

**Questions with Notice under Standing Order No. 6 – Full Council, 9 December 2021.**

**QUESTION 1:**

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

**Risk Assessment & Mitigation in relation to the Local Plan**

Has a RAG (red/amber/green) risk analysis of the proposed approach by Cabinet been undertaken, and will such an assessment be updated and presented to Cabinet and/or the Planning Committee on a monthly basis for scrutiny?

**RESPONSE:**

Risk analysis is an important part of all policy development and project delivery. The risks associated with the approach were set out in the Report considered by Cabinet. Ongoing strategic risks will be reported through the appropriate existing channels, including Governance & Audit. As part of the delivery of the Local Plan Update and Single Policy Review risk will be monitored and reviewed throughout, issues that may arise will be reported back to members as appropriate, including the new series of Local Plan Update - All Member sessions.

**QUESTION 2:**

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

Has the Council used, or does it intend to use the Planning Advisory Service Local Plan Route Mapper (version 2, October 2021, and Toolkit parts 1-4) to guide its decision making? If not, why not?

**RESPONSE:**

Yes.

**QUESTION 3:**

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

How confident is Breckland that the examiner will accept the proposed amended wording of Policy INF 03 to remove the date by which the partial review?

**RESPONSE:**

Confident. The details of the assessment are covered in the recent related Cabinet reports.

**QUESTION 4:**

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

Has the Council consulted an independent inspector or the Planning Inspectorate to establish the likely acceptability of its strategy and timetable for the partial review of the Local Plan? If not, does it plan to do so, and if so when. If not, why not?

**RESPONSE:**

Yes. The Council engaged a wide range of views and external advice, including an independent inspector to inform the recommendations made to Cabinet.

**QUESTION 5:**

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

What measures are / will be in place to implement a flexible and effective approach to any planning reforms introduced by the Government without negating work done prior to their publication?

**RESPONSE:**

The timetable for the full update of the Plan allows for flexibility to incorporate changes to the planning system. Initial work will concentrate on those aspects of the Review that will be required in any event.

**QUESTION 6:**

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

In order to better keep abreast of matters, has the Council signed up to the DLUHC planning reform user research panel? If not, why not?

**RESPONSE:**

Yes.

**QUESTION 7:**

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

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?

**RESPONSE:**

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.

**QUESTION 8:**

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

Had officers been recruited earlier there is work that could have been undertaken regardless of the various factors that set the main timetable for the work. Why was the recruitment of additional officers not started / completed earlier?

**RESPONSE:**

The level of new resource required is linked to the agreed timetable. It would not have been appropriate to have recruited earlier, before the timetable was agreed, and without the requisite authority.

**QUESTION 9:**

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

How many man-hours were expended on production of the adopted Local Plan and what was the manpower profile during that work? How does that compare with the manpower resources planned for the partial and substantive reviews?

**RESPONSE:**

The total number of "hours" spent on the production of the existing Plan is not known and this comparison is therefore not possible.

**QUESTION 10:**

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

What further additional resource is envisaged to offset any unforeseen delays?

**RESPONSE:**

The Council will monitor the progress of the Review and if appropriate will work with the wider Capita family to identify the need for additional resource.

**QUESTION 11:**

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

How confident is Breckland that it can recruit the required Senior Planning Officer by November?

**RESPONSE:**

The Council is confident that the roles can be filled.

**QUESTION 12:**

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

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?

**RESPONSE:**

Yes.

**QUESTION 13:**

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

**TIMETABLE**

Although Table 2 of the supplemental report to Cabinet (November 2021) lacks detail, it appears that items A, B, C and F of the partial review and item A of the substantive review should have already been completed.

(a) Have these items been completed?

(b) If not, what is the revised timetable for each item and what effect do such revisions have on the remainder of the timetable?

(c) Item D of both reviews is scheduled to be approved by Cabinet before the end of 2021, but its consultation runs until 7 January, followed by update and then Cabinet approval. What is the revised date for completing this item?

**RESPONSE: (a) Assuming Councillor Birt is referring to the September 2021 Cabinet Report (appended to the November Paper) then the following applies:**

**Single Policy Partial Review:**

Item A: Commencement of Review. This is triggered by the Cabinet Decision in November 2021

Item B: Scoping of the Review: The scoping is set out in Appendix 1 to the September 2021 Cabinet Report that details the reasons why the Partial Review, as set out by the Local Plan Inspector, was undeliverable.

Item C: The Local Development Scheme was approved in November 2021

Item F: The evidence base is outlined in Appendix 1 to the September 2021 Cabinet Report and is being collated.

**Local Plan Update**

Item A: Commencement of Review. This is triggered by the Cabinet Decision in November 2021

(b) As the items have been substantially completed there are no revisions required to the timetable.

(c) Item D: Statement of Community Involvement. As the decision to approve the Local Development Scheme was delayed until 15<sup>th</sup> November 2021, due to the Call in to Overview and Scrutiny and referral back to Cabinet, this caused a delay in the beginning of the consultation on the SCI. A report on the consultation and any proposed changes to the Draft SCI will be reported to a future Cabinet early in 2021. The date for this is not known and will depend on the amount and complexity of responses received.

**QUESTION 14:**

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

**TIMETABLE**

Has work on a 'Call for sites' started as per the published timetable?

**RESPONSE:**

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.

**QUESTION 15:**

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

**TIMETABLE**

How can a 'Call for sites' be effectively undertaken prior to completion of a review of the settlement hierarchy and any necessary revisions to that to define in which settlements sites will be allocated?

**RESPONSE:**

The Council needs to have knowledge of where there may be potential development sites to inform the development strategy. There is no point in agreeing a development strategy only to find that there are insufficient sites available to meet that strategy. The Plan needs to demonstrate that any allocations are available, suitable and deliverable and considers that having a database of sites available is the correct procedure.

**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.

**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.

**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 a All Member Briefing in January to update them on progress and the process going forward.

**QUESTION 19:**

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

**STAKEHOLDER ENGAGEMENT**

- (a) How will the Council cooperate with *Neighbourhood Plan* (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?

**RESPONSE:**

The Council will continue to support parish councils in the preparation and review of neighbourhood plans.

**QUESTION 20:**

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

**STAKEHOLDER ENGAGEMENT**

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?

**RESPONSE:**

Advice received has, and will continue to, inform and influence the shape of proposals and the delivery of the Local Plan Update.

**QUESTION 21:**

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

**LOCAL PLAN COSTS**

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?

**RESPONSE:**

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.

**QUESTION 22:**

**Councillor Birt to the Executive Member for Property & Projects:**

**COMMERCIAL PROPERTY DEBT**

(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:

- i. in the tax year 2020/21?
- ii. the current tax year to date?

**RESPONSE:**

Please find below the answer to the question raised:

- 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.
- b. i) Nil  
ii) £91,578.76

**QUESTION 23:**

**Councillor Wickerson to the Executive Member for Planning, Leisure and Contracts, Councillor Sarah Suggitt:**

At the Planning Committee meeting on Monday November 29th I raised concerns over the long list of Conditions attached to several Applications submitted that day and our ability as the Planning Authority to ensure that said Conditions were met.

I was advised by our Solicitor that whether or not we had the resources to follow through to monitor and enforce said Conditions was not an issue that the Committee should or could take into account when making our decision to approve or otherwise.

Is this not a flaw in our Planning process as evidenced by many recent examples brought to the attention of Members from several Parishes??

Section 4.1 of the recent report from the Director of Place and Delivery and the Director of Planning and Building Control states that “there is no capacity to proactively monitor conditions”. Do we not have a legal responsibility and duty of care to do so and does our contract with Capita not contain wording to the effect that monitoring conditions is part of their remit and therefore it is their obligation to provide sufficient staff to ensure this takes place??

**RESPONSE:**

Capita does have a contractual obligation to monitor and enforce conditions on the Council’s behalf – as one would expect – but this needs to be seen in the wider context of what is affordable / reasonable / practical and what the approach has been to this matter in the past.

It is not feasible for a Council to proactively monitor every condition in all planning permissions and a targeted, evidence led approach is sensibly taken.

**QUESTION 24:**

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

In relation to the Local Plan Review, please provide the data and calculations used to establish the annual cost estimates for the approved option 1 for partial and substantive review and confirm how do you propose to monitor and control those costs?

**RESPONSE:**

Paragraph 6.30 of the Cabinet Report (20 September 2021) sets out the annual costs for the Review. These are made up of the required evidence base, production costs and additional staffing resource.

These costs were prepared based on our best estimates at this time and will be monitored by Breckland Finance team

**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.



**QUESTION 26:****Councillor Atterwill to the Deputy Leader of Breckland Council and Executive Member for Economic Development & Growth:**

In relation to the projected budget shortfall to carry out the Local Plan review, please can you explain why, given that the need to carry out the review has been known since 2019 were members not made aware of this budget shortfall until September 2021 and why seeing as this is a substantial budget shortfall was this matter not noted on the Council's financial risk register?

**RESPONSE:**

The Local Plan issue has been, and continues to be, a strategic risk reported on the risk register. Budget provision has been made for the required update and single policy review. However, the full cost envelope has only become clear over the last 6 months. As with many policy developments, the Council seeks to adjust budgets annually to match need and priority to resource.

**QUESTION 27:****Councillor Atterwill to the Deputy Leader of Breckland Council and Executive Member for Economic Development & Growth:**

This Council recently wrote to all Parish & Town Councils consulting on its Planning Statement of Community Involvement. In Para 3.19 of this document it says *"Every effort will be made to undertake the consultation outside the August and end of year holiday periods"* Can the Deputy Leader please explain why he has launched the current consultation on this 26 page document on 22<sup>nd</sup> November with an end date of close of business on 7<sup>th</sup> January? There are a number of Parish Councils who do not meet every month and will not meet in this *"end of year holiday period"*. This could mean that they have little or no time to submit a considered response. Will you extend this deadline to ensure that all Parish Councils have the chance to properly consider this document and submit their responses?

**RESPONSE:**

The beginning of the consultation was delayed following the call in of the Cabinet Decision made on 20 September 2021 and this resulted in the consultation timetable that includes the Christmas period. This is one of the consequential issues we are aware of and managing, and as a result will be extending the period to accommodate.

**QUESTION 28:****Councillor Atterwill to the Executive Member for Finance, Revenue and Benefits**

In relation to this Council's Communications budget, please can you provide the following information:-

- i) What is the annual cost for the printing and delivery of the 'Transforming Breckland' magazine?
- ii) What is the annual budget for social media paid advertising?
- iii) What is the annual total combined staff cost for the Communications department?

**RESPONSE:**

- i) What is the annual cost for the printing and delivery of the 'Transforming Breckland' magazine?  
£28,000

- ii) What is the annual budget for social media paid advertising?  
There is no specific budget just for social media paid advertising, it is funded from the overall corporate marketing and promotion budget  
To date in this financial year the spend on social media paid advertising is £545
- iii) What is the annual total combined staff cost for the Communications department?  
£150,420, which includes 3 full time officers and a %age of Assistant Director costs

**QUESTION 29:**

**Councillor Atterwill to the Executive Member for Finance, Revenue and Benefits**

In the course of the Council's Worksmart 2020 refurbishment of Elizabeth House, there was a considerable amount of existing furniture removed from the building. Please can you confirm what happened to this, what was the estimated value of this furniture and did the Council achieve any financial receipt for its sale?

**RESPONSE:**

What happened to the furniture?

The furniture was first offered to suppliers in the second-hand furniture market, then it was offered to staff to enable their home working and then to local community and voluntary groups for re-use. Any leftover furniture is programmed for recycling.

What was the estimated value and receipt?

The second-hand furniture market is currently flooded due to many organisations closing or reducing office space therefore there was no positive financial value and there was no financial receipt.