

# Public Document Pack

## BRECKLAND COUNCIL

### At a Meeting of the

### CABINET

Held on Monday, 6 February 2023 at 9.30 am in  
Watton Town Hall, Middle Street, Watton, Thetford, IP25 6AG

#### PRESENT

Cllr Sam Chapman-Allen  
(Chairman)  
Cllr Paul Claussen (Vice-  
Chairman)  
Cllr Gordon Bambridge  
Cllr Philip Cowen  
Cllr Helen Crane

Cllr Paul Hewett  
Cllr Jane James  
Cllr Sarah Suggitt  
Cllr Alison Webb

#### Also Present

Cllr Roger Atterwill  
Cllr Timothy Birt  
Cllr Claire Bowes  
Cllr Marion Chapman-Allen

Cllr Terry Land  
Cllr Paul Plummer  
Cllr Lynda Turner  
Cllr Peter Wilkinson

#### In Attendance

Sarah Shipley  
Andrew Holdsworth  
Alison Chubbock  
Rob Walker  
Maxine O'Mahony  
Jason Cole  
Riana Rudland  
Teresa Smith  
Julie Britton  
Nathan Flatman  
Andrew D'Arcy  
Ryan Pack  
Simon Wood

- Assistant Director Health & Housing
- Assistant Director Economy and Growth
- Section 151 Officer & Assistant Director Finance
- Deputy Chief Executive & Monitoring Officer
- Chief Executive & Head of Paid Service
- Executive Director
- Assistant Director Contracts & Operations
- Democratic Services Team Leader
- Democratic Services Officer
- Senior Communications Officer
- Planning Policy Manager
- Innovation and Change Business Partner
- Director of Planning & Building Control

#### Action By

#### **13/23 MINUTES**

The minutes of the meeting held on 9 January 2023 were confirmed as a correct record and signed by the Chairman.

#### **14/23 APOLOGIES**

None.

**Action By**

**15/23 URGENT BUSINESS**

None.

**16/23 DECLARATION OF INTERESTS**

None.

**17/23 NON-MEMBERS WISHING TO ADDRESS THE MEETING**

The Chairman welcomed all Councillors present to the meeting.

**18/23 CHAIRMAN'S ANNOUNCEMENTS (IF ANY)**

The Chairman said that February was an important month for the Council's Pride Breckland Cares campaign. In this month the LGBT+ community and its allies would seek to raise further awareness of the prejudice experienced by the LGBT+ community and specifically the history of the movement and some of the key events in history that led to its greater acceptance, rights and inclusion.

It was celebrated to coincide with when the first LGBT+ History Month was celebrated in February 2005. It followed a key point in history, when in 2003 the government removed Section 28 of the Local Government Act. Prior to its removal that section of the act prohibited local authorities, mainly for educational purposes from intentionally promoting homosexuality and teaching about the acceptability of homosexuality.

The Officers within the Council had several activities planned to promote LGBT+ History Month during February, as well as the main Pride campaign later in the year, which had already created greater awareness, and had started conversations both in and outside of the Council. The Chairman was proud that the Council was an inclusive employer.

**19/23 BRECKLAND COMMUNITY FUNDING APPLICATIONS (STANDING ITEM)**

Councillor Alison Webb, Executive Member for Health and Communities was pleased to inform Members of the following grants had recently been awarded:

- Caring Friends for Cancer Mid Norfolk - £5,000 to assist with annual office rental costs
- Dove's Nest Ministries Furniture Project - £5,000 to purchase a second-hand van to make furniture deliveries.
- East Tuddenham Community Allotment - £2,411 to help develop the community allotment.
- Fountain of Life Church - £5,000 to contribute to the annual running cost of the Mid Norfolk CAP Debt Centre.
- Helping Hands - £4,536 to recruit a part time worker and buy a range of resources for the Pantry.
- Norfolk Clubhouse - £2,020 to provide food weekly cooking and healthy eating workshops in Watton for people with chronic mental health issues.
- Shipdham Parish Council £5,000 - to install an inclusive roundabout on the Bullock Park play area.

**Action By**

Councillor Webb was proud that a total of over £86,000 had been given in match funding to support community groups across the district. Members were reminded that the final round of match funding would close on Friday 10 February 2023.

**20/23 Q3 PERFORMANCE REPORT**

Councillor Jane James presented the report that provided Members with an overview of the Council's performance for the period 1 October – 31 December 2022.

Councillor James explained that there had been a noticeable improvement to the performance of the customer contact calls compared to 12-months ago. In addition, it was noted that whilst there had been an issue with the response times to complaints and freedom of information requests, following a change in processes this has begun to stabilise.

Councillor Hewett felt that some data within the report did not relate to a key performance indicator and felt it should be more focussed to enable the Council to meet its strategic plans.

Councillor James agreed with the comments and informed Members that a review of the performance framework and Key Performance Indicators would be undertaken shortly to ensure that the information provided would make a difference.

Councillor Birt mentioned that he had raised a question at Overview and Scrutiny and whilst he appreciated that the responses would follow in due course, asked why the gas usage had increased 50% compared to the same time last year.

The Performance and Risk Lead Officer said that the billing data had been analysed and that it was accurate and therefore the increase had been due to changes with the weather.

Members noted the contents of the report.

**21/23 QUARTER 3 FINANCIAL PERFORMANCE REPORT 2022-23**

Councillor Philip Cowen, Executive Member for Finance, Revenue and Benefits said the report provided members with information on the forecast full year financial position of the Council as at 31 December 2022.

He highlighted that the forecast spend for Homelessness and Housing Benefit posed a significant burden on the Council. However he was aware that the Executive Member for Housing and Homelessness was doing what he could to address those significant costs through initiatives such as the Elm House project.

Members noted the content of the report.

## **22/23 FOOD LAW ENFORCEMENT**

Councillor Helen Crane, Executive Member for Waste, Environmental Health, Licensing and Sustainability presented the report that asked Members to approve the 2023-2024 Food Law Enforcement Plan.

Councillor Birt noted that the objectives included a level '3' rating which was deemed to be 'generally satisfactory and asked if the objective should only include Food Hygiene ratings of 4 or 5.

Councillor Crane said that the level 3 rating was a key figure and that as a local authority was the level of legal compliance.

Councillor Birt went on to say that more than half of the microbiological samples that had been taken had resulted in an unsatisfactory level and asked if this had been attributable to a particular situation. He also asked if the inspection plan was up to date.

The Assistant Director for Health and Housing commented that the inspection plan was up to date and had approximately 80 outstanding which was normal for this time of year. In response to the unsatisfactory level of microbiological samples, members heard that this was due to a specific, long running investigation and so the figures were unusual compared to other years.

Councillor Bowes said that there had been an increase in small food outlets particularly from domestic businesses and asked if they fell through the food safety net. The Assistant Director confirmed that small domestic businesses were required to register and therefore were dealt with in the same way as any food organisation.

### Options:

- 1) Do nothing - This would mean that Breckland Council does not have an approved Food Law Enforcement Plan and would not be compliant with its obligations and would be potentially open to challenge.
- 2) Approve the Food Law Enforcement Plan as per Appendix 1 with no changes.
- 3) Approve the Food Law Enforcement Plan with changes.

### Reasons for Recommendation:

By approving and having in place an approved Food Law Enforcement Plan will ensure that Breckland Council is compliant seen as being a fair, organised, effective and transparent regulator.

The report Author is of the opinion that the Draft Food Law Enforcement Plan is sufficient to ensure compliance with legal and regulatory requirements as well as demonstrating best practice.

If the 'do nothing' option was followed, this would mean that the Council would be failing in its statutory duties and obligations and would be open to challenge and reputational risks.

### **RESOLVED** that:

- 1) the proposed Food Law Enforcement Plan (as attached at Appendix 1 of the report) be approved; and

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- 2) once approved it be implemented with immediate effect.

**23/23 GOVERNMENT CONSULTATION - LEVELLING-UP AND REGENERATION BILL: REFORMS TO NATIONAL PLANNING POLICY 22ND DECEMBER 2022**

Councillor Sarah Suggitt, Executive Member for Strategic and Operational Planning presented the report to Members.

The Government had published on (22<sup>nd</sup> December 2022) a prospectus for consultation and were seeking views on a proposed limited number of immediate changes to the National Planning Policy Framework (NPPF) and a proposed direction of travel for national policy flowing from the Levelling Up and Regeneration Bill's anticipated Royal assent in Spring 2023. The consultation would run until 2<sup>nd</sup> March 2023, and the proposed NPPF revisions would be published in Spring 2023.

Councillor Birt raised concern as to the speed that the response was required and felt there should be more consultations with Members. Councillor Suggitt advised that it was a deadline set by the Government, but that information would be available on the Common Place website where anyone could respond.

Councillor Atterwill asked if the consultation would have an impact on the current timetable for the Local Plan review. Members heard that there would still be changes coming through from central government, but that Officers were continuing to work with the current Local Plan timetable.

**Options**

The Council could decide not to make a response to the consultation. However, the consultation covered key areas of planning policy and development management that if and when implemented would impact on the delivery of the Council, as local planning authority and so it was considered important to seek to influence the direction of the policy review.

**Reasons for Recommendation:**

It was important for the Council to respond to the consultation as it covered key areas of planning policy and development management. The delegation for the final submission of comments allowed the Council a longer opportunity to compile a final response to meet the March deadline.

**RESOLVED** that:

- 1) the Council responds to the consultation.
- 2) delegated authority be granted to the Deputy Chief Executive, in consultation with the Cabinet Member with Portfolio for Planning to make a detailed response to the consultation response.

**24/23 BUDGET, MEDIUM TERM FINANCIAL PLAN AND CAPITAL STRATEGY 2023-24**

Councillor Philip Cowen, Executive Member for Finance, Revenue and Benefits presented the report that asked members to approve the capital and revenue budget estimates and proposed Council Tax, the medium-term financial plan and the capital strategy.

**Action By**

He was pleased to report that as a result of the detailed work of the Breckland team, that the Council could propose a balanced budget that supported the statutory and discretionary services not only for 2023/2024, but into 2024/2025.

There remained uncertainty with the levels of government funding, fees and charges income and unknown cost pressures but believed that all services could be achieved without using core reserves if the annual council tax was increased by £4.95 for a band D property, although most people in the district would see a smaller rise of less than £1.86 per week for statutory services.

Councillor Hewett said he had heard the challenges that had been faced setting a budget and that it was prudent to be cautious on how to move forward on the decisions that were to be taken for the residents of Breckland.

Councillor Atterwill thanked Councillor Cowen for the presentation and asked if the Devolution Deal for Norfolk would provide a risk to the Council's budget.

The Chairman said that whilst he had not been appraised to the full detail of the Norfolk Devolution Deal, he was aware that the investment would be given to the County Council to decide what new activity it would be spent on.

**Options**

- 1) That the draft capital and revenue budget estimates, the draft medium term financial plan and the draft capital strategy are reviewed.
- 2) Do nothing.

**Reasons for Recommendations:**

To comply with budgetary and policy framework and allow consultation with Members and the public.

**RESOLVED to RECOMMEND TO FULL COUNCIL that:**

- 1) the Breckland revenue estimates and parish special expenses for 2023-24 and outlined position through to 2026-27 (as set out in Appendix B and E of the report) be approved.
- 2) the capital estimates and associated funding for 2023-24 and outline position through to 2032-33 (as set out in Appendix H of the report) be approved.
- 3) the fees and charges shown at Appendix D and D2 of the report, for adoption on 1 April 2023 be approved.
- 4) the Council Tax be set at £108.63 for a Band D property in 2023-24 (a £4.95 per annum increase on 2022-23 levels).
- 5) the medium-term financial plan at Appendix A of the report be approved.
- 6) the capital strategy at Appendix G of the report be approved.
- 7) with effect from 1 April 2024 (subject to the necessary legislation receiving Royal Assent in time) the Long-Term empty property

**Action By**

premium for Council Tax is applied after 1 year and the Second Homes Council Tax premium of 100% be applied

- 8) the Retail Hospitality & Leisure (RHL) NNDR relief and the Supporting Small Business (SSB) NNDR relief be approved for 2023-24 in line with Government guidelines and criteria.
- 9) That the following approach be adopted for the Council Tax Support Fund:
  - a) To apply the required reductions of up to £25 to all current LCTS claimants to their 2023-24 Council Tax bills in line with scheme guidance
  - b) To maximise the use of the fund by providing an additional top up payment of £12 to all current LCTS claimants to their 2023-24 Council Tax bills
  - c) To retain sufficient funding to provide additional S13A(1)(c) Exceptional Hardship Payment (EHP) funding and use this throughout 2023-24 to support new LCTS claimants with the same one off reduction to their 2023-24 Council Tax bills

**25/23 ANGLIA REVENUES AND BENEFITS PARTNERSHIP**

The minutes of the meeting of the Joint Anglia Revenues and Benefits Joint Committee held on 20 December 2022 were noted.

**26/23 BROADLAND AND SOUTH NORFOLK COUNCILS FRAUD SERVICES S113 AGREEMENT**

Councillor Philip Cowen, Executive Member for Finance, Revenue and Benefits presented the report that asked Members to consider the Anglia Revenues Partnership (ARP) to enter into a Section 113 agreement with Broadland District Council and South Norfolk District Council for ARP to provide Fraud services.

Councillor Birt felt that fraud was an important issue and was fully on board for having a robust service. He had noted that whilst the report had indicated additional resources would be required, it had not explained how the resources would be allocated and asked for assurance that there would not be any risk to existing Officer time.

Councillor Cowen confirmed that the Joint Committee had asked for an increase in the establishment and therefore would not be a drain on existing resources.

**Options**

- 1) To agree the recommendations above.
- 2) Do nothing

**Reasons for Recommendation:**

Entering into a Section 113 agreement will add social value to the work of the ARP; that, in turn, might lead to other, similar approaches and opportunities.

**RESOLVED** that:

- 1) a Section 113 agreement with Broadland District Council and South

**Action By**

Norfolk District Council for ARP be entered into to provide Fraud services; and

- 2) the Head of ARP and the ARP Operational Improvement Board be instructed to negotiate a Section 113 agreement, between the ARP partners and Broadland District Council and South Norfolk District Council, to enable ARP officers to provide Fraud services to the Councils.

**RESOLVED to RECOMMEND to GENERAL PURPOSES COMMITTEE:**

- 3) That the Breckland staffing establishment is increased by 2 permanent FTE for the fully funded posts required to deliver the services included in the Section 113 agreement.

**27/23 LINCOLNSHIRE COUNCILS S113 AGREEMENT FOR FRAUD SERVICES**

Councillor Philip Cowen Executive Member for Finance, Revenue and Benefits presented the report that asked members to consider Anglia Revenues Partnership (ARP) to enter into a Section 113 agreement with Lincolnshire County Council (to include Boston Borough Council, City of Lincoln Council, East Lindsey District Council, West Lindsey District Council and South Holland Council) for ARP to provide Single Person Discount Fraud services.

**Options**

- 1) To agree the recommendations.
- 2) Do nothing.

**Reasons for Recommendation:**

Entering into a Section 113 agreement would add social value to the work of the ARP; that, in turn, might lead to other, similar approaches and opportunities.

**RESOLVED that:**

- 1) a Section 113 agreement with Lincolnshire County Council (to include Boston Borough Council, City of Lincoln Council, East Lindsey District Council, West Lindsey District Council and South Holland Council) be entered into for ARP to provide Single Person Discount Fraud services; and,
- 2) the Head of ARP and the ARP Operational Improvement Board be instructed to negotiate a Section 113 agreement, between the ARP partners and Lincolnshire County Council, to enable ARP officers to provide Single Person Discount Fraud services to Lincolnshire County Council and the seven District Councils.

**RESOLVED TO RECOMMEND TO GENERAL PURPOSES COMMITTEE:**

- 3) That the Breckland staffing establishment is increased by 3 permanent FTE and 2 temporary FTE for the fully funded posts required to deliver the services included in the Section 113 agreement.



**Action By**

**28/23 NEXT MEETING**

The arrangements for the next meeting on Monday 13 March at 9.30am in the Anglia Room, Conference Centre, Elizabeth House, Walpole Loke, Dereham were noted.

There will be an opportunity for the Public to ask questions of the Cabinet Members from 9.30am, and the main meeting will commence at 10.00am.

**29/23 EXCLUSION OF PRESS AND PUBLIC**

This item was not required.

**30/23 BROADLAND AND SOUTH NORFOLK COUNCILS S113 AGREEMENT FOR FRAUD SERVICES**

This item was not required, as it was resolved under minute reference 26/23 above.

**31/23 LINCOLNSHIRE COUNCILS S113 AGREEMENT FOR FRAUD SERVICES**

This item was not required, as it was resolved under minute reference 27/23 above.

The meeting closed at 11.20 am

CHAIRMAN