

---

**BRECKLAND COUNCIL**

**At a Meeting of the**

**GENERAL PURPOSES COMMITTEE**

**Held on Wednesday, 23 July 2014 at 10.00 am in  
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

**PRESENT**

Mr P.J. Duigan (Chairman)  
Mr T R Carter (Vice-Chairman)  
Mr S.G. Bambridge  
Councillor M. Chapman-Allen

Mr B J Skull  
Mr A.C. Stasiak  
Mr D.R. Williams JP  
Mr R. R. Richmond (Substitute Member)

**In Attendance**

Cal Spearman  
Julie Britton  
Mark Stinson

- HR Business Partner
- Senior Committee Officer
- Legal Services Coordinator

**Action By**

**30/14 MINUTES (AGENDA ITEM 1)**

The Minutes of the meeting held on 11 June 2014 were agreed as a correct record and signed by the Chairman.

**31/14 APOLOGIES (AGENDA ITEM 2)**

Apologies for absence were received from S Matthews, B Borrett and R Goreham.

**32/14 DECLARATION OF INTERESTS (AGENDA ITEM 3)**

The Vice-Chairman, Councillor Carter declared an interest in agenda item 6 due to him being the Ward Member for the Weasenhams (Weasenham All Saints and Weasenham St Peter). He had been involved in the discussions throughout the process both at Breckland Council and at the Parish Council meetings and therefore would not be voting on the recommendation and would only take part in the meeting if Members wished to ask questions of him.

**33/14 URGENT BUSINESS (AGENDA ITEM 4)**

None.

**34/14 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)**

None.

**35/14 COMMUNITY GOVERNANCE REVIEW - WEASENHAM ALL SAINTS AND WEASENHAM ST PETER - FINAL RECOMMENDATIONS (AGENDA ITEM 6)**

The Chairman welcomed Mr Fairchild to the meeting. Mr Fairchild was a

**Action By**

resident from Weasenham All Saints and the Parish Clerk to Weasenham St Peter and was in attendance to speak on this item.

The Legal Services Co-ordinator presented the report in the absence of the Electoral Services Manager, the report author.

Breckland Council was responsible for undertaking Community Governance Reviews under the terms of the Local Government and Public Involvement in Health Act 2007. The purpose of a Community Governance Review was to provide a mechanism whereby the boundaries of areas serviced by Parish Councils and their related electoral arrangements (including provision of any parish council wards, and allocated number of parish councillors) could be amended where appropriate.

The General Purposes Committee at its meeting on 17 July 2013, gave approval for the Deputy Chief Executive to carry out such a review for Weasenham All Saints and Weasenham St Peter under the terms of the 2007 Act – to carry out a Community Governance Review with a view to merging the two Parish Councils to form one Parish Council for the two parish areas.

Terms of Reference setting out the initial proposals for a single parish council, had been published on 6<sup>th</sup> September 2013. Consultation on the Terms of Reference took place from 6<sup>th</sup> September until 6<sup>th</sup> November 2013. Consultation letters had been delivered to all registered electors within the two Parishes together with the Parish Council Members, Ward Member and Norfolk County Council, and a total of 128 responses had been received. The Council then published a notice on 7<sup>th</sup> February 2014 announcing the draft recommendations and this then commenced a further consultation period of 3 months until 8 May 2014 and a number of responses had been received mainly in relation to the name of the new Parish Council, 'Weasenham' Parish Council. The law required the Council to complete the review within 12 months of publishing the Terms of Reference. The Council therefore had until 5<sup>th</sup> September 2014 to make its final recommendation (12 months from the start of the initial consultation process).

Following consideration of the representations received, Breckland Council was seeking to make a 'Reorganisation Order' to the effect of merging the Parish Councils of Weasenham All Saints and Weasenham St Peter to form one Parish Council and that the membership of the Parish Council be made seven seats – four in 4 Weasenham All Saints and three in Weasenham St Peter. The 'Reorganisation Order' would be effective from the date of the next scheduled Elections – Thursday 7 May 2015.

The options were highlighted.

Councillor Williams asked why there was an imbalance of 7 Members and felt that the Parish Council should have an even number membership. The Legal Services Co-ordinator understood that all Parish Councils in the Breckland area were made up of odd number seats. More importantly he pointed out that the seat allocations had been recommended by officers on the basis of Elector numbers (there being 162 Electors in Weasenham All Saints and 144 Electors in Weasenham St Peter). This followed the important democratic principle (set out in the Electoral Commission's guidance) that votes should so far as possible carry equal weight in proportion to the number of Electors.

**Action By**

Councillor Bambridge asked if this number was set in stone or could it be changed in future. Members were informed that the number could be changed as the regulations made provisions for exactly that. However, the Legal Services Coordinator advised that there would likely be a required minimum period following establishment of the new Parish Council before the number of seats could be revisited in any future community governance review.

The Chairman was puzzled by the segregation as the Parish Council would eventually be amalgamated into one; he felt that the report should have referred to 7 Councillors as a whole. The Legal Services Coordinator confirmed that in reality qualifying candidates could stand anywhere in the new parish area.

Mr Fairchild advised that the residents had been very upset by the split of 4 and 3 and had looked upon it as disharmony. He pointed out that the law laid down a minimum of 5 Members with no maximum and stated that his Parish Council would have preferred to have seen an even split of seats for either 3/3 or 4/4. He mentioned the letter he had written and read aloud a paragraph from the 1972 Act in relation to council size/ratios and differentials. He also mentioned an article in the EDP dating back to 1952 where such a split had caused controversy so much so that the merger did not go ahead. He recommended an even split of 4/4 or 3/3.

The Legal Services Coordinator said that his understanding from the Electoral Services Manager had been that any substantive change to the recommendations would most probably demand further consultation and this would then mean that the 12 month deadline could not be achieved. A new process would have to begin and the consequence would be to put the reorganisation date back from May 2015 to May 2019.

Councillor Williams asked if there had been any village appraisals carried out in the last ten years. Mr Fairchild said that there had. He also said that at the Parish Council meetings held, Breckland Council had not mentioned at anytime that an even split could be applied.

Councillor Bambridge was concerned that, as a Committee, it had been bound by these conditions. He felt that Members should be able to amend the conditions/recommendations as it saw fit particularly if it could be demonstrated that the residents wanted a 50/50 split. The Legal Services Co-ordinator said that he was not in possession of all the facts as he had sought some information from the Electoral Commission but had not yet had a response. He understood that such a substantive change (i.e. to the number of seats on the new Parish Council) would trigger a new consultation period). If Members so wished a further Committee could be convened prior to 6<sup>th</sup> September following which the final recommendations would have to be published.

Councillor Williams drew Members' attention to section 1.12 of the report and asked whether the 112 responses received that had been in favour of the proposal had been given the option to put forward their preferred number of seats from each Council. He felt that the response would have been very different if this question had been put. Members were informed that the Council had followed the statutory process and had included in the Terms of Reference and subsequent draft recommendations reference to the proposal for a 7 member council. Consultees had had several months to comment on those proposals. The consultation letter signposted consultees to the Terms of

**Action By**

Reference (which included full details of the proposal – including the seat numbers) and advised consultees to read the same.

Councillor Stasiak had not been persuaded by Mr Fairchild's points of view and reminded the Committee that the government was squeezing down the number of Elected Members all over the country not just in Breckland. The important issue to consider was that the residents had had their say and he supported the recommendation as highlighted in the report.

Councillor Richmond who was in attendance as substitute for Councillor Matthews thanked the Vice-Chairman and Officers for all their hard work on this matter. In his opinion, the process had been followed correctly and he was not convinced with the even split and agreed with Councillor Stasiak's views.

The Chairman asked the Vice-Chairman if he had been happy with the way the procedure/process had been carried out. The Vice-Chairman said that he believed that the process had been fair.

Councillor Bambridge said that he was perfectly happy to accept the recommendations but suggested that the Parish Council submit a new proposal to amend the number of seats following completion of the reorganisation. He still felt however, that the Committee should be able to refuse or amend the recommendations being presented to allow further consideration and a healthy debate. The Legal Services Coordinator confirmed that the Committee was at full liberty to accept or reject the recommendations as well as propose variations thereto, but he advised that this would have adverse implications for the timetable.

Councillor Marion Chapman-Allen asked if either of the Parish Councils had raised concerns about the number of seats previously. She understood what the Parish Councils were trying to get across but also supported Councillor Stasiak on this matter. The Legal Services Co-ordinator understood there had been one response from Weasenham St Peter Parish Council earlier on in the process. The Chairman reminded the Committee of the governance review on the whole of Breckland that would be taking place in the near future.

Councillor Williams asked if there had ever been anything mentioned from the two Parish Councils when the Standards Committee was still in force – in order to establish whether there had been any tensions between the two areas. He also asked if the Committee was being fair and warned Members that by voting this way a precedent would be set for any future reviews. He felt that it should be noted that the Committee voted on the evidence that it had at the time.

Councillor Stasiak was confused as, in his opinion the Parish Councils had spoken and had agreed with the draft proposals. In response, Councillor Williams said that Mr Fairchild had made it quite clear that the parishioners views had changed and they would prefer an even split. The evidence provided by Mr Fairchild clearly stated that the parishes had never been offered the option to choose the number of seats and the Committee had no choice but to vote on the 4/3 split which was not what was wanted. Councillor Chapman-Allen asked if it was being suggested that the process should start all over again. Councillor Skull felt that Members were going off course and stated that the Committee should not perceive this matter as two separate bodies as it was actually one body incorporating 7 representatives. The Legal Services Coordinator explained that the proposals including the number of seats, had

been clearly set out in the Terms of Reference and in the subsequent draft recommendations. The purpose of the consultation was to seek local views on all of these issues. If the Terms of Reference had included options, the process would have been unwieldy as it could then be argued that a plethora of options should have been included.

In response to a question it was noted that both Parish Councils would still exist until May 2015.

Councillor Richmond asked the Vice-Chairman if this matter of the uneven split had been mooted strongly at the Parish Council meetings. Members were informed by the Vice-chairman that no public had been in attendance at this particular meeting when this matter had been mentioned.

Councillor Bambridge proposed that an Officer from Democratic Services be present at the next meeting to explain the reason why the proposals had to be either approved or rejected and could not be changed. The Legal Services Coordinator did not believe that an Officer from Democratic Services would be able to add much to the advice that he had already given.

The recommendations were proposed and seconded and it was

**RECOMMENDED** to Full Council that:

- 1). the Parish Councils of Weasenham All Saints and Weasenham St Peter be merged to form 'one' Parish Council;
- 2). the name of the group of the Parish Councils be known as 'Weasenham Parish Council';
- 3). the number of seats of Weasenham Parish Council be made up of 4 seats for Weasenham All Saints and 3 seats for Weasenham St Peter; and
- 4). a reorganisation 'Order' be made to effect the changes as set out in recommendations 1, 2, & 3 above to come into force on Thursday, 7 May 2015.

It was noted that the Vice-Chairman did not vote on the aforementioned recommendations.

### **36/14 NEW REMUNERATION PACKAGE (STANDING ITEM) (AGENDA ITEM 7)**

The HR Business Partner was in attendance to present this item in the absence of the HR Manager.

The new Remuneration Package had been reviewed as a whole in 2013 and since then amendments to the package had been introduced from the start of the appraisal year, April 2014. The scheme was going well and just a few comments had been received mainly in relation to budgetary constraints.

Councillor Williams asked if anyone had taken up the offer of extended leave. Members were informed that no-one had as yet but this had been due to the new HR system being installed but this would be put in place accordingly.

**Action By**

**37/14 NEXT MEETING (AGENDA ITEM 8)**

The arrangements for the next meeting on Wednesday, 1 October 2014 at 10.00am in the Norfolk Room were noted.

The meeting closed at 10.45 am

CHAIRMAN