

BRECKLAND COUNCIL

At a Meeting of the

COUNCIL

Held on Thursday, 19 September 2019 at 10.00 am in the Anglia Room, The Conference Suite, Elizabeth House, Dereham

PRESENT

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

In Attendance

Anna Graves	- Chief Executive
Christine Marshall	- Executive Director Commercialisation (S151 Officer)
Rob Walker	- Executive Director Place
Matthew Hogan	- Executive Manager Growth
Sarah Wolstenholme-Smy	- Legal Services Manager (Deputy Monitoring Officer BDC)
Rory Ringer	- Democratic Services Manager
Julie Britton	- Democratic Services Officer

87/19 APOLOGIES (AGENDA ITEM 1)

Apologies for absence were received from Councillors Askew, Birt, Brindle, Gilbert, Hewett, Ian Martin, Nairn, Nunn, Oliver and Wilkin.

88/19 MINUTES (AGENDA ITEM 2)

1) Constitution – Determination of Planning Applications (Minute No. 81/19(a))

The name of Councillor Birt had been inadvertently omitted from page 16 of the agenda pack, it should read: “**Councillor Birt** asked if a recorded vote could be taken”.

2) Minutes

**Action
By**

Subject to the above amendment, the Minutes of the meeting held on 18 July 2019 were confirmed as a correct record and signed by the Chairman.

89/19 DECLARATION OF INTERESTS (AGENDA ITEM 3)

Councillor Kybird declared a pecuniary interest in agenda item 18 due to him being actively engaged with the installation and infrastructure within the Sustainable Urban Extension (SUE). Councillor Kybird left the room whilst this item was discussed.

90/19 CHAIRMAN'S ANNOUNCEMENTS (AGENDA ITEM 4)

The Chairman welcomed Councillor Paul Redgate, the Vice-Chairman from South Holland District Council to observe the meeting.

The Chairman and Vice-Chairman had been extremely busy since the last Full Council meeting including a personal home visit to a retired army veteran, and a number of Battle of Britain parades and events. They had both been pleased that a number of the smaller communities had invited them to their events particularly as the purpose this year was to raise the profile of Breckland.

The Chairman conveyed her congratulations to Councillor Gilbert on his recent marriage.

She mentioned the safeguarding cards that had been circulated to Members prior to the meeting. These cards contained useful advice on who to contact if Members had or were aware of any safeguarding issues.

The Chairman made a plea to Members to check their emails and phone messages on a regular basis as she and the Vice-Chairman continued to have residents contact them due to them not being able to contact their local Ward Members.

She also mentioned the all Member Briefing that took place earlier in the week which in her opinion was one of the best presentations that she had ever attended. She reminded those Members who were in attendance of the confidentiality surrounding this matter and asked them not to ask any questions about it during the public session.

In support of the Chairman's charities, Leeway and The Daisy Programme, a reminder had been sent to all Members inviting them to the Older People's Forum being held in the Anglia Room on Friday, 27 September 2019. Domestic violence was one of the topics being discussed that the role and involvement of Breckland Council.

Members were also reminded of the Planning training taking place in the Anglia Room on Monday, 23 September 2019.

Finally, the Chairman congratulated Breckland Council on receiving the RSPCA PawPrint Gold Status Award. The Council had maintained its reputation for providing exceptional care and provision when dealing with stray dogs.

91/19 LEADER'S ANNOUNCEMENTS (AGENDA ITEM 5)

The following announcements were made.

Market Town Plan

The Leader had been privileged to meet most Members during his 'coffee calls'. One of the main messages stemming from these informal get-together's was whether there were any future plans in place for the towns and surrounding communities. From that, the Leader had asked Officers to examine a series of delivery plans for all 5 of Breckland's market towns along with the surrounding service areas. The Towns' Delivery Plans would hopefully set out the strategic alignment for current investment opportunities for growth, housing, settlement renewals, health and wellbeing, community safety and cohesion with the economic and social needs. The Town Plans would be developed with a full range of public and private third sector interest as well as those Councillors within the local communities and would reflect the wider input from stakeholders groups against strong public support. A report would be presented to the Full Council meeting on the 31st October 2019 for Members to consider the proposals.

Industrial Strategy for Norfolk and Suffolk

The Leader was pleased to announce that Cabinet had agreed to endorse the Industrial Strategy for Norfolk and Suffolk. This was a very important document that was being drawn up, in partnership with the Government and the Local Enterprise Partnership (LEP) looking at future funding to support growth, not just within the District but the wider Norfolk and Suffolk. This had led the LEP to set out a real ambition for transformation across the two counties and Breckland would be economically best placed to support that work in relation to the A47 and the A11 both running through the District. He had attended a recent LEP meeting where all the Leaders from Norfolk and Suffolk were working through the final iteration prior to it going to the LEP Board at the end of this month for final ratification. He was grateful to all the Officers throughout the District who had worked on this document and who had provided some most compelling evidence based suggestions for iterations for the final draft.

Brexit

In relation to EU exit preparation, United Kingdom was still scheduled to leave the EU at the end of October 2019 and as such, the Leader would be issuing a statement to all Members of the Council via email on how Breckland was preparing for Brexit. The Secretary of State for Housing, Communities and Local Government had already written to all Councils stating the main duties placed upon them in terms of preparation. A designated Senior Officer had been appointed to oversee this process and funding was available to help support such preparations. The preparations thus far via the Norfolk Resilience Forum had been preparing for all eventualities across the County.

Budgets

The Secretary of State's budget had recently been announced with a one year spending review for 2021. Members had already been made aware at the previous Full Council meeting when the Leader and the Chief Executive attended the National Local Government Conference, how pained the Secretary of State had been to make any commitment towards funding until a final decision had been reached on Brexit - the Cabinet Office was not prepared to declare any final spending announcements beyond what had already been provided. However, additional funding had been secured to help deal with homelessness and rough-sleepers but the fairer funding review for the change to retain business rates had been delayed for another year. The ability to increase Council Tax by 2% had no indication of being removed and the additional funding for Brexit had yet to be

determined. Members already been made aware of the £241 for the Towns Fund to support the High Streets, Breckland was unsuccessful in its first bid but it was putting a bid in for the second round of bidding to be opened up towards the latter part of this year. New Homes Bonus alterations and what that was going to look like moving forward had yet to be announced and the LGA and the DCN were continuing to lobby the Department to ensure that Council's had resilience around that funding.

Government's Regeneration Fund

Swaffham had been one of the 69 historic shopping centres to benefit from the Government's £95m regeneration fund delivered through Historic England's Heritage Action Zone initiative. The selected projects would now work with Historic England to develop plans to revive their high street over a four year programme.

Councillor Duigan congratulated the Leader on becoming a member of the LEP Board. He mentioned the recent Cabinet meeting where a useful discussion had taken place on the Norfolk and Suffolk Local Industrial Strategy. There had been a number of concerns raised in terms of the Strategy being very light on how to deal with the market towns particularly in the centre and to the west of Norfolk and he hoped the Leader would be promoting the great potential in the market towns of Norfolk and Suffolk. Additionally, he had noted that Breckland as a District lagged behind in NQV3 and NQV4 levels of attainment which he felt stifled growth within the area and suggested that skills should a topic considered by the Overview & Scrutiny Commission (O&SC).

In response, the Leader advised that the skills agenda had already been fed back to the LEP and he would be attending a Board meeting soon to raise these concerns. As far as the O&SC was concerned, this topic would be encouraged. In relation to market towns, Breckland had 25% of Norfolk's market towns in its District and this subject was again on the LEP's radar.

Councillor Jermy, the Leader of the Labour Group mentioned Brexit. He had attended another Forum earlier in the week where the amount given to Norwich City had been highlighted; a similar amount to Breckland. He asked the Leader if he was aware of how the formula had been worked out as to how much each Council received. Also, he wanted to know how the Council intended to spend that money. In response, the Leader advised that every District Council had been given the same amount of money regardless; for Breckland, the money would be spent on an additional resource to be placed within the Food, Health & Safety Team to ensure that all customers and residents were protected.

92/19 QUESTIONS ON NOTICE UNDER STANDING ORDER NO 6 (AGENDA ITEM 6)

None received.

93/19 QUESTIONS WITHOUT NOTICE UNDER STANDING ORDER NO 7 (AGENDA ITEM 7)

Councillor Clarke directed his two part question to Councillor Bambridge, the Executive Member for Planning.

Councillor Clarke had been contacted by a number of residents expressing their frustration and concerns in relation to the planning process. He was aware of the delays in respect of the Local Plan and he felt that it would be in Breckland's interest to publish all correspondence between Breckland and the Planning

Inspector on the Planning Portal. The second part of the question was whether the Executive Member would commit to an additional review of the planning process tabled urgently at the Overview & Scrutiny Commission. Councillor Bambridge advised that most letters between Breckland and the Planning Inspector had already been published on the website but he would take this up with Simon Wood, the Director of Planning & Building Control. In respect of the planning process, further improvements were being made in particular with the recent establishment of the Chairman's Panel. The Leader expanded on Councillor Bambridge's points and advised that Councillor Atterwill had requested twice to see the correspondence between the planning authority and the planning inspector and all remaining letters would be published very soon. In relation to the planning system, Members were reminded of the Planning Advisory Service (PAS) review, where a number of recommendations had been made. The Leader asked any actions stemming from the review should, at a later date, go back to the O&SC for consideration.

Councillor Harvey mentioned the river system which was so important to those living in Thetford. He had concerns about the water levels, the flow and the copious amounts of green algae in the river and he asked the Leader if there was anything that Breckland Council could assist with in terms of making the river systems better. The Leader advised that Councillor Jermy had already raised these concerns with him and the Director of Place had been in contact with the Environment Agency. The clerk of Thetford Town Council was also liaising with the Environment Agency to work out an action plan and if this plan affected anything that Breckland owned in terms of open space alongside it then the Council would be more than happy to interject as the river was an integral part of the town for tourism and leisure.

Councillor Atterwill mentioned the Corporate Plan. He raised concerns that the 4 year Corporate Plan had been approved in April before the May Elections and asked the Leader, as new Members had been elected, if the Plan could be brought before the Council in the autumn for a review. In response, the Leader advised that the Corporate Plan would firstly go to the Overview & Scrutiny Commission followed by Full Council for consideration in 2020.

Councillor Terry mentioned a fatal accident that had occurred in his Ward whilst the full facts of the incident were unknown it was likely that speed was a major factor. A campaign had recently started to reduce all speed limits on the roads in Thetford to 30mph whilst also making residential areas 20mph zones. He asked the Leader if he would take this opportunity to add his voice to the campaign. The Leader conveyed his condolences to the family involved as he had been made aware of this tragedy and he had already written to the Leader of Norfolk County Council asking for an immediate review of the speed limits not just on that particular road but for the whole of Thetford. This matter would be discussed at the next meeting of the Greater Thetford Development Partnership Board and he would do everything he could to support this particular campaign. The Vice-Chairman of the Council, Councillor Brame pointed out that he would be meeting with Highways shortly and asked the Leader if he would like to be copied into the response. The Leader felt that this would be very helpful.

Councillor Jermy mentioned recycling and the fact that Breckland Council had been ranked 3rd in the latest recycling statistics with just 40% of materials being recycled. He asked Councillor Webb, the Executive Member for Housing, Health & Environment what this Council was doing to improve its recycling rates. Councillor Webb stated that the Council was doing everything it could to improve its recycling rates. There was information on the website informing the public what could and could not be recycled and Officers were continuously working with organisations to

encourage recycling. The Leader pointed out that from the walk around he had with Councillor Jermy and Councillor Harvey he had been surprised by the fact that many residents were still not aware what could and should be recycled. The fees from any enforcement action that had to be pursued in relation to fly-tipping would be used towards educational sessions on what could and could not be recycled to eliminate cross contamination.

94/19 MOTION RECEIVED UNDER STANDING ORDER NO. 8 (AGENDA ITEM 8)

Councillor Dowling presented her motion and provided a detailed overview as to why it had been presented.

The motion submitted was read aloud.

“Full Council notes the devastating impact that climate change and global temperature increases will have on the lives and livelihoods of people around the world, including on the health, safety and wellbeing of Breckland residents.

The urgent need for action to be taken fast enough for there to be a chance of further climate change being limited to avoid the worst impacts of drought, floods and extreme heat;

The opportunity for individuals and organisations at all levels to take action on reducing carbon emissions, from both production and consumption.

The need to enable low carbon living across society through changes to laws, taxation, infrastructure, policies and plans.

Our responsibility to help secure an environmentally sustainable future for our residents and in relation to the global effects of climate change.

Therefore, this Council resolves to:

1. Declare a Climate Emergency;
2. Engage and work in partnership with our partners in the public, private and community sectors, including central government to facilitate bold action to ensure Breckland is able to play its role in helping the UK to deliver against the commitments made nationally and internationally at the 2015 Paris Summit;
3. Prepare an Environmental Sustainability & Climate Change Strategy in line with this pledge, and, with our partners across the community, to develop an action plan and ‘route map’ to a sustainable, low carbon future for our community;
4. Launch engagement with the public to:
 - Improve “carbon literacy” of all citizens;
 - Encourage and support leadership on this issue in all sectors of society;
 - Obtain meaningful public input into the Breckland Environmental Sustainability & Climate Change Strategy and action planning;
 - Facilitate wide community engagement and behavioural change;
5. To make best endeavours, using its powers and resources, including both financial and officer time, to enable Breckland District Council to be carbon neutral by 2030;
6. To report back every 6 months, on progress being made”.

The above motion was seconded by Councillor Morton.

Action By

The Leader thanked Councillor Dowling for her 'sit up and think' open address. He explained that in January 2018, Her Majesty's Government published 'A Green Future' 25 year plan to improve the environment. On the 12th June 2019, the Prime Minister then heralded the end to the UK's contribution to climate change by setting a target of net zero greenhouse gas emissions by 2050, and at its recent conference in Bournemouth, the Local Government Association (LGA) agreed a motion that (1) called upon Her Majesty's Government to explore supporting domestic implementation of the Sustainable Development Goals (SDGs) through funded partnership roles within each local authority area; and (2) encouraged councils to continue their work on linking their local priorities with the overall ambition of SDGs and declared a "Climate Emergency". The LGA were committed to supporting councils in their work to tackle climate change by providing a strong unified voice for lobbying support to address this emergency and sharing best practices across all councils.

Breckland District Councils' sphere of influence was broad with the ability to promote energy efficiency, seek more sustainable sources of energy, reduce waste production, promote better land use practices, make links to health and wellbeing and influence its procurement practices.

As such, the Leader asked that the Motion presented by Councillor Dowling be amended to delete resolutions 2 to 6 and support resolution 1 - to declare a Climate Emergency.

The Leader then called upon the Council to develop its commitment and implementation of an overarching and achievable sustainable Breckland Strategy. This would set out the policies, strategies, implementation plans and resourcing requirements to embed the values of sustainability into the Council's services, delivery and operations. The Council would work with key stakeholders across the District, including Norfolk County Council, neighbouring local authorities, the Local Enterprise Partnership, businesses and of course, its residents who could contribute to a Sustainable Breckland Strategy. He assured Members that Cabinet would be discussing this Strategy early in 2020.

The amendment was seconded by Councillor Claussen.

Councillor Jermy spoke on the amendment as proposed by the Leader and welcomed the opportunity to discuss these matters further.

Councillor Morton felt that the statistics were daunting and having worked in agriculture and food manufacturing had seen the impact. He supported the amendment.

In response, Councillor Bambridge the Executive Member for Planning, pointed out that whilst the Council did not, very often, discuss environmental issues within the Council chamber he believed that amongst the 49 Members, many belonged to organisations and outside bodies which did get involved in the environment in a fairly substantial way.

For clarity, the Chairman asked the Leader to restate his final motion. It was confirmed that resolutions 2 to 6 be deleted and resolution 1 be supported- to declare a Climate Emergency.

A vote was then taken on the amendment and the final motion.

Subject to 6 abstentions, the motion was agreed.

95/19 CABINET MINUTES (AGENDA ITEM 9)

RESOLVED that the unconfirmed Minutes of the Cabinet meeting held on 9 September 2019 be agreed.

96/19 OVERVIEW AND SCRUTINY COMMISSION (AGENDA ITEM 10)

RESOLVED that the unconfirmed Minutes of the Overview & Scrutiny Commission meeting held on 11 July 2019 be agreed.

97/19 PLANNING COMMITTEE (AGENDA ITEM 11)

(a) 24 June 2019

RESOLVED that the confirmed Minutes of the Planning Committee meeting held on 24 June 2019 be adopted.

(b) 22 July 2019

RESOLVED that the confirmed Minutes of the Planning Committee meeting held on 22 July 2019 be adopted.

(c) 2 September 2019

RESOLVED that the unconfirmed Minutes of the Planning Committee meeting held on 2 September 2019 be agreed.

98/19 GOVERNANCE & AUDIT COMMITTEE (AGENDA ITEM 12)

a) Treasury Management Outturn 2018-19 (Minute No. 46/19)

RESOLVED that the actual 2018/19 prudential indicators be approved.

b) Adoption

RESOLVED that the unconfirmed Minutes of the Governance & Audit Committee meeting held on 25 July 2019 be agreed.

99/19 CONSTITUTION - PLANNING DELEGATIONS (AGENDA ITEM 13)

Sarah Wolstenholme-Smy, the Council's Legal Service Manager presented the report.

At its meeting on 18 July 2019, the Council approved a number of changes to the Terms of Reference of the Planning Committee and to officer delegations in respect of the determination of planning applications and the formation of a Chairman's Panel, following recommendations from the Planning Advisory Service.

The report asked Members to consider further proposed amendments to the existing delegations. Since the July meeting, and with the first meetings of the Panel having taken place, it had been noted that the revised delegations and Terms of Reference were not sufficiently clear about the role of the Chairman's Panel in Ward Member call-in of planning applications. It had also become clear that some other elements of the delegations required further clarity.

It was noted the Chairman's Panel was not a decision making body but purely an advisory body. The content of the appendices attached to the report were explained.

The recommendations were highlighted.

Councillor Atterwill proposed that this agenda item be deferred and he set out very detailed reasons for his request.

The Chairman asked for a seconder to Councillor Atterwill's proposal.

Councillor Jermy seconded the proposal; however, following a vote the amendment to defer this agenda item was not carried.

The original recommendations were voted upon, and it was:

RESOLVED that:

1. the officer delegations at paragraph 3 of Part 3 Section F3 of the Constitution be amended as shown in Appendix A of the report; and
2. the Terms of Reference of the Planning Committee at Part 3 Section D of the Constitution be amended as shown in Appendix B of the report.

100/19 NOMINATIONS FOR COMMITTEE AND OTHER SEATS (AGENDA ITEM 14)

RESOLVED that the following appointments be approved:

Member Development Panel

Cllr Tina Kiddell (Chairman)
Cllr Peter Wilkinson
Cllr Lynda Turner
Cllr Hilary Bushell
Cllr Keith Gilbert
Cllr Terry Jermy

101/19 AMENDMENTS TO THE CONSTITUTION (AGENDA ITEM 15)

None.

102/19 ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT (AGENDA ITEM 16)

None.

103/19 EXCLUSION OF PRESS AND PUBLIC (AGENDA ITEM 17)

After being proposed and seconded, it was

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act.

**104/19 POWER UTILITY SUPPLY IN THETFORD - ACCEPTANCE OF HOUSING
INFRASTRUCTURE FUND (AGENDA ITEM 18)**

Councillor Kybird left the room whilst this item was being discussed (see Minute No. 89/19 above).

Councillor Phil Cowen, the Executive Member for Finance & Growth provided Members with a detailed overview of the report.

He explained the need and the reasoning for accepting the Housing Infrastructure funding to support the delivery of expanded power utility provision in Thetford.

Christine Marshall, the Executive Director for Commercialisation & S151 Officer responded to many of the questions asked.

After a great deal of discussion, it was

RESOLVED that the recommendations as listed in the report be approved.

The meeting closed at 11.25 am

CHAIRMAN