

# Public Document Pack

## BRECKLAND COUNCIL

### At a Meeting of the

### COUNCIL

Held on Thursday, 20 January 2022 at 10.00 am in the  
The Breckland Conference Centre, Elizabeth House, Walpole Loke, Dereham, NR19

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#### PRESENT

Cllr Roy Brame (Chairman)	Cllr Keith Gilbert
Cllr Tristan Ashby	Mr R. Hambidge
Cllr Stephen Askew	Cllr Chris Harvey
Cllr Roger Atterwill	Cllr Paul Hewett
Cllr Gordon Bambridge	Cllr Jane James
Cllr Timothy Birt	Cllr Terry Jermy
Cllr Bill Borrett	Cllr Tina Kiddell
Cllr Claire Bowes	Cllr Mark Kiddle-Morris
Cllr Mike Brindle	Cllr Robert Kybird
Cllr Hilary Bushell	Cllr Linda Monument
Cllr Marion Chapman-Allen	Cllr Philip Morton
Cllr Sam Chapman-Allen	Cllr William Nunn
Cllr Paul Claussen	Cllr Rhodri Oliver
Cllr Philip Cowen	Cllr Mark Robinson
Cllr Helen Crane	Cllr Ian Sherwood
Cllr Vera Dale	Cllr Sarah Suggitt
Cllr Susan Dowling	Cllr Taila Taylor
Cllr Richard Duffield	Cllr Lynda Turner
Cllr Phillip Duigan	Cllr Alison Webb
Cllr Fabian Eagle	Cllr Peter Wilkinson

#### In Attendance

Maxine O'Mahony	- Chief Executive & Head of Paid Service
Rob Walker	- Executive Director & Monitoring Officer
Sarah Wolstenholme-Smy	- Legal Services Manager (Deputy Monitoring Officer)
Ralph Burton	- Assistant Director Property and Infrastructure
Alison Chubbock	- Section 151 Officer & Assistant Director Finance
Josie Hoven	- Licensing Team Leader
Ryan Pack	- Innovation and Change Business Partner
Julie Britton	- Democratic Services Officer
Ruth Tudge	- Democratic Services Officer

#### Chairman's Introductions

The Chairman welcomed everyone to the meeting including the public watching via YouTube.

Before the meeting commenced Councillor Birt raised a Point of Order and referred Members to Standing Order 19(a) – Postponement of Full Council Meeting which he read aloud. He drew attention to the public message that was sent out in respect of the postponement of the December meeting due a speaker not being available to present a report, just one agenda item. The other reason

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that had been given was the lack of business which was difficult to accept due to the vast amount of items on the published agenda. Notwithstanding that, the Standing Order only permitted such meetings to be postponed on health & safety grounds and this was not the reason given. Therefore, in his opinion, this meeting today was a new meeting and not a resumption of the postponed meeting and asked for clarification on the status of the December meeting and this meeting and confirm whether the Council had properly complied with meeting legislation and the Council's own Standing Orders.

In response, Sarah Wolstenholme-Smy, the Council's Legal Services Manager advised that the reason given for the postponement of the December meeting, although it did not specify health & safety issues, was in essence for just that, and it was appropriate for that meeting to be postponed; therefore, in compliance with the said Standing Order, it was appropriate to bring forward those items from that meeting to this one.

The Chairman agreed with the aforementioned comments and felt that it had been the correct course of action to take due to the spread of the omicron variant at that time and in the interest of keeping Members and Officers safe so close to Christmas.

### **1/22 APOLOGIES (AGENDA ITEM 1)**

Apologies for absence were received from Councillors Clarke, Colman, Grey, Ian Martin, Keith Martin, Nairn, Terry and Wilkin.

### **2/22 MINUTES (AGENDA ITEM 2)**

- Service Review (Minute No. 129/21)

The word adverse be replaced with diverse.

- Appointment of Chief Executive Officer (Minute No. 120/21)

Under this Minute, Councillor Birt pointed out that he had not received the agenda ahead of the Appointments & Disciplinary Committee meeting even though the Executive Director of Place & Delivery had stated that the agenda had been sent to **all** Members. This he felt was a factual error and should be corrected in the Minutes.

It was agreed that the word **all** would be removed.

Additionally, Councillor Birt's vote against the recommendations had not been recorded as requested.

- Adoption

Subject to the above amendments the Minutes of the meeting held on 14 October 2021 were agreed.

Councillor Gilbert abstained from voting on the Minutes as he had not attended the meeting.

### **3/22 DECLARATION OF INTERESTS (AGENDA ITEM 3)**

Councillor Mark Robinson, the Executive Member for Customer, Digital &

Performance declared and interest in agenda item 18 (Property Acquisition – Riversdale Thetford) due to him being a trustee of the property. Councillor Robinson refused to comment or vote on this item.

**4/22 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)**

It is with great sadness that we have heard of the passing of Tracey Baxter at the weekend. Many will have known Tracey well and worked with her during her time at Breckland.

Tracey worked at Breckland for over three decades in a variety of different roles but is perhaps best known for her work on anti-social behaviour.

She helped set-up the first Operational Partnership Team in Norfolk and made it such a success; the model was replicated right across the county. She led from the front on the White Ribbon Campaign and Breckland's response to domestic abuse. Tracey also helped to keep the levels of anti-social behaviour very low, but when inevitably there were cases, she was able to demonstrate such warmth, compassion, and empathy to the victims of crime.

Tracey dedicated thirty years to public service; to Breckland; and to supporting those most vulnerable in our community.

Tracey was an integral part of Breckland and one of our most well-known and well-loved people. Whenever you came across Tracey, she was bright, warm, funny, and kind, and someone who always made time for everybody she came across. Hard working and committed to her role, as well as a great colleague, she will be sorely missed by everyone she worked with.

Our thoughts are with her family at this difficult time.

A Minutes silence was then observed.

The Chairman then welcomed the Council's newest Member, Cllr Hambidge, representing the Hermitage Ward, to his first Council meeting. He hoped that Cllr Hambidge would enjoy his years as a Councillor and if needed, there was plenty of support available. He then explained the format of the agenda and the process particularly in respect of agenda items 6 and 7, in the fact that Members did not have to wait to ask questions under these specific items at Full Council meetings, they could ask questions of other Members or Officers at any time.

**5/22 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 5)**

The Leader made the following announcements:

A range of initiatives were already well-underway to support Breckland's residents and businesses to thrive; this included some of the Council's most vulnerable or at-risk.

Amongst these, the Council was now on the home straight in its project to develop a brand-new temporary accommodation centre in the district which would bring a dis-used building back into use. When finished around the spring, Elm House in Thetford would be providing modern facilities for up to 35 people at a time – including individuals, couples and whole families – who were at risk of becoming homeless.

In addition to this, he was delighted to inform Members that on the same site, the Council would also be providing five new one bedroom living units specifically to provide supported accommodation for rough sleepers or those who were at risk of rough sleeping, which was a fantastic example of this Council investing in facilities to support those most in-need.

The Leader was also pleased to inform Members that the Council had recently received an additional £100k of funding – from a £28m national pot – to help protect and provide vaccinations to rough sleepers in the Breckland area, including supporting those who were hesitant about getting their vital booster jabs and provide safe, emergency accommodation over the winter.

As for the wider population, the Anglia Revenues Partnership had issued over £400k worth of £500 Self-Isolation payments to support people in Breckland to help those most in need to follow Government Self-Isolation guidance.

This was in addition to the £6.6m of Government funding Norfolk received through the Household Support Fund. This fund would provide short-term financial support to meet immediate needs and help those struggling to afford food, energy and water bills, and other related essentials this winter. Nearly £200,000 of this funding had been passed through to Breckland Council and by the start of this month (January) it had distributed more than £130,000 of support across around 400 households. He asked Members that if any residents in their Wards were in need of urgent financial support, he urged them to come forward to establish what support could be offered.

In order to support vulnerable individuals and families within the district, he was delighted to announce that Breckland Council had partnered with Norfolk Community Foundation to create a new food bus service, which was due to be launched in the Spring.

The offer was still being refined but the bus would be operating across identified areas of need within Breckland to provide affordable, healthy, nutritious food - including fresh fruit and veg, and a range of chilled and store cupboard basics - all at a reduced price. This would help families in need to make savings of around 40-50% on a household's weekly food shop (estimated to be up to £1000 per year).

The scheme would also work with residents to help address other challenges that they might be facing, providing early intervention support with debt management, skills and employment advice, or mental health and well-being. Further details would be shared as this scheme progressed.

Turning to Breckland businesses, once again the Council found itself at the front line of vital support for those most in need due to the impact of the pandemic. Having issued over £50m support in the last two years, 2022 would start with a fresh set of business grants targeting those hit hardest by Omicron and the disruption to trade, with almost £1.9m of new support.

Businesses were successfully trading their way through to recovery and he was proud that the Government had district councils such as Breckland at the forefront of delivery.

Breckland had continued to be amongst the quickest to react. Just recently, such schemes were opened to businesses again, again one of the first in the country to

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do so and had complemented the national offer with a far-reaching and generous discretionary boost to ensure no business in need went unsupported.

Despite the challenges, the Leader remained confident that this year would be one of growth and success for Breckland, its people and its businesses, and he was delighted to confirm to Councillors that early in the New Year this Council would be breaking ground on the creation of a new £4m substation at Snetterton Heath, the culmination of a major effort by this district Council to unlock growth in one of Norfolk's most exciting growth areas, and a move which would be a catalyst for almost 2,000 new jobs and over £100m in added value. He looked forward to this being one of the first of many positive growth stories that could be shared in 2022.

Residents were already reaping the benefits of investment in services, with the Thetford Office - Breckland House being re-opened to customers at the start of January, following a refurbishment of the space.

Around £30k had been invested to repurpose and reconfigure the space to create a bright and welcoming front of house for customers and refurbish the space with new carpets and energy efficient LED lighting.

Whilst customers continued to do most things via the website, people could now choose to book an appointment or drop in to speak to a member of customer services and get help with their issue.

The Thetford office was on track to see around 100 customers this month following the soft launch of the service, and this was expected to be further enhanced with officers from the Council's Housing Service due to be on hand there from the end of January.

More widely, he was also pleased to have read that a number of Breckland residents had been included in the New Year's Honours list. He conveyed his sincere congratulations to them, and everybody who had done so much for their communities.

As Members would be aware, the Queen's Platinum Jubilee would be celebrated later this year and he was delighted to announce that Breckland Council had now received a new, signed photograph of Her Majesty, which would be proudly displayed very soon. To kick off the Jubilee celebrations, it was hoped that recipients of the New Year's Honours would be invited to join us next month for a small celebration of their achievements and to help the Council unveil the new photograph of the Queen, here at Elizabeth House.

Councillor Jermy, the Leader of the Labour Group wanted to convey his thanks to the Communities Team for their help in supporting vulnerable individuals and families within the district.

In respect of the pandemic, key workers in Breckland had been working around the clock to keep everyone safe and whilst the majority of the country had their freedoms limited to a daily walk Downing Street it seemed had not and had been enjoying themselves with alcohol fuelled parties being held and he asked the Leader if he would condemn the Prime Minister and his actions as this contemptable behaviour was not acceptable regardless of political persuasion, and he hoped that the Leader would agree to his request.

In response, the Leader was aware that the Prime Minister had already made a statement to the House and had offered his apologies and was currently under

investigation by the Deputy Civil Servant who would soon be looking at all these issues. He was not going to get involved in politics, as every Member of this Chamber and every person across the District had the ability to write to their MPs and raise their own concerns. He was pleased that people across Breckland had continued to follow the rules and for those staff members who had worked immensely hard throughout this pandemic. Breckland Council was again poised ready to support residents and businesses back to recovery.

**6/22 QUESTIONS ON NOTICE UNDER STANDING ORDER NO. 6 (AGENDA ITEM 6)**

For the efficient running of this meeting, the Chairman reminded Members that a response would not be provided to any supplementary questions asked but a note of the question would be made, and a written response would be provided to all Members within 5 working days of this meeting. The questions and subsequent responses would also be attached to the Minutes (see attached).

Councillors Birt, Atterwill and Morton asked the following supplementary questions. Councillors Clarke and Wickerson had sent their apologies; therefore, no supplementary questions could be asked.

6 .a 9 December 2021

For ease of reference, the original questions that had been asked at the 9 December 2021 meeting including the responses have been included in the attached document. The supplementary questions including the responses have also been included in the same document.

**7/22 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 7)**

Councillor Atterwill pointed out that when Opposition Members walked into the room it was very noticeable that Conservative Members had been allowed to sit a desk apart where others had to 'bunch up' where they could, and he thought that the idea of this new room layout was to be suitably spaced out for everyone's health and safety.

The Chairman stated that everyone had been given fair opportunity to be seated as such, there were still other seats available that could accommodate Members accordingly.

Councillor Jermy's question was directed to the Leader of the Council. He understood that more than 60% of the Conservative Group served in roles that were eligible for special responsibility allowances (SRAs). The Council already had by far the largest annual bill of SRAs in Norfolk at £170k for the last financial year, double that of Gt Yarmouth and Broadland and significantly more than all other districts including the city of Norwich. If the proposals for the General Purposes Committee were approved, it would add yet further costs to the taxpayers with the increase in allowances if recommended by the Remuneration Panel. He asked the Leader why Breckland's SRA's were so disproportionately higher than the rest of the County.

In response, the Leader stated that Councillor Jermy was more than welcome to resign his own SRA as the Leader of the main Opposition Group, one of the most highly remunerated Opposition Leaders across the County. He felt that the remarks were quite hypocritical when Breckland as a lead authority had the lowest council tax in the Country and felt that the level of Breckland's SRA was due to the

high level of commitment expected from the Chairmen and Cabinet Members in the work that they did. All worked very hard not just during the day but in the evenings too and therefore felt that the residents of Breckland received great value for money but as the lowest district council tax in the Country, protecting all frontline services and continued to invest whilst ensuring that politicians were accountable and held to account for the direction of travel for this authority committed politicians were needed to carry out this work. On top of that, many Cabinet Members and the Chairmen of this Council had day jobs and therefore had to miss days when working on the Council's activities and should be remunerated for that loss of income, and therefore, no-one would be discouraged for standing in local Elections.

Councillor Jermy expected the Leader to point out that he did receive an allowance and was the only Member of the Opposition to receive an allowance not 60% of the ruling Group and felt that it was important to note that the allowance for the Leader of the entire Opposition was equivalent to just one of the three Cabinet Executive Support Members of this Council not including the large number of Cabinet Members.

The Leader emphasised that Breckland was a Member led Council and if the Opposition Leader wanted an Officer to run authority, he suggested that he go and work for those London Boroughs or Metropolitan Councils where they were not as committed in driving their agendas forward. He alluded to the fact that his reference was not just to the Opposition Leader's SRA but was in reference to all the SRAs that he received at County and at District level of which he was one of the highest paid Opposition Leaders in the County. The Leader felt that it was a shame that Councillor Jermy felt that he had to 'nit picking' in two questions rather than holding the Executive to account for some of the decisions and policies that the Council made across the District. Finally, he pointed out that the Opposition had cried out time and time again for greater oversight and greater scrutiny on some of the Council's activities and as such there was a further agenda item for commissioning a new Committee of which Councillor Jermy should be grateful.

Councillor Atterwill, the Leader of the Independent Group directed his first question to the Leader.

He had seen a press release before Christmas stating that the Leader was up for an award for Leader of the Year but had not seen anything since and asked the Leader if he could advise the Council of the result.

The Leader informed Members that he was nominated for the Local Government Leader of the Year Award and was a reflection of the hard work of Members and most importantly the Officers of Breckland Council but sadly he had not been successful but was only one of four individuals that were brought forward as the semi-finalists. The award went to a Member of which he was immensely proud of the work that she had done within her London Borough as she had achieved a great deal.

The second question was for Councillor Webb, the Executive Member for Housing, Health & Communities. In October, Members had been informed that a paper had been produced call Dereham Investment Priorities and had noticed that one of the proposals was to spend £25k on a clock for the marketplace in Dereham. He had also seen that just recently there had been an advert sent out for a tender opportunity for £20k worth of street art in the town too. Given the looming cost of living increases did Councillor Webb believe that the public would consider this as a good use of public money.

Councillor Webb assured Members that the 3-year Market Town Initiative for the 5 market towns in Breckland was a programme of works to improve footfall which she felt was very important after Covid. She also reassured Members that the proposal for the clock had not been supported but the street art decision had been discussed and agreed. Tenders had been submitted and once received Dereham Members of the Committee would look and decide whether or not this money would be spent on the street art and whether it would be good for the town. In Thetford, there had been a table tennis facility installed in the park and for Dereham, after the very first lockdown, some of the money available had been used for the clean-up of the town in preparation for the shops to re-open. Another initiative was the 'knitters' exhibition that was received so well not by just the people of Dereham but from all the villages too, and such initiatives should be encouraged.

Councillor Atterwill agreed, there was a great deal of good work proposed for Dereham including the Queen Mother's garden, but it was just the clock that he had an issue with.

His final question was directed to Councillor Claussen, the Deputy Leader. At the recent Local Plan Briefing, it was confirmed that no Development Strategy had been put in place for the growth of the District to ensure that new homes were built in the most suitable locations. Despite this glaring omission, the Deputy Leader had stated at this Briefing that the Council would be sending out a 'Call for Sites' across the District and the plan was to produce a Development Strategy retrospectively, all of this at the same time that he had deemed that the Member Local Plan meetings should be confidential. He asked Councillor Claussen if he felt this to be acceptable.

The Deputy Leader informed Members that at yesterday's Briefing, Councillor Atterwill had described not having such a Plan in place was ludicrous and was promptly told by the Officers that there would be a Spatial Strategy, and this would be worked on in tandem with the call for sites. The call for sites was about having land that was available and viable and fitted all other necessary criteria. The Deputy Leader mentioned other matters that Councillor Atterwill had not agreed with in the past but further debate would be had.

Councillor Atterwill corrected the Deputy Leader; it was a Development Strategy not a Spatial Strategy. He then explained his reasons behind wanting a Development Strategy in place first before the call for sites and all the discussions going forward would not include public scrutiny.

Councillor Birt, the Leader of the Green Party directed his first question to Councillor Cowen, the Executive Member for Finance, Revenue & Benefits.

At the Cabinet meeting on 10 January, Councillor Cowen claimed that every band D council taxpayer received £753 pounds worth of services for around £100 of costs. On the basis that many of these services required significant additional payments, for example a garden waste bin or a submission of a planning application etc and asked how this had been calculated.

In response, Councillor Cowen advised Councillor Birt that as he was well aware, council finances were a fine art and there was a Team of Officers who were able to put together as much information as he so wished. These were the facts in which he had been presented and just as the fact that Breckland Council was the lowest District Council Tax in the Country and the County. The Government statistics had

clearly shown that the average Council Tax for the authority excluding parish precepts and special expenses was the lowest in the country. Breckland Council currently charged £100.46p and the most expensive happened to be Ipswich but in the County of Norfolk Breckland was the lowest. If Councillor Birt required further information on the detailed breakdown, the Finance Team would be able to provide it.

Councillor Birt then asked Councillor Ian Sherwood, the Executive Member for People, Communications & Governance a question about further amendments being made to the Constitution, yet the Code of Conduct had not been updated and referred to the Seven Principles of Public Life and asked why the Council was not specifying in the Constitution that Members must be truthful.

In response, Councillor Sherwood was pleased to inform Members that this piece of work was on-going.

Councillor Eagle thanked Councillor Suggitt, the Executive Member for Planning, Leisure and Contracts for attending the RSPB webinar where the decline of swifts and house martins and provision of nest boxes in new builds were discussed, and asked Councillor Suggitt if she had any further ideas going forward.

In response, Members were informed that Breckland Council was part of a link in the chain including other councils, housebuilders, and people from the wider community. There were already measures in place for this Council to try and proactively encourage swift boxes, hedgehog holes and bat boxes but there was always more that could be done, and she looked forward to working with Councillor Eagle and other organisations further on such matters. She felt that such webinars should be encouraged and promoted, and she would work with the Team and get it added to the Members' Page and disseminated to Town & Parish Councils for a wider audience.

Councillor Sherwood knew Councillor Eagle was passionate about the birds in the District and congratulated the South Pickenham Ward for applying for the Council's Green Grant scheme which was accepted to install swift boxes. He was pleased that Breckland's local communities were already taking up this challenge and doing something about it. He had also been pleased to hear that the Council's Sustainability Officer had already been having discussions with the Planning Team on such matters which was now very high on the agenda.

Councillor Crane asked Councillor Sherwood for an update on the tree planting in the District. Members were informed that, as the previous question, sustainability was very important for the public and residents of Breckland, and the Green Agenda had become one of the key factors of interest. The Council had been working with the Woodland Trust and a number of Breckland owned sites had been put forward for consideration. Councillor Sherwood was pleased to report that a response from the Woodland Trust had been received and had confirmed that 3 of the sites submitted were extremely suitable for tree planting. He would be informing Ward Members and the relevant Parish or Town Councils where these sites would be in the next few weeks and trees would be planted in those 3 sites in the appropriate season in March. All Members would be kept informed of the location of these sites in due course.

Councillor Hewett, the Executive Member for Property & Projects directed his question to the Leader. He wondered if more clarification could be provided, following the comments made earlier, on a recent disagreement/argument on the Council's claim that it charged the lowest District Council Tax in the country, that

turned out to be headline news in the local newspaper that had stemmed from an apparent disagreement at a previous Cabinet meeting which he could not recall. The argument centred on comments made by Councillor Cowen which had been disputed by Councillor Birt.

In response, the Leader confirmed that Breckland Council was the lowest District Council Tax in the whole country.

Councillor Dowling asked the Leader about the 'levelling up' grant funding that Breckland Council had recently applied for and an Arts Council grant for Thetford which unfortunately had not been successful and asked for reassurance that there was sufficient capacity and the right skills in place to improve the success rate for external grant applications. These grants were crucial to fund the infrastructure with the District and other project needs in the future.

The Leader reminded Members of his previous statement where he had mentioned Snetterton Heath where the Council was able to obtain grants and funding from other partners. He also assured Members that Breckland Council did have the capacity to submit successful bids and it had been immensely disappointing that it had been unsuccessful this time on both applications. Future work would allow the Council to have the necessary data to ensure that Breckland was poised to bid for any funding from any bodies but particularly from Government moving forward. He looked forward and was hopeful that when the next round of levelling up funding became available at the latter part of this calendar year that Breckland would be ready to submit another bid which would hopefully be successful.

Councillor Dowling conveyed her thanks to Councillor Suggitt for her part in diversity as she herself was also very passionate about wildlife and birds.

Councillor Morton understood that development had now started on the new Leisure Centre in Swaffham which he fully supported but as the two existing leisure centres were not sustainable in terms of carbon emissions and he asked Councillor Sherwood, the Cabinet Member for Climate Change to confirm that this new building in Swaffham would be designed to be carbon neutral. Members were informed that climate change and the sustainability agenda were both key and Councillor Sherwood agreed that the Leisure Centres across the District traditionally were a cause of high carbon emissions but were under consideration and would definitely be looked at in the future. As for the Swaffham Leisure Centre it had not reached the design stage as yet, and it could not be confirmed as to whether the building would be carbon neutral, but talks were underway and such matters would form part of those discussions going forward.

**8/22 MINUTES (FOR INFORMATION ONLY) (AGENDA ITEM 8)**

**9/22 CABINET: 15 NOVEMBER 2021 (AGENDA ITEM 9)**

It was noted that the recommendations under Minute No. 102/21 (Saham Toney Neighbourhood Plan) would be discussed under agenda item 15 (page 122 of the agenda pack).

**RESOLVED** that the confirmed Minutes of the Cabinet meeting held on 15 November 2021 be noted.

**10/22 OVERVIEW & SCRUTINY COMMISSION (AGENDA ITEM 10)**

10 .a 28 October 2021

Councillor Birt asked for clarification as to whether questions could be asked under the Minutes as his request to ask a question had been refused at a previous meeting.

In response, the Chairman explained that there had always been an opportunity to ask questions under this agenda item, and if there was anything contained in the Minutes that Members felt were incorrect, they could raise it accordingly.

**RESOLVED** that the confirmed Minutes of the Overview & Scrutiny Commission meeting held on 28 October 2021 be noted.

10 .b 16 December 2021

**RESOLVED** that the unconfirmed Minutes of the Overview & Scrutiny Commission meeting held on 16 December 2021 be noted.

**11/22 GOVERNANCE AND AUDIT COMMITTEE (AGENDA ITEM 11)**

11 .a 30 September 2021

It was noted that the recommendation under Minute No. 55/21 (Risk Management Policy) was approved at the last Full Council meeting on 14 October 2021.

**RESOLVED** that the confirmed Minutes of the Governance & Audit Committee meeting held on 30 September 2021 be noted.

11 .b 2 December 2021

It was noted that the recommendation under Minute No. 71/21 (Constitution - proposed variations) would be discussed under Agenda item 22 (page 376 of the agenda pack).

The recommendation under Minute No. 72/21 (Appointment of External Auditors) would be discussed under Agenda item 20 (page 321 of the agenda pack).

The recommendation under Minute No. 78/21 (Treasury Management Policy & Strategy) would be discussed under Agenda item 21 (page 329 of the agenda pack).

Councillor Kybird pointed out that Mr David Fowler, the new Independent Lay Advisor had been omitted from the attendance details. It was noted that this would be corrected at the next meeting of the Governance & Audit Committee meeting in February.

**RESOLVED** that the unconfirmed Minutes of the Governance & Audit Committee meeting held on 2 December 2021 be noted.

**12/22 COMMITTEE OF THE LICENSING AUTHORITY: 20 OCTOBER 2021 (AGENDA ITEM 12)**

It was noted that the recommendation under Minute No. 46/21 (Revised Gambling Policy) (Statement of Principles)) would be discussed under agenda item 17 (page 248 of the agenda pack)

**RESOLVED** that the unconfirmed Minutes of the Committee of the Licensing Authority meeting held on 20 October 2021 be noted.

**13/22 LICENSING COMMITTEE: 20 OCTOBER 2021 (AGENDA ITEM 13)**

It was noted that the recommendation under Minute No. 38/21 (Revised Taxi Policy & Procedures) would be discussed under Agenda item 16 (page 127 of the agenda pack)

**RESOLVED** that the unconfirmed Minutes of the Licensing Committee meeting held on 20 October 2021 be noted.

**14/22 PLANNING COMMITTEE (AGENDA ITEM 14)**

14 .a 4 October 2021

**RESOLVED** that the confirmed Minutes of the Planning Committee meeting held on 4 October 2021 be noted.

14 .b 1 November 2021

**RESOLVED** that the confirmed Minutes of the Planning Committee meeting held on 1 November 2021 be noted.

14 .c 29 November 2021

**RESOLVED** that the confirmed Minutes of the Planning Committee meeting held on 29 November 2021 be noted.

14 .d 20 December 2021

**RESOLVED** that the unconfirmed Minutes of the Planning Committee meeting held on 20 December 2021 be noted.

**15/22 SAHAM TONEY NEIGHBOURHOOD PLAN - MAKING (ADOPTION) OF THE NEIGHBOURHOOD PLAN (AGENDA ITEM 15)**

Councillor Claussen, the Deputy Leader and Executive Member for Economic Development & Growth presented the report and hoped that all Members would welcome the 'making' of the Saham Toney Neighbourhood Plan.

At the Cabinet meeting in November 2021, all Members had acknowledged the hard work that had gone into the making of this Plan. The community involvement had been higher than the national average and the number of people who had voted in favour was also much higher than the national average too.

It was noted that the first 3 recommendations had already been approved at the Cabinet meeting held on 15 November 2021.

The fourth recommendation was proposed and seconded.

Councillor Crane, a Ward Representative for Saham Toney took the opportunity to highlight the enormous amount of work that had gone into the making of this Plan by the Saham Toney Neighbourhood Plan Working Group and named all the dedicated members of this Group who, over the past 5 years, along with the Parish Council, had made the Neighbourhood Plan possible. The church bells had been

rung in recognition of the overwhelming support of the successful 'yes' vote in support of the Plan. Councillor Crane also extended her thanks and congratulations on behalf of the residents of Saham Toney.

Councillor Birt, also a Ward Representative for Saham Toney extended his congratulations to all concerned for the extraordinary amount of work that had been carried out but pointed out that there had been a number of problems in getting the Council's website updated and asked for confirmation that this had now been done.

Councillor Claussen said that he was unsure but would check.

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

**RESOLVED** that the Breckland District policies map be amended to meet the requirements of paragraph 9 Town & Country (Local Planning) (England) Regulations 2012.

**16/22 ADOPTION OF THE REVISED TAXI POLICY AND PROCEDURES (AGENDA ITEM 16)**

Councillor Bambridge, the Executive Member for Waste & Environment and the Portfolio Holder for Licensing presented the report.

The revision of the taxi policies was a matter that the Licensing Committee had been working on for some time along with the Officers and had been unanimously approved and recommended to Council for adoption.

Josie Hoven, the Licensing Team Leader was in attendance to answer any specific questions.

The recommendation was proposed and seconded, and following a unanimous vote in support, it was

**RESOLVED** that the revised Taxi Policy and Procedures be approved and adopted.

**17/22 GAMBLING POLICY STATEMENT OF PRINCIPLES (AGENDA ITEM 17)**

Councillor Bambridge, the Executive Member for Waste & Environment and the Portfolio Holder for Licensing presented the report. The Licensing Team and the Committee of the Licensing Authority had been working very hard on this to ensure that the Council's Gambling Policy was up to date and accordingly had been recommended to Full Council for adoption.

Josie Hoven, the Licensing Team Leader was in attendance to answer any specific questions.

The recommendation was proposed and seconded, and following a unanimous vote in support, it was

**RESOLVED** that in order for Breckland Council, as the Licensing Authority, to discharge its statutory duties under the Gambling Act 2005, the revised Gambling Policy (Statement of Principles) be approved and adopted.

**18/22 PROPERTY ACQUISITION - RIVERSDALE, THETFORD (AGENDA ITEM 18)**

Councillor Mark Robinson, the Executive Member for Customer, Digital & Performance declared an interest in this item due to him being a trustee of the property. Councillor Robinson refused to comment or vote on this item.

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

Ralph Burton, the Assistant Director for Property & Projects was in attendance to answer any specific questions about this property transaction.

This report had been brought to Full Council for approval as under the financial procedure rules, in order for it to be a delegated decision, the relevant budget needed to be approved. However, in this instance there was not a budget in place for this project until February/March 2022.

This was an opportunity that the Team had been exploring in great detail and would transform this particular part of Thetford. This was not a decision that had to be made in statute, but this project had significant potential and under the Council's 'thriving places' objective, Councillor Hewett believed that it would enhance the local area, increase visits and public engagement and would ultimately have a positive impact for Thetford as a whole.

The report highlighted the opportunity for the Council to acquire a strategic significant building on the river frontage in Thetford. Keystone Development Trust were seeking to dispose of the property and the Council owned land either side and therefore, with the property coming up for purchase, this felt like a once in a lifetime opportunity to resemble all of the land to support any future opportunity to regenerate this part of Thetford. The river frontage was a prominent feature in the town centre and was a strategic important property that would enable the Council to make a step change in the transformation of Thetford town centre.

This was not a purchase with a commercial ambition. This was a purchase with a regenerative ambition which might involve the removal of the current building at some point in the future but for the short-term the Council would be leasing the building back to Keystone Development Trust to continue keystones purposes within it.

The question Councillor Hewett was asking Members to support was to agree and authorise Option 1 of the report.

The recommendation was proposed and seconded.

Councillor James thanked both the Executive Member and the Assistant Director for Property & Infrastructure for being incredibly supportive towards her as a Ward Member on this particular issue. This was a really exciting opportunity for Thetford, and this was a fantastic opportunity and prospect for the regeneration of Thetford. Currently, the town had considerable investment happening and people wanted to be in the river area and this purchase would support that continued development and enhancement of what she called the jewel in Thetford's crown and urged the Council to continue its bold and innovative approach to deliver for its residents and support the purchase of this property.

Councillor Brindle, also a Ward Member for Thetford, agreed with most of what Councillor James had said, the river area was certainly the jewel in Thetford's

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crown, and was delighted that the town had the huge benefit of two rivers to enjoy. Firstly, however, he asked for reassurance that in any future development, the public footpath located between the building and the river would be retained for people to enjoy, and secondly, after noticing some reference in the proposal about parking, he was not concerned about losing a few spaces located around the existing building but if any future development did take place on the site, extra parking spaces would need to be created. He asked for reassurance that any new building, whoever built it, would have adequate parking facilities included because, at the moment, and as the Council was the parking authority in Breckland, Thetford was becoming very short of parking spaces.

The Assistant Director for Property & Projects assured Councillor Brindle that his comments would be taken into consideration, but the aim of the Council was not to take anything away from the area that the public currently enjoyed and any future schemes for this space would have to take into account Planning Policy to ensure adequate parking was available and the footpath was retained, as well as waiting for whatever that future use looked like.

Councillor Hewett echoed the above comments and assured Members that there were no current development plans in place for this site as that would form part of what this investment would regenerate. He was aware that Thetford Town Council was currently doing a strategic review of their own car parking spaces and he hoped that Breckland Council would be involved and be engaged in every step of that process to ensure that, as Councillor Brindle rightly stated, that car parking provision, not just for this area but for the whole of Thetford town centre was right and appropriate, for what was one of Breckland's busiest and successful market towns.

From what he had heard, Councillor Brindle felt that the above comments fell short of assurance by stating that these issues would be taken into consideration rather than providing confirmation that these measures would be put in place and repeated his concerns. Thetford Town Council was not a parking authority and it had, at the moment, a small site in the form of Thetford market square that allowed parking for 19 vehicles which was a trivial contribution towards the current total, with the current total of parking spaces in Thetford being at a minimum.

Councillor Atterwill whilst he could see the benefit of this proposal, had some concerns about the strategy and asked Councillor Hewett a question about capital budget and where the money was coming from for this project. As Members were well aware, they had yet to agree the forthcoming budget and there was a reliance in the capital budget for the sale of a considerable asset, that was earmarked in the budget to happen in the forthcoming financial year. No-one knew where the Council was with that until April and there was a chance that this particular sale might not go through but if it did come to fruition, his concern was that the Council might end up in the position of possibly borrowing for future capital projects.

Another concern that he raised was that if the Council did purchase this building, planning permission would have to be sought, and then possibly sell it on to a potential developer. He was disappointed that this was not a Breckland Bridge project. He felt it would provide him with more reassurance if Breckland was going to carry out all this work and develop the site itself and therefore have total control of what was planned for the site.

On a final point, Councillor Atterwill was aware that Breckland was looking to lease back this building to Keystone Development Trust but referring to the report, there were currently no tenants, and the building was in a state of disrepair. He asked if

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Breckland was going to realistically realise any revenue income for rent whilst all this work was taking place or was this building going to remain empty - he was reluctant to support the recommendation on this basis.

Referring to the capital budget concern, Councillor Hewett explained that these were not linked transactions, the acquisition of this asset was not linked in any way to the disposal neither was it reliant on the sale of another asset whatever that asset might be. The Finance Team could explain in some detail and the capital budget funding was from existing resources.

In terms of Councillor Atterwill's other questions, the Assistant Director for Property & Projects advised that in regard of controlling any future development, if it was the direction that the Council decided to take, which was the intended strategy, the control that the Council would have would be through the sale contract; therefore, there would be an element of control, to determine what any future development. The question in respect of Breckland Bridge, this could potentially happen but would be reliant on funding available at the time, hence the strategy to dispose of the building with a planning permission, for another to take the investment on and deliver the scheme.

Councillor Atterwill was grateful for the responses, but he explained the reason behind him wanting it to be a Breckland Bridge project. He had recently attended a Housing Briefing, which he thought was excellent, and had found that there were currently 110 people on the emergency housing register, and a total of 1,263 households on the housing register, and this proposed project had huge potential to ease that burden or at least reduce that number. He would have preferred something more creative that could support such housing in Breckland.

On the capital budget, Councillor Atterwill felt that his question had not been answered, and asked again, how close would Breckland Council be for an authority that needed to borrow for capital expenditure rather than using its reserves if the sale of the property did not go ahead, and this building was purchased.

Alison Chubbock, the Assistant Director of Finance & S151 Officer explained that the capital programme already included the receipt mentioned but it also included two linked projects that would not go ahead if that receipt was not received. Therefore, there would not be an impact on the capital budget if that receipt did not come to fruition. In terms of borrowing, the Council was already in borrowing position at the moment; however, internal balances were being used and therefore did not have to borrow externally, and neither project would have an impact on the capital receipt.

Councillor Birt expressed his concerns that within the agenda pack there was not any information about future costs and risks and over the years, Breckland had made some poor investments, although he agreed, that it had done well in other areas. He felt that this purchase, if approved, would increase the pressure on the Council and was concerned that the Council was considering such a purchase now in the current climate.

Councillor Hewett disagreed with the aforementioned comments and reminded Members of Councillor Birt's past comments in respect of the Green Britain Centre. This was not about gaining headline news and reassured Councillor Birt that the Council had never lost millions in capital value on any investments that Breckland had made. The Council's investment portfolio was used to keep council tax down and to generate £3m every year to ensure that this authority could provide the services that its residents required, and to allow this district to thrive. This was a

regeneration opportunity not an investment opportunity that all Members should support.

A point of order was raised which was not supported.

The recommendation was read aloud, and following a vote of 4 votes against and one abstention from Councillor Brindle, it was

**RESOLVED** that Option 1 of the report be agreed and authorised – to approve the acquisition of the Riversdale property and proceed with a project to undertake the necessary design and development of a new regeneration river-front scheme in Thetford to support the continued regeneration of the Thetford town centre.

### **19/22 PERFORMANCE FRAMEWORK (AGENDA ITEM 19)**

It was noted that this report was originally on the agenda for the 9 December 2021 meeting.

Councillor Mark Robinson, the Executive Member for Customer, Digital & Performance was pleased to present to Members the Council's new Performance Framework. Officers had been working on this new Framework for several months both in conjunction with the best practice set out by the Council's Audit Team as well as being in line with Local Government Associations best practice to ensure that this was the right way forward.

It had been designed to provide the Council's current performance setting greater strength and did not seek to change any of the current reporting functions and the report would still be viewed by the Overview & Scrutiny Commission and Cabinet on a quarterly basis.

The recommendation was proposed and seconded.

Ryan Pack, the Innovation & Change Business Partner was in attendance to answer any questions. No questions were asked.

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

**RESOLVED** that the draft Performance Framework be adopted.

### **20/22 APPOINTMENT OF EXTERNAL AUDITORS FROM 2023-24 (AGENDA ITEM 20)**

This report had already been considered and discussed at the Governance & Audit Committee meeting held on 2 December 2021.

Councillor Cowen, the Executive Member for Finance, Revenues & Benefits and the Portfolio Holder for internal and external audit presented the report. He thanked the Governance & Audit Committee Members for the work they had done in looking at the external auditor provision for this Council.

It was with great pride that when he looked at some of the audit comments received year after year that he was very happy to propose the recommendation which was duly seconded.

The external auditor for the 2023-24 financial year must be appointed before the end of December 2022, and if a Local Authority wishes to opt into the Public Sector Audit Appointments Ltd (PSAA) national scheme, this must be completed by 11

March 2022. The new PSAA appointing period was for five years from 2023-24 to 2027-28

Alison Chubbock, the Assistant Director of Finance & S151 Officer was in attendance to answer any questions. No questions were asked.

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

**RESOLVED** that the Public Sector Audit Appointments' invitation to opt into the sector led option for the appointment of external auditors for five years from 1 April 2023 be accepted.

### **21/22 TREASURY MANAGEMENT POLICY & STRATEGY 2022-23 (AGENDA ITEM 21)**

It was noted that this report had already been considered and discussed at the Governance & Audit Committee meeting held on 2 December 2021.

Councillor Cowen, the Executive Member for Finance, Revenues & Benefits presented the report.

The recommendations were proposed and seconded.

Alison Chubbock, the Assistant Director of Finance & S151 Officer was in attendance to answer any questions.

Following a unanimous vote in favour of the recommendations, it was:

**RESOLVED** that:

1. the Treasury Management Strategy 2022-23 to 2024-25 at Appendix A be approved
2. the Minimum Revenue Provision (MRP) statement contained within Appendix A which sets out the Council's policy on MRP be approved
3. the Prudential & Local Indicators and limits contained within Appendix A (Tables 1- 11) be approved
4. the Investment Strategy 2022-23 (Appendix B) and the detailed criteria included in Appendix B1 be approved
5. the Treasury Management Policy at Appendix B2 be approved.

### **22/22 CONSTITUTION - PROPOSED VARIATIONS (AGENDA ITEM 22)**

The Chairman introduced the report which had already been discussed at the Governance & Audit Committee meeting on 2 December 2021.

Councillor Ian Sherwood, the Executive Member for People, Communications & Governance presented the report and referred Members to the recommendations on page 376 of the agenda pack.

At the Governance & Audit Committee meeting, the proposals had been discussed, and all Members had been given the opportunity to raise any concerns or questions and subsequently had recommended the five recommendations to Full Council for approval.

The recommendations were proposed and seconded and would be taken enbloc.

Councillor Jermy, the Leader of the Opposition did not support all the recommendations and was disappointed that these would not be taken individually and therefore he would be forced to vote against them all. He asked for his opinion on this matter to be recorded.

He did not support recommendation no. 3, the variation to Standing Order No. 6, questions on notice and Standing Order no. 7, questions without notice as he felt that this was an attack on scrutiny and accountability and was being put forward as a vain drive on efficiencies. He reminded Members of how long previous Full Council meetings had lasted, not very long, and if this was too taxing for Members, this Council was in a sorry state of affairs. Earlier in this meeting, all had heard that Members were so very hard working and were paid accordingly but now it was amending the Constitution to erode accountability in the name of efficiency and did not have the time every so often to subject itself to questioning. He felt that the review that had been pencilled in for May 2023 was worth noting, as it was in the year when Breckland would be approaching the next set of Elections - Members would be voting to limit the opportunity for questioning, and then it would be reviewed. Even now, combining two Full Council meetings into one, this meeting had almost finished, and it had not even reached midday. The EDP had recently highlighted how elected Politicians were quick to seek out the press when sharing good news but went to ground when it was something that they did not want to talk about, like 'beating horses' for example. These proposals were akin to these concerns, weakening accountability and scrutiny that led to bad decision making and ultimately a disservice to the Council's residents; 40% of which did not vote Conservative at the last Election.

Councillor Jermy could not see how these meetings could be considered as lasting too long and he could not see that these proposals would lead to greater efficiency. He felt that these meetings would be in comparison to Norfolk County Council's – questions from the Opposition Group Leaders and in an attempt that they did not get a second round, those in the ruling Group would have some questions to fill the remainder of the time; therefore, every set of questions would be guaranteed to last for 30 minutes when there had been plenty of examples over the last year of actual questions not being raised and the allotted time not being filled. Just a further attempt to weaken accountability and scrutiny at this Council in a Cabinet system where there was a larger majority of one Party and where there were already very few checks and balances not just for Opposition Councillors but for those who were back bench Members of the ruling Group too. Breckland Council was a democratic body and scrutiny, and questioning was fundamental, and he urged Members to reject this proposed change.

Councillor Gilbert agreed with Councillor Jermy's comments. He had been a Councillor for many years and was most likely the longest serving Member at this meeting and over the years this Council had had some good, thorough debates stemming from questions that had been asked. He felt that a question should lead to a debate and not be blocked but if this recommendation was supported, it would do exactly that.

Councillor Gilbert then put forward a proposal, to remove the proposed wording for Standing Order 7.5 – 'Questions shall be put forward and answered without discussion', as this in his opinion, would be a retrograde step and a threat to democracy and therefore he could not support this particular recommendation. He agreed with the remaining recommendations and would support them if not taken

enbloc.

Councillor Gilbert's proposal was seconded by Councillor Atterwill.

Following 8 votes in favour of the proposal, and the remainder voting against, the vote was not carried.

The original recommendation remained.

Councillor Birt asked for his vote in favour of the proposal to be recorded.

He was not happy with voting the recommendations enbloc and agreed with Councillor Jermy's comments and could not add much more other than to reinforce that recommendation no. 3 was simply there to reduce scrutiny and would have a dramatic democratic effect on this Council. He was also worried about recommendation no. 2 which appeared to him to be quite lazy wording in respect of 'with any requirements contained elsewhere within the Constitution' especially when the Council had better wording in recommendation 4(j) where it specifically indicated how the process would be reported back, for example informing the Overview & Scrutiny Commission, and he would have liked to see the same wording applied to recommendation no. 2. He also took issue with the inclusion of the word 'minor payments' in recommendation no. 4 as he felt £10,000 should not be regarded as 'minor' in terms of any payments towards maladministration.

He agreed with recommendations 1 and 5 but would not be voting on recommendations 2 and 3 and would reluctantly agree to recommendation no. 4 and would like his vote to be recorded as such.

Councillor Sherwood felt that it was important to remember that the current version of the Constitution was agreed back in 2016 to comply and link in with South Holland District Council. The purpose of these changes was not about losing Members' ability to speak and ask questions it was about ensuring that all Members across all Groups had an equal chance to ask questions in a fair and timely manner. The questions would remain in the same order i.e the Leader of the Opposition and if time allowed, the Chairman would then circle back. The most important factor in all this was that the Chairman of the Council, Councillor Roy Brame, oversaw the smooth running of these meetings, and he had looked at the way the Council was ran, and had come forward with some of these suggestions. Ultimately, these suggestions then went through to the Governance & Audit Committee where the recommendations had been put forward to Full Council. The correct process had been followed and there had been many opportunities for Members to put their views forward. Therefore, the recommendations that have been proposed and read aloud and seconded still stands.

Councillor Atterwill also agreed with Councillor Jermy's and Councillor Gilbert's aforementioned comments and had summed up his exact thoughts on the matter. There were elements of the recommendations that he could support, and he asked if the recommendations could be taken individually as he could not support recommendation no. 3 as he felt that this was an attack on the Opposition's ability to ask questions. He was disappointed with Councillor Sherwood's recommendations because although they disagreed on quite a few issues, he had always found Councillor Sherwood to be extremely courteous in this forum so was disappointed that as a democrat he wanted to reduce the ability of the Opposition. This was an opportunity for Members to ask questions on behalf of the communities that they represented and by approving recommendation no. 3 this ability would be removed.

As had been stated previously, Councillor Borrett, the Chairman of the Governance & Audit Committee said that this had been discussed at the previous Governance & Audit Committee and was disappointed at some of the language that had been used. At that meeting, Members had looked at what other councils allowed at their Full Council meetings to establish whether Breckland Council was aligned. He mentioned Norwich City Council where Members were limited for a period of some months before they were allowed to ask another question, and North Norfolk DC that had a far more draconian policy. This proposal would not limit Members' opportunities to ask questions at any meeting of the Council.

The Chairman, Councillor Brame stated that he had suggested the said changes back when the meetings were held via Zoom. The Questions under Notice was a marvellous idea for Members to be able to help their constituents, but it was not such a good idea that the questions had to be asked at Full Council. It was not productive, and Members should be carrying out such work all of the time by contacting Members or the Officers by whatever means and if not content with the responses provided, Members then had another opportunity under the Questions without Notice. He had seen the Minutes of the Governance & Audit Committee meeting and no questions had been asked by any Member in attendance and certainly not by any of the Members who had since raised their concerns at this meeting today. He assured Members that they would still be able to ask questions and there would always be Officers in attendance to assist.

The Chairman also stressed that the recommendations would be taken enbloc, following which any Member who wished to vote for or against any of the individual recommendations would be entitled to do so and their voting preferences would be recorded in the Minutes.

Councillor Dowling, agreed with much of what the Chairman had said but felt that a week was a long time in politics and submitting questions in advance and then having to wait for the responses, was not, in her opinion, very democratic.

In conclusion, Councillor Sherwood stated that many political comments had been made but pointed out that this administration had not called for this, it was a requirement put forward by the Independent Chairman of the Council that had then been taken through the proper democratic process to the Governance & Audit Committee and as the Chairman had indicated, no comments or concerns had been raised, and this was how democracy worked.

Following a vote, with 8 votes against the recommendations, it was

**RESOLVED** that:

1. in order to clarify those situations where the Section 151 Officer is able to appoint Deputies the Constitution be varied as shown in Appendix A;
2. Part 3 Section F3 Paragraph (v)(g) (Delegations to the S151 Officer) of the Constitution be varied to read as follows:

*“(g) power to write off debts in accordance with the approved debt recovery policy; and power to authorise disposal of obsolete stores or equipment subject to compliance with any requirements contained elsewhere within the Constitution.”*

- 3 in order to ensure that full Council can undertake its business more

efficiently Standing Orders no. 5 (Order of Business), no. 6 (Questions on Notice) and no. 7 (Questions Without Notice) be varied as shown in Appendix C, and the variations be reviewed at the annual Council meeting in May 2023;

4) in relation to complaints:

a) Item 1(h) of the terms of reference of full Council be varied to read as follows:

*1(h) Payment or other benefits relating to complaints or findings of maladministration, other than minor payments/benefits of up to £10,000*

(b) Paragraph (j) of Part 3 Section F1 of the Constitution (Chief Officer general powers) be amended to read as follows:

*(j) To authorise payments of compensation in connection with complaints (including those made to the Local Government Commissioner Ombudsman) of up to £10,000, subject to (i) the agreement of the Monitoring Officer and the appropriate Cabinet Member or Chairman of Committee and (ii) informing the Overview and Scrutiny Commission.*

5) in order to refer to recorded votes, Standing Order no. 39 (Voting in Committees and Sub-Committees) be varied as shown in Appendix D

The following Members asked for their votes to be recorded as follows:

Councillor Atterwill:

In favour of recommendations 1, 2, 4 & 5 but against recommendation no. 3

Councillor Birt:

In favour of recommendations 1, 4 & 5 but against recommendations 2 & 3

Councillor Gilbert:

In favour of recommendations 1, 2, 4 & 5 but against recommendation no. 3

Councillor Jermy:

In favour of all recommendations apart from recommendation no. 3

Councillor Dowling:

In favour of recommendations 1, 2, 4 & 5 but against recommendation no. 3

Councillor Brindle:

In favour of all recommendations except for recommendation no. 3

Councillor Harvey:

In favour of all recommendations except for recommendation no. 3

Councillor Morton:

In favour of recommendations 1, 4 & 5 but against recommendations 2 & 3.

**23/22 GENERAL PURPOSES COMMITTEE (AGENDA ITEM 23)**

Rob Walker, the Monitoring Officer presented the report.

The report sought Members' agreement to re-establish the General Purposes Committee. For those Members who formed part of the Council pre-2016, this Committee would have been a familiar part of the democratic structure at Breckland.

There was a whole range of functions and constitutional changes detailed in the body of the report and the intention of the General Purposes Committee was to look at Member related training, staffing training and staffing issues as the organisation developed and evolved over the forthcoming years.

As part of the proposals, the Member Development Panel would be decommissioned, and the work subsumed by the General Purposes Committee. It would deal with all staffing issues except for those functions under the Appointment & Disciplinary Committee.

Details of the size and composition of the Committee could be found at sections 2.11 and 2.12 of the report.

Councillor Ian Sherwood, the Executive Member for People, Communications & Governance and the Portfolio Holder for Democratic Services and Legal Services proposed and read aloud the 7 recommendations which were duly seconded.

Councillor Gilbert supported the recommendations as he felt that it was an upgrade of the Member Development Panel, which in his opinion, had lower status than a committee and this General Purposes Committee now formed part of the committee structure which would be reporting to Full Council. He hoped that this would encourage more Members to get involved in the Member training programme.

Following a unanimous vote in favour of the recommendations, it was:

**RESOLVED** that:

1. the General Purposes Committee be re-established with immediate effect as follows:
  - (a) the Committee be given full powers to (i) determine all issues relating to member and staff training (i.e. the former duties of the Member Development Panel), and (ii) undertake the following functions as described in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (provided they are within budget and except where any function must specifically be undertaken by Full Council):
    - functions relating to health and safety at work
    - functions relating to elections;
    - functions relating to community governance;

- amending, revoking, re-enacting, or enforcing byelaws; functions relating to smoke free premises;
  - functions relating to pensions;
  - appointment of staff and determination of terms and conditions on which they hold office (including procedures for dismissal) – (this will include service reviews, appointment of staff, provision of staff for HOPS, MO and any person nominated by MO, and staffing policies that relate in any way to terms and conditions of employment including redundancy, early retirement, and discretionary compensation, but excluding those staffing issues delegated to the Appointments and Disciplinary Committee);
  - power to make payments or provide other benefits in cases of maladministration, etc.;
  - Alcohol Designated Public Places;
  - Alcohol Disorder Zones.
- (b) the Committee comprise 6 members, allocated in accordance with political group regulations
- (c) the quorum be 3
- (d) substitute members be permitted, with 1 substitute member nominated by each group
2. in accordance with Standing Order no. 34 the Chairman and Vice-Chairman of the General Purposes Committee be elected;
  3. the draft amended Standing Order 30 shown at Appendix A be approved and adopted to include reference to substitute members;
  4. the Independent Remuneration Panel be requested to submit, if possible, a recommendation regarding a chairman's allowance to the annual Council meeting in May 2022. If this is not possible any allowance be backdated to the date on which the Committee first meets, pro rata;
  5. initially, meetings be scheduled on a quarterly basis, with additional meetings arranged if required;
  6. the Member Development Panel is decommissioned, and its duties are inherited by the newly formed General Purposes Committee;
  7. the proposed variations to the Constitution detailed in Appendix B be approved.

**24/22 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 24)**

**Committee Appointments:**

**RESOLVED** that:

1. Councillor Mark Kiddle-Morris be appointed to the Licensing Committee and the Committee of the Licensing Authority.
2. Councillor Robert Hambidge to replace Councillor Mark Kiddle-Morris on the Overview & Scrutiny Commission.

3. Councillor Lynda Turner to be replaced by Councillor Eagle as Vice-Chairman of the Overview & Scrutiny Commission – Councillor Turner to remain as a member.

The following Members be appointed to the General Purposes Committee:

Councillor Lynda Turner (Chairman)  
Councillor Ed Colman (Vice-Chairman)  
Councillor Tristan Ashby  
Councillor Susan Dowling  
Councillor Robert Hambidge  
Councillor Linda Monument  
Councillor Phillip Duigan (substitute)  
Councillor Terry Jermy (substitute)

**Outside Body Appointments:**

1. Councillor Gordon Bambridge be appointed as the Council's representative on the Restorative Approaches Board.
2. Councillor Robert Hambidge be appointed as the Council's substitute on the Norfolk Countrywide Community Safety Partnership Scrutiny Sub Panel
3. Councillor Marion Chapman-Allen be appointed as the Council's representative on the Supporting People Commissioning Body – Members Champion Group
4. Councillor Paul Claussen be appointed as the Council's representative on the Norfolk Investment Framework Steering Committee and Councillor Sarah Suggitt be appointed as his substitute.

For clarity, Councillor Jermy asked the Legal Services Manager to confirm the constitutionality of appointing Chairman and Vice-Chairman of Committees under this agenda item, which he believed was specifically for committee seats and not to appoint to Chairs and Vice-Chairs.

In response, the Legal Services Manager confirmed that Standing Order 34.2 did confirm that the Chairmen and Vice-Chairmen for each standing committee shall be appointed by Council and therefore was content that it could fall under this agenda item.

Rob Walker, the Executive Director & the Council's Monitoring Officer explained that if the Chairman of the Council was happy to do so proposals and seconds for such appointments could be received.

It was agreed that these matters would be discussed under agenda item 26.

**25/22 AMENDMENTS TO THE CONSTITUTION (IF ANY) (AGENDA ITEM 25)**

None.

**26/22 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT (AGENDA ITEM 26)**

Further to agenda item 24, the nominations for Chairman and Vice-Chairman were discussed under this agenda item.

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**General Purposes Committee:**

It was proposed and seconded that Councillor Lynda Turner be appointed as Chairman of the General Purposes Committee and Councillor Ed Colman be appointed as Vice-Chairman.

Following a vote, including 2 votes against the proposal and 6 abstentions, it was:

**RESOLVED** that:

Councillor Lynda Turner be appointed as Chairman and Councillor Ed Colman be appointed as Vice-Chairman of the General Purposes Committee.

**Overview & Scrutiny Commission:**

It was proposed and seconded that Councillor Fabian Eagle be appointed as Vice-Chairman of the Overview & Scrutiny Commission.

Following a vote, including 4 votes against the proposal, it was:

**RESOLVED** that:

Councillor Fabian Eagle be appointed as Vice-Chairman of the Overview & Scrutiny Commission.

The meeting closed at 12.45 pm

CHAIRMAN

**SUPPLEMENTARY QUESTIONS ASKED AT FULL COUNCIL MEETING 20 JANUARY 2022 (highlighted in green)**

For ease of reference, original questions and responses have been included.

<p><b>QUESTION 7:</b>  <b>Councillor Morton to the Deputy Leader of Breckland Council and Executive Member for Economic Development &amp; Growth:</b>  The Council planned to recruit a principal planning officer in October 2021. If that has not happened, how many interviews have been conducted to date? When is it planned to make the appointment? If delay in appointment continues, at what point might the Council amend its strategy and use external, shared or part-time personnel? What contingency plans are in place for that?</p>
<p><b>RESPONSE:</b>  The planned recruitment timetable was adjusted pending Cabinet approval in November. The Council is working with Capita to ensure that the additional resource identified in the Report is secured as a matter of priority.</p>
<p><b>SUPPLEMENTARY TO QUESTION 7:</b>  Could Members have an update on progress?</p>
<p><b>RESPONSE:</b>  As per the update given at the All Member Briefing on the Local Plan Update, which Cllr Morton attended, this work is currently underway and resources are scheduled to be available in line with the timetable presented to Cabinet.</p>
<p><b>QUESTION 12:</b>  <b>Councillor Morton to the Deputy Leader of Breckland Council and Executive Member for Economic Development &amp; Growth:</b>  Is the necessary external resource in place to start the Sustainability Appraisal Scoping Report (scheduled to start in Q4 2021)? If not, when will the work start?</p>
<p><b>RESPONSE:</b>  Yes.</p>
<p><b>SUPPLEMENTARY TO QUESTION 12:</b>  Has the work begun and can further details be made available?</p>
<p><b>RESPONSE:</b>  The Council has commissioned Capita (North Tyneside) to undertake the SA work for the Plan. They completed the same work for the current Plan.</p>
<p><b>QUESTION 14:</b>  <b>Councillor Birt to the Deputy Leader of Breckland Council and Executive Member for Economic Development &amp; Growth:</b>  <b>TIMETABLE</b>  Has work on a 'Call for sites' started as per the published timetable?</p>
<p><b>RESPONSE:</b></p>

As the decision to approve the Local Development Scheme was not made until 15<sup>th</sup> November 2021, the Call for Sites has not commenced. This will be launched early in 2022.

**SUPPLEMENTARY TO QUESTION 14:**

When will the Call for Sites commence and what is the schedule?

**RESPONSE:**

As per the update given at the All Member Briefing on the Local Plan Update, which Cllr Birt attended, this work is currently underway and is due to be presented to Cabinet in March 2022.

**QUESTION 16:**

**Councillor Birt to the Deputy Leader of Breckland Council and Executive Member for Economic Development & Growth:**

**TIMETABLE**

- (a) What relevant national planning reforms are likely or expected?
- (b) What allowance has been made in the timetable to account for the potential introduction of national planning reforms?

**RESPONSE:**

- (a) At this time the timetable for reforms is not known as the Government are currently considering these.
- (b) The agreed timetable gives the Council the flexibility to account for possible changes to the system.

**SUPPLEMENTARY TO QUESTION 16:**

What contingency is built into the timetable to cover any governmental policy changes and reforms?

**RESPONSE:**

As per the update given at the All Member Briefing on the timetable for the Local Plan Update, which Cllr Birt attended, the timing and extent of the planning reforms is not yet known. However, there is flexibility built in to the timetable to cover any changes within reason. Any substantial changes to the timetable will need to be reported back to the Council and a new timetable agreed.

**QUESTION 17:**

**Councillor Birt to the Deputy Leader of Breckland Council and Executive Member for Economic Development & Growth:**

**HOUSING NEED**

In the minutes of the cabinet meeting of 22 March 2021 the Council announced that it had calculated a revised figure for local housing need in the District based on an amended methodology published by the Government, with the result that 661 new dwellings would be required each year, rather than the 612 dwellings per year specified in the adopted Local Plan.

In making a calculation with that result, the Council appears to have used Government household projection published in 2018 and based on 2016 data. However, in 2020 the Government published updated projections based on 2018 data. Saham Toney Neighbourhood Plan team calculated, using the 2020 Government projection, that Breckland housing need would be 790 dwellings per year.

- (a) What is the most up-to-date 'dwellings per year' figure? Which figure with the Council use in its Local Plan review?
- (b) Will this impact the Local Plan update? If so, how?
- (c) How is it proposed to take account of future bi-annual updates in the published household projections?

**RESPONSE:**

The minimum housing need currently implied for Breckland, by the Government's standard method, following the release of new affordability ratios on 25 March 2021 is 643 dwellings per annum. This will form the basis of the new Housing Needs Assessment that will be commissioned in 2022.

The Council will use this housing need figure at the start of the plan-making process. This number will need to be kept under review and revised where appropriate as the housing need figure generated using the standard method may change as the inputs are variable and this should be taken into consideration by the Council. However, local housing need calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted to the Planning Inspectorate for examination.

**SUPPLEMENTARY TO QUESTION 17:**

Can the full details of the latest SHMA recalculation be provided?

**RESPONSE:**

The strategic housing market assessment has not been updated. Work on this will be commissioned in the next few months. The 643 figure is the nationally derived standard housing number upon which the new assessment will be based.

**QUESTION 18:**

**Councillor Birt to the Deputy Leader of Breckland Council and Executive Member for Economic Development & Growth:**

**STAKEHOLDER ENGAGEMENT**

(a) Will future meetings of the Local Plan Working Group (LPWG) be conducted in public with published minutes?

(b) When will the LPWG next meet?

**RESPONSE:**

There will be an All-Member Briefing in January to update them on progress and the process going forward.

**SUPPLEMENTARY TO QUESTION 18:**

All Member Briefings are being held in private to inform decision making on the Local Plan. What are the clear and lawful reasons for withholding all information from the public?

**RESPONSE:**

The Local Plan update will be subject to various forms of consultation and engagement, the details of which are currently being drawn up. The All Member Briefing is part of that engagement process and is designed to provide a forum whereby officers and members can discuss key issues relating to the use of land and the formulation of planning policies. It will often be the case where these discussions need to be confidential as they could indicate how land could be used and what land may or may not be likely to come forward for development, amongst other issues. If this information was public in advance of a formal consultation/engagement process then it could have an impact on land values and also result in work that may be abortive. This approach was supported by the Local Government Ombudsman when responding to a complaint by a Breckland resident in 2021.

<p><b>QUESTION 19:</b> Councillor Birt to the Deputy Leader of Breckland Council and Executive Member for Economic Development &amp; Growth:</p> <p><b>STAKEHOLDER ENGAGEMENT</b> (a) How will the Council cooperate with <i>Neighbourhood Plan</i> (NP) groups? (b) What help and assistance will the Council offer to assist NP groups in reviewing and updating their own plans in the light of any emerging Local Plan changes?</p>
<p><b>RESPONSE:</b> The Council will continue to support parish councils in the preparation and review of neighbourhood plans.</p>
<p><b>SUPPLEMENTARY TO QUESTION 19:</b> What level of support and funding would the Council be making available to qualifying bodies wishing to review and update a 'made' Neighbourhood Plan.</p>
<p><b>RESPONSE:</b> The Council remains committed to supporting Neighbourhood Plans and is currently reviewing the optimal way to continue this moving forwards. A meeting has been scheduled to engage with Neighbourhood Plan Groups to inform the process on 24<sup>th</sup> March 2022.</p>
<p><b>QUESTION 20:</b> Councillor Birt to the Deputy Leader of Breckland Council and Executive Member for Economic Development &amp; Growth:</p> <p><b>STAKEHOLDER ENGAGEMENT</b> Although it committed to do so, the Council has chosen not to share the advice it received earlier during discussions with the MHLCG about the partial and substantive reviews. (a) In light of its stated intention to involve communities, how does the Council justify withholding that information? (b) The Ministry's advice remains pertinent. In what way(s) will it influence and shape work on both reviews?</p>
<p><b>RESPONSE:</b> Advice received has, and will continue to, inform and influence the shape of proposals and the delivery of the Local Plan Update.</p>
<p><b>SUPPLEMENTARY TO QUESTION 20:</b> Why has the Council withheld the advice received from MHLCG?</p>
<p><b>RESPONSE:</b> The Council has not withheld advice. Discussions with MHCLG informed the process, as represented in the Cabinet report of September 2021. The meetings that they pertained to were not formally minuted, and focussed around the general approach of undertaking a partial review as well as full update.</p>
<p><b>QUESTION 21:</b> Councillor Birt to the Deputy Leader of Breckland Council and Executive Member for Economic Development &amp; Growth:</p> <p><b>LOCAL PLAN COSTS</b> What plans does the Council have to use online public meetings, presentations and information to reduce the cost of undertaking (and repeating) such exercises at physical locations?</p>

<p><b>RESPONSE:</b> The Council plans to make the best use of available tools and techniques and best practice, in order to maximise the reach of engagement whilst also managing resources effectively.</p>
<p><b>SUPPLEMENTARY TO QUESTION 21:</b> Will the public be able to take part in the Local Plan consultation virtually as this had not been mentioned as part of the process?</p>
<p><b>RESPONSE:</b> Yes. Paragraph 19 of the draft Statement of Community Involvement that was approved for consultation by Cabinet in November 2021 makes allowance for virtual consultation and states ‘Public workshops or exhibitions, if appropriate to the nature of the consultation either in person or virtual via appropriate IT platforms’. The Council remains committed to using virtual tools to ensure the consultation elements around the Plan are far-reaching and inclusive.</p>
<p><b>QUESTION 22:</b> <b>Councillor Birt to the Executive Member for Property &amp; Projects:</b></p> <p><b>COMMERCIAL PROPERTY DEBT</b></p> <p>(a) Within our commercial property portfolio, what is the value of outstanding debt owed to the Council 90 days after the original settlement date? (b) Within our commercial property portfolio, what is the value of debt written off:</p> <p style="padding-left: 40px;">i. in the tax year 2020/21? ii. the current tax year to date?</p>
<p><b>RESPONSE:</b> Please find below the answer to the question raised:</p> <p style="padding-left: 40px;">a. The amount varies depending on the date chosen due to varying payment patterns relating to lease terms. As a specific date has not been provided, the figure as at 30/11/21 was £361,927.23 but this will have reduced if payments have been made over the last week. A similar question was asked at the last Council meeting and since then the amount has reduced by c.£35k and we expect this to continue to decrease.</p> <p style="padding-left: 40px;">b. i) Nil ii) £91,578.76</p>
<p><b>SUPPLEMENTARY TO QUESTION 22:</b> What reporting mechanism is going to be put in place to keep Members informed of longstanding overdue debt?</p>
<p><b>RESPONSE:</b> This is not a Key Performance Indicator therefore there is no specific mechanism to keep all members informed proactively and this did not feature in the recent Performance Framework review that has recently been approved. We measure the commercial property debt at 90+ days with a management performance indicator to enable close monitoring and action as required and this is reported to the lead Cabinet Member.</p>

**QUESTION 25:**

**Councillor Atterwill to the Deputy Leader of Breckland Council and Executive Member for Economic Development & Growth:**

At the Cabinet meeting dated 20<sup>th</sup> September 2021 the Deputy Leader advised Cabinet that there is a projected budget shortfall in relation to the Local Plan review of £562,000. By the time of the Cabinet meeting held on 15<sup>th</sup> November 2021 the projected shortfall for Option 1 had risen to £612,000. Please can you explain why the projected budget shortfall increased between these meetings?

**RESPONSE:**

Following the O&S request to reconsider all information, options, and impacts for Cabinet a further review of the cost envelopes was completed. This identified a need to accommodate a further £50,000 as presented to Cabinet on the 15 November.

**SUPPLEMENTARY TO QUESTION 25:**

Could it be confirmed in writing [to him] what this extra £50k was for and how it came about?

**RESPONSE:**

Officers identified this as an arithmetical error within the September report to Cabinet. The figures contained in Table 1 of the September report (para 6.30) incorporated all the profiled spend elements. However, the sum of these figures omitted some components in that table. This was corrected in the updated report, hence a need to accommodate the additional £50k raised in this question. However, the actuals have not changed, nor has the profile or requirements of the spend for the Programme. The unsummed input costs in both Table 1 of the September Report and Table 1 of the November report remain the same.