward with their ideas and get involved.

Members would be aware that Dereham residents had their say earlier this year and the programme was set to come to Thetford and Attleborough in due course, in early 2022.

In respect of Swaffham, he was delighted to update Members on the Swaffham Heritage Action Zone, or the HAZ, which was about to take a big step forward.

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He asked Members to recall the considerable amount of money that had been secured, £380k from Historic England that had been ringfenced to protect Swaffham's historic high street, while further enhancing the town for residents and visitors.

Contractors had recently been appointed to support this scheme, which would see some of the town's oldest buildings repaired and brightened up, and plans put in place to complement them with modern amenities for residents and visitors.

On the subject of local investment, he was also delighted to report that this Council had secured £250,000, to be spent on some key measures to support vulnerable residents in the district.

The money from the Contain Outbreak Management Fund (or COMF) would see around £95,000 invested directly into the Council's Housing Team, to have officers specifically focused on supporting people to avoid homelessness and to move from Temporary Accommodation support into longer-term housing solutions. Additionally, some of that money would be used to fund a new grant scheme to tackle these issues.

A proportion of the £250,000 would be allocated to the existing District Direct scheme, which would see the Council working closely with hospitals to speed up home adaptations and prevent 'bed blocking' – an issue whereby hospital patients were classed as medically fit enough to go home but could not because their accommodation was not deemed to be appropriate for their changing needs. This money would help tackle the issues, get people back home sooner, and release capacity within the health service.

Finally, he was pleased to inform Members that this Council was in the running for not one but two awards.

The ambitious Worksmart programme to overhaul and modernise the way the Council operated had recently attracted interest from a number of this authority's peers who were keen to follow in its footsteps, and now Breckland Council had been named as a finalist in two categories of the national Smarter Working Live awards.

These awards celebrated innovation, collaboration and excellence in the public sector and this Council's commitment in changing its ways of working and transforming its approach in order to create better, modern services for its residents, had now being recognised on a national stage.

The Leader then said a few words in respect of Cllr Trevor Carter who had sadly decided, due to personal reasons, to stand down as a Breckland Councillor. Former commissioned officer in the British Army, then a local teacher, Cllr Carter was first elected as a Breckland Councillor in May 2011 and had held numerous positions from Cabinet, Chairman of the Member Development Panel as well as being appointed to numerous committees. During the past 10 years he had worked hard for the residents of Hermitage Ward, and it had been a privilege to work alongside him as an elected Member. He had focused his energies in dealing with the many issues residents had tasked him with, giving a great deal of time to Council business, and had worked tirelessly for those who had needed his help over the years.

He asked all Members to join him in wishing Cllr Carter the very best for the future.

Councillor Bambridge, the Executive Director for Waste & Environment said that he had been a Member of this Council since 2003 and had been very impressed in the way in which it brought money in and listening to the Leader's statement as he detailed the monies that was still forthcoming he had been quite surprised at how it had managed to do so well particularly throughout this pandemic and felt that it was worth a comment and congratulated the Leader and various Officers in what had been achieved.

The Chairman agreed with Councillor Bambridge's comments.

117/21 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6 (AGENDA ITEM 6)

Questions on Notice had been received from Councillor Clarke and had been published and sent to all Members. Responses to those questions had also been provided, and as Councillor Clarke had sent his apologies for this meeting, and in accordance with the Constitution, no supplementary question could be asked.

118/21 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 7)

Councillor Jermy, the Leader of the Labour Group asked Councillor Hewett, the Executive Member for Property & Projects a question. He was very concerned about the level of commercial property debt as referred to in the response to Councillor Clarke.

Councillor Jermy mentioned that commercial property debt was over £700k as at 30 September 2021 and he was aware that certain detail could not be discussed in open session, but he felt that Members and the public needed to be reassured as to what work was taking place to recoup some of this debt.

Councillor Hewett agreed with Councillor Jermy's comments about not going into detail about individual tenants as this information was private & confidential and commercially sensitive.

The amount that had been quoted had been taken from 30 September following a series of quarterly invoices that had been issued to all Breckland tenants and was therefore significantly higher than usual. He announced that since that date that debt amount had been reduced by over £200k. However, the Council was aware that a number of tenants were themselves in some difficulty, post Covid and post recovery, and as such was constantly working with them, not just in terms of the Commercial Property Team but also in terms of the Business Support Team in a number of different arrangements to ensure that they were actually paying the rents and the obligations due in a fair and equitable manner for all.

There was a significant number of tenants who had approached the Council who were in financial difficulty and for the majority of those, deferment terms had been agreed some tenants were paying the Council over and above their original obligations, and the position was being closely monitored.

Councillor Atterwill, the Leader of the Independent Group had 3 questions he wished to ask. The first was directed to Councillor Webb, the Executive Member for Housing, Health & Communities in respect of the Queen Mother's Garden in Dereham. It was in a very poor condition and felt that it was somewhat disrespectful to her memory. However, that said, he congratulated the Team in what they had achieved in creating the recently opened Ellenor Fenn Garden in the

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town which he felt was superb but asked Councillor Webb if there were any plans to make any improvements to the Queen Mother's Garden for the benefit of Dereham residents.

Councillor Webb thanked Councillor Atterwill for his question. The Queen Mother's Garden had been the subject of quite a few conversations recently between both Dereham Town Council and Breckland Council. She was aware that the Town Council had recently appointed two of their Councillors to look into this as there was S106 monies that was available for this. Additionally, the garden was being considered as part of the Market Town's Initiative programme and a meeting would be convened shortly to discuss this further and to take this matter forward.

Councillor Atterwill's second question was directed to Councillor Suggitt, the Executive Member for Planning, Leisure & Contracts. He was very grateful to her and the Officers for coming out to meet him and discuss on site about the issues in regard to the grass cutting carried out in Swanton Morley by Serco and was quite hopeful for a positive resolution. However, it had been brought to his attention that some of the areas that Serco cut in the whole of the Breckland area were areas that were currently owned by Norfolk County Council. He believed that Norfolk County Council had given Breckland Council notice earlier in the summer that from next year it was going to take all these areas back in-house but in doing that it was proposing to reduce the number of cuts per year. This he felt would obviously be a concern to communities and asked if Councillor Suggitt would be writing to all those who would be affected to advise them of these forthcoming changes so that any complaints could be directed to Norfolk County Council.

In response, Councillor Suggitt felt that this would be in Breckland Council's own interest to contact all the relevant parishes to inform them of these changes if indeed these areas did move to Norfolk County Council.

Councillor Atterwill's final question was directed to Councillor Cowen, the Executive Member for Finance, Revenues & Benefits. He asked if Councillor Cowen could tell him when he was first advised of the projected £562k budget shortfall for the Local Plan review.

In response, Members were informed that this was discovered when the Council was advised to carry out a review and this had been discussed at a previous meeting presented by Simon Wood, Director of Planning & Building Control.

There was always a statutory duty for this Council and other local planning authorities to undertake a review of Local Plans on a regular cycle, and as Members had heard at the previous meeting, this particular review had brought with it some additional burdens driven by the Planning Inspector when approval of this Council's Local Plan had been granted back in 2019 but subsequently the High Court action regarding the definition of gypsies and travellers delayed matters as well as the proposal from Central Government to issue a Planning White Paper.

All these matters were outside of Breckland Council's control and, as a consequence, this Council was now in a position whereby those matters were beginning to become clearer but not entirely due to the appointment of a new Secretary of State to consider what had originally been proposed by his predecessor and was a question mark at the very least. That said, when any planning authority had to look at a Local Plan review it had to be done in the knowledge of what had to be achieved. Breckland Council had now been presented with a best estimate of what may be needed to be done given all the information that was available at the time.

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Councillor Atterwill thanked Councillor Cowen for his answer but asked for clarification on the following point. Was the Council aware of the budget shortfall when it was known that it had to carry out a review in 2019 or when the recent report was actually issued by Cabinet. If it was the former what account had the Council been taking in respect of that projected shortfall in the budget setting for the last two years.

Members were informed that it was not the former, the Council did carry forward in its budget costs associated with undertaking planning reviews and Members would have seen in the papers that were presented previously that those figures had been included in the calculations. What was unknown, until the report was received from the Planning Team, was the extent and quantum that would be required in order to meet all requirements that had been presented to the Council by the Planning Inspector, and subsequently noted through the White Paper that was being promoted at the time.

Additionally, as a Council, it had determined to expand on its Green agenda and Climate Emergency agenda and the current Local plan that was put together in 2019 that had started some 5 or 6 years prior to that did not reflect some of the current themes and aspirations of this Council to deal with climate emergency. It was therefore decided by this Council that it would adopt a climate emergency and that it would look at its current Local Plan and it would incorporate into that, policies that would address those very important and fundamental aspects accordingly. In consequence of these matters, the Council needed to consider its options and those options were put together by the Planning Team and presented to Members at Cabinet.

Councillor Birt had one follow up question to the Leader in respect of the ventilation in Elizabeth House in regard to the protection from the spread of Covid. This, in fact, had resulted in him making a freedom of information request and he was pleased to report that he had received all the necessary information except for the Covid risk assessment, the methodology and the test results.

The officers concerned had disclosed one document dated January 2021 which was from an air conditioning service company that did not include all the necessary information that had been requested and had nothing to do with ventilation. Therefore, in his opinion, the officers had not disclosed all the information necessary, and nobody had any idea if the ventilation system in the building was sufficient to protect all who used it. He was concerned as Covid levels were increasing and he wanted to ensure that the Council was setting a good example and have a safe building.

Taking all the above into account, he asked the Leader if he would agree with him that a full and proper test of the ventilation system should be carried out to ensure that it provided fresh air to all areas of the building and furthermore that real time CO2 monitoring should be included to ensure that everyone was working in a safe environment.

The Leader did not have all that information to hand and advised Councillor Birt that there was a full and proper process to go through if he had not been happy with the outcome of the freedom of information request. He admitted that he was not best person to respond to the question pertinent to ventilation and the risk assessment and asked Ralph Burton, the Assistant Director of Property & Projects to follow this up on his behalf and provide a written response.

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Councillor Crane asked Councillor Sherwood, the Executive Member for People, Communications & Governance a question in relation to the 'Green' grant applications. She was aware that the window for the applications had now closed and asked Councillor Sherwood when the successful applicants would be notified.

Members were informed that the Council had made a commitment to pledge over £100k in 'Green' grants and the reason for the slight delay was due to the fact that the Council had received applications totalling over £200k. This underlined the fact that local residents, businesses, charities, town & parish councils across the district had all been involved and hence the delay. The 'Green' team had been through all applications, and all had been validated and he was pleased to inform Members that letters would be sent out to all applicants in the next couple of weeks to confirm whether their applications had been successful or not. Once accepted, announcements would be made across the Council and the Ward Representatives would be notified accordingly.

Councillor Terry directed his question to Councillor Bambridge, the Executive Member for Waste & Environment. He pointed out that there were over 50 incidences of illegal flyposting between the London Road roundabout near Sainsburys and the roundabout on Fison Way near Multimatic Technical Centre in Thetford this amount did not include any posters that were displayed in the town, and he asked Councillor Bambridge if there were sufficient resources to deal with such matters.

Members were informed that the Council was already looking into these matters, but this was a very difficult problem to solve. If commercial flyposting was spotted these were dealt with in an appropriate manner and the Council did have a policy for the removal of such material if they were out of date. Most towns and parishes did not mind them being there as it was a good way of advertising what was available in the area and most town and parish councils displayed their own posters without having to gain permission. However, he was aware of the issues, and these would be dealt with but as there was only a limited a resource, such matters would be dealt with at the best of the Council's ability. He asked Councillor Terry to send all the information to him via email.

Councillor Robinson, the Executive Member for Customer, Digital & Performance and a Ward Member for Thetford encouraged Members and the public to use the reporting function on the Council's website for such matters.

Councillor Wickerson directed his question to Councillor Suggitt, the Executive Member for Planning, Leisure & Contracts. He had been kept on hold for over 40 minutes in his attempt to urgently contact the Enforcement Team to be told there was no-one available to take his call and asked if there were any steps being taking to ensure that this important service was being supported by moving staff within the Capita workforce on a temporary basis as he was aware of the staff shortages due to sickness some of which was long-term.

Members were informed that Capita was already in the process of proactively looking for more staff to increase the Enforcement Team as it was an important department. She was pleased to report that this additional resource should be in place very soon.

Councillor Brindle mentioned the commercial property debt and asked Councillor Cowen, the Executive Member for Finance, Revenue & Benefits what he would estimate that debt to be on the upcoming Breckland budget.

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Members were informed that the figure quoted earlier on in the meeting was not all related to commercial property debt and was pleased to report that it would not have an effect on the Council's budget. If any further detail was required, Alison Chubbock, the Assistant Director for Finance & S151 Officer would oblige.

As the budget report was due very soon, Councillor Brindle asked if it would be appropriate for Members to be provided with a monthly report on the figures.

The Executive Member for Finance, Revenues & Benefits stated that Members could be reassured that Alison Chubbock and her Team were particularly keen to ensure that the Council's budgets were managed properly and that the budget could be signed off at the appropriate time.

Councillor Dowling asked the Executive Member for Finance, Revenues & Benefits a question about the new hardship fund that had been created in this financial year to support people with their Council Tax. She asked if it could be confirmed how many residents had been supported, and with the reduction to the Universal Credit scheme and rising fuel costs what would the Finance Team be doing to promote the support that was available.

The Executive Member for Finance, Revenue & Benefits felt that this was quite a detailed question, and he did not have all the answers, but a written response would be provided to the first question. The Assistant Director of Finance & S151 Officer explained that over 5,000 residents had been supported by the hardship fund. Demand had been low thus far, but the funding was still available for people to claim in the future. The demand was expected to increase, and as such, the scheme was being promoted by the Customer Services Team and the ARP Team and information about this funding and the details of how to apply was on the Council's website.

The Chairman congratulated all Members and the Cabinet as he felt that this meeting so far had been the most enlightening and impressive question and answering session that had been had for a while.

119/21 MINUTES (FOR INFORMATION ONLY) (AGENDA ITEM 8)

(a) Governance & Audit Committee: 28 July 2021

It was noted that the recommendation under Minute No. 41/21 (Contract Procedure Rules) would be discussed under Agenda item 11.

RESOLVED that the confirmed Minutes of the Governance & Audit Committee meeting held on 28 July 2021 be noted

(b) Planning Committee: 6 September 2021

RESOLVED that the confirmed Minutes of the Planning Committee meeting held on 6 September 2021 be noted.

(c) Cabinet: 20 September 2021

Councillor Birt referred to Minute No. 83/21. He had noticed that the Local Plan review report had been published on the Council's website and had been perplexed to see that the title of the said document was under Northwest Leicestershire District Council and the author was not an officer of this Council. He asked why this appeared as such and could the Council be sure that the

contents of that document were entirely valid.

Rob Walker, the Executive Director for Place & Delivery was unaware of this and would check the details on the website but thanked Councillor Birt for bringing this to his attention.

Also, under Minute No. 82/21, the Council Tax Support Scheme, Councillor Birt had noticed that it had been resolved not to consult on Option 2 which was to cap Council Tax support to a maximum of Band D but in his opinion the report contained very little detail and at the actual meeting itself it was highlighted that this would be administratively difficult.

The Chairman reminded Councillor Birt that he should have raised this question earlier in the meeting under agenda item 7, Questions without Notice. These Minutes were not to be questioned and were just for accuracy and noting.

It was noted that the recommendation under Minute No. 86/21 (Contract Procedure Rules) would be discussed under Agenda item 11.

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 20 September 2021 be noted.

120/21 APPOINTMENT OF CHIEF EXECUTIVE OFFICER (AGENDA ITEM 9)

The Leader, Councillor Sam Chapman-Allen presented the report and thanked Councillor Claussen and Councillor Jermy for giving up their time to attend the Appointments & Disciplinary Committee meeting held on 24 September 2021.

He reminded Members of the process that had been undertaken which was discussed at the previous Council meeting in September but for clarity the process was explained again.

The Appointments & Disciplinary Committee meeting had been supported independently, external to the Council, as highlighted in the Minutes.

The recommendations were then proposed and seconded.

Councillor Birt was disappointed that an agenda had not been disclosed ahead of the Appointments & Disciplinary Committee meeting to provide Members with an opportunity to feedback any questions to that Committee for consideration and would not be supporting the recommendations for various reasons.

Councillor Atterwill had been very impressed with the Senior Management Team in how they had dealt with everything over the past 18 months and at this moment in time this was, in his opinion, exactly the right decision for this Council and he was very happy to second the proposal. He welcomed the recommendations and looked forward to working with the Senior Management Team in future and congratulated Maxine O'Mahony on her forthcoming appointment.

Members concurred with Councillor Atterwill's comments.

Councillor Jermy, the Leader of the Labour Group stated that Members would have been well aware that the Appointments & Disciplinary Committee would be conducting this meeting and therefore felt that Members would have had the opportunity to submit questions. For reassurance, he informed Councillor Birt that all the questions that he wanted to ask at the meeting were asked. It was a very

full and comprehensive process and the candidate with her many years of experience passed with flying colours and he wished Maxine all the very best.

Rob Walker, the Executive Director for Place & Delivery confirmed that an agenda was published and circulated to all Members before the Appointments & Disciplinary Committee took place.

Councillor Oliver also said a few words and supported the recommendations.

Subject to one vote against the recommendations and one abstention, it was

RESOLVED that:

- (1) pursuant to the recommendation of the Appointments and Disciplinary Panel on the 24 September 2021, Council agreed the following:
 - A) that Maxine O'Mahony be appointed as the Chief Executive Officer of Breckland Council;
 - B) that the appointment of Maxine O'Mahony is effective from 14 October 2021.

On behalf of the Council, the Leader congratulated Maxine O'Mahony on her appointment as the new Chief Executive for Breckland Council. He asked the Chairman if it would be appropriate if Maxine said a few words.

The Chairman also congratulated Maxine and looked forward to working with her moving forward.

The newly appointed Chief Executive thanked the Chairman, Members and Officers and was delighted with all the support she had received. She was Breckland born and bred and had worked for the Council for 14 years in various positions and loved the place and the people, it was truly in her DNA and she could not be more pleased to be in this position. Breckland Council had had some great Chief Executives throughout the years, and she promised that she would work tirelessly with all Members and Officers to be the best Chief Executive. This Council had always had a great team spirit and it had been amazing how everyone had pulled together throughout this pandemic and #Team Breckland (as she called it now) had an ambitious vision for the future. She thanked everyone once again who had entrusted her with this opportunity and to make a real difference and she could not wait to get started.

121/21 NEATHERD MOOR, DEREHAM – TRANSFER OF MANAGEMENT RESPONSIBILITIES (AGENDA ITEM 10)

Councillor Paul Hewett, the Executive Member for Property & Projects presented the report.

Members were informed that this was an exceptional and unique situation that the Council found itself in, in a unique location requiring a unique solution. The Team had been working with the Town Council since being approached in 2019 and local Members since 2020. A great deal of information had been gathered and discussed but now it was time to move this matter forward as the financial sum involved had been agreed.

The reason for the recommendation was explained. Dereham Town Council were

the freeholders of Neatherd Moor Common, but Breckland Council and its predecessors had been managing the land dating back to a 1910 agreement. In other words, Breckland Council had been managing that land but had no ownership of it. The agreement itself was not considered to be fit for purpose for the 21st century and having two parties in charge of the land had caused a number of issues over the decades.

The recommendation was proposed and seconded.

Councillor Morton fully supported the principle as it would eliminate a great deal of confusion for residents living around Neatherd Moor but his only concern going forward was that a figure had been agreed was a good deal for Breckland but was not entirely convinced that it was such a good deal for Dereham Town Council. He asked if there was any way that this Council could at least roll this out over a trial period so that any increase in costs could be considered.

The Executive Member for Property & Projects stated that this was the sum that had been agreed and had been approved at the Town Council meeting and therefore this was the sum that was being proposed and recommended.

Councillor Webb, the Executive Member for Housing, Health & Communities fully supported the transfer of land as it had caused a significant amount of confusion to residents over the years as they were unsure who to go to, to report any issues. This transfer would make it a lot easier for people in future, the sum of money in question had been agreed and the recommendation should be approved.

Councillor Atterwill pointed out that the biggest concern over the years was the access road that led to the houses around the Moor and asked if this agreement included the said roadway.

The Executive Member for Property & Projects explained that the road was quite unique as it belonged to three councils including Norfolk County Council, Breckland Council and the Town Council and the sum involved would include all elements of the land within the Neatherd Moor and in part this had resulted in some of the challenges in the past. The sum involved covered everything that this Council was looking to transfer and as an aside there was no reference in the 1910 agreement in terms of upkeep of the road.

Following a unanimous vote in favour of the recommendation, it was

RESOLVED that £125k be released from the Inclusive Growth Reserve and Breckland Council delegates its current management responsibilities for Neatherd Moor to Dereham Town Council.

122/21 CONSTITUTION – CONTRACT PROCEDURE RULES (AGENDA ITEM 11)

Councillor Sarah Suggitt, the Executive Member for Planning, Leisure & Contracts presented the report.

Members were informed that from time to time it was necessary and good practice to review the Council's processes. A recent review of procurement and contract management had identified the need to update the contract procedure rules, the full detail of these proposed changes could be found on pages 59 to 89 of the agenda pack. In summary, the main cause for these changes had been as a direct result of the UK's departure from the EU and as a consequence of those changes, the delegations to Officers also needed to be changed to essentially reflect the

numbering of some of the rules that had been altered.

This report had been considered at the previous Governance & Audit Committee meeting and at the Cabinet meeting on 20 September where recommendations (1) and (2) were approved.

It was noted that a Member had already spotted an error on page 71 of the agenda pack, at paragraph 2 under section 2.1.2 where the word 'by' had been crossed out in error and this word would be re-instated.

The third recommendation was proposed and seconded.

Councillor Oliver had noticed that within the report there was a section that dealt with waivers and exemptions under the procurement rules, and he asked if it could be checked as to whether there were any constraints on dates where officers had to place any exemptions and whether that exemption had to be placed ahead of any contracts being granted to a third party. He asked this question as he was aware of another council in this County that had experienced problems with backdating contracts and their exemptions and was obviously not classed as good practice.

Anton Bull, the Procurement & Contracts Manager advised that those exemptions would be agreed in advance of the contract being awarded.

Following a unanimous vote in favour of the recommendation, it was

RESOLVED that the Constitution be amended in accordance with Appendix B of the report so that the Contract Procedure Rules are inserted after the Financial Management Standards.

123/21 RISK MANAGEMENT POLICY (AGENDA ITEM 12)

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

In February 2021, an extension to the Policy had been requested to allow Officers to conduct a more thorough review. This review had now been concluded and the revised Risk Management Policy was before Members for discussion.

There had not been any major changes made to the Policy itself since it was last seen in February and this decision to review had been taken in light of the Auditor's results and remained in line with best practice and the most notable change to the Policy was the addition of a risk appetite statement.

Ryan Pack, the Innovation & Change Business Partner pointed out that the Policy was not yet in the corporate format and would be changed accordingly before being uploaded to the Council's website.

Councillor Morton had noticed that there was no mention of climate change on the list of strategic risks and felt that this was the biggest risk that everyone faced and asked whether this would be included.

Members were informed that climate change had been included on the strategic risk register under the Sustainability Strategy.

Councillor Birt drew Members' attention to page 109 of the agenda pack. This was

a matter that he had briefly addressed at the Governance & Audit Committee meeting in respect of the distribution of the likelihoods under probability and felt that it was an odd distribution and suggested that the resolution should be increased rather than having 50% of likelihoods that the Council was not so concerned about. He asked if there was some guidance available as to why the distribution had been included in this way.

Members were informed that the distribution had been worked on with the Audit Commission and was the result of best practice. There were three different ways to look at likelihood - definition, timeframe and probability and was based on past experience.

The recommendation was proposed and seconded, and following a vote, it was:

RESOLVED that the draft Risk Management Policy be adopted.

124/21 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 13)

Members were informed of the following change to the Planning Committee membership:

Councillor Marion Chapman-Allen would be replaced by Councillor Mark Kiddle-Morris but would remain on the Committee as a substitute.

No further changes were made.

125/21 AMENDMENTS TO THE CONSTITUTION (IF ANY) (AGENDA ITEM 14)

None.

126/21 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT (AGENDA ITEM 15)

None.

127/21 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 16)

The Chairman read aloud the relevant paragraphs for each of the private & confidential reports.

Subject to one vote against the recommendation, 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A to the Act.

Prior to moving into private session, the Chairman thanked everyone who had been watching the meeting on YouTube.

128/21 FINANCE SERVICE REVIEW (AGENDA ITEM 17)

Councillor Phil Cowen, the Executive Member for Finance, Revenues & Benefits presented the report that sought Members' approval to implement the Finance service review as detailed in the report and the Appendix.

Action By

The Council needed to ensure from time to time that all the services it provided were fit for purpose and in the last 18 months everyone had seen significant changes in how the Council carried out its business. Those changes had affected virtually every single department and he was pleased to present this proposal to Members. The Finance Team had been doing a sterling job throughout the pandemic and would continue to do so but in a slightly different guise moving forward if the proposal was indeed accepted.

Members' attention was then drawn to the recommendation within the report, which was proposed and duly seconded.

A response was provided to Councillor Atterwill who had asked for clarification on a couple of points.

Following a vote, it was:

RESOLVED that the implementation of the Finance service review as detailed in the report and appendix A be approved.

129/21 SERVICE REVIEW - HUMAN RESOURCES (HR) (AGENDA ITEM 18)

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

In summary, as the Council moved forward from the pandemic the HR Team was providing support to an adverse and agile workforce so that the changing needs of the Council could be met as part of the WorkSmart programme. More recently the Team had extended HR support to cover staff from the Anglia Revenues partnership.

The proposal for Members to consider was to address those needs and enable the Council to maintain a strong focus on wellbeing, increase its focus on recruitment and to continue to support organisational change.

A minor error had been spotted within the FTE figures contained within the restructure chart on page 131 of the agenda pack and would be corrected.

It was proposed and seconded that the recommendation at Option 1 be approved, and following a vote it was:

RESOLVED, that the implementation of the revised staff structure for the current HR team as detailed in the report at Option 1 (section 3.21 of the report) be approved.

The meeting closed at 11.35 am

CHAIRMAN