

# Council

## Agenda

### Members of the Council

Mrs K A Vincent (Chairman)	Mr R R Foulger (Vice Chairman)
Mr A D Adams	Mrs J Leggett
Mr S C Beadle	Mr K G Leggett MBE
Mr N J Brennan	Mr I J Mackie
Mr D J Britcher	Mrs T M Mancini-Boyle
Mr P E Bulman	Mr I N Moncur
Ms S J Catchpole	Mr M L Murrell
Mr S M Clancy	Ms J A Neesam
Mrs B Cook	Mr G K Nurden
Mrs J K Copplestone	Mr G Peck
Mr A D Crotch	Mrs S M Prutton
Mr J J Emsell	Mr S Riley
Mr J F Fisher	Mr D Roper
Ms R M Grattan	Ms C E Ryman-Tubb
Mrs S C Gurney	Mr N C Shaw
Ms N J Harpley	Mr M D Snowling MBE
Mr D G Harrison	Mrs L A Starling
Mrs L H Hemsall	Mr D M Thomas
Ms S I Holland	Miss J L Thomas
Mrs N C Karimi-Ghovanlou	Mr S A Vincent
Mr K S Kelly	Mr S C Walker
Mr D King	Mr J M Ward
Miss S Lawn	Mr F Whymark
Dr K E Lawrence	

### Date

Thursday 21 May 2020

### Time

7.00pm

### Place

**To be hosted remotely at**  
Thorpe Lodge  
1 Yarmouth Road  
Thorpe St Andrew  
Norwich

### Contact

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@BDCDemServices

**Trevor Holden - 13 May 2020**

### PUBLIC ATTENDANCE

Please note that in light of Government guidance, the Council currently has restricted public access to the Council Offices. Should members of the public wish to observe this meeting remotely, or speak on an agenda item, they can request to do so by emailing [committee.services@broadland.gov.uk](mailto:committee.services@broadland.gov.uk), no later than 5.00pm on Monday 18 May 2020.

## **A G E N D A**

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<b>1</b>	<b>To receive declarations of interest under Procedural Rule no 8 – guidance and flow chart attached</b>	<b>5</b>
<b>2</b>	<b>Apologies for absence</b>	
<b>3</b>	<b>Minutes</b>	
	To consider the minutes of the meetings held on	
	(1) 20 February 2020	<b>7</b>
	(2) 1 April 2020	<b>33</b>
<b>4</b>	<b>Matters Arising (if any)</b>	
<b>5</b>	<b>Announcements</b>	
	To receive announcements from	
	(1) The Chairman – list of Civic Engagements attached	<b>36</b>
	(2) The Vice Chairman	
	(3) The Leader	
	(4) Members of the Cabinet	
	(5) Head of Paid Service	
<b>6</b>	<b>Questions from the public</b>	
	To consider any questions received from members of the public in accordance with Procedural Rule 10	
<b>7</b>	<b>Public Speaking</b>	
	To consider representation from members of the public who have expressed the wish to convey their views on items on this agenda	
	In accordance with the Constitution a total period of 15 minutes is allowed (each speaker may speak for 3 minutes only)	
<b>8</b>	<b>Overview and Scrutiny Committee</b>	
	To receive the minutes of the meetings held on	
	(1) 3 March 2020	<b>37</b>
	(2) 17 March 2020	<b>45</b>

<b>9</b>	<b>Cabinet</b>	<b>51</b>
	To receive the minutes of the meeting held on 10 March 2020	
	The following matters need consideration by Council:	
	<i>Minute no: 92 – Development Management Charging for Pre-Application advice</i>	<b>54</b>
	To consider introducing charging for pre-application advice as outlined in the proposed charging schedule, from 1 April 2020; and to review the charging schedule after 12 months (schedule attached)	<b>59</b>
	<i>Minute no: 94 – Bure Valley Railway and Path</i>	<b>55</b>
	Resolution (5) of Minute 94 needs Council approval:	<b>57</b>
	To approve the annual overspend, as outlined in 4.19 of the report, incurred in the period 2019-2020 on the combined BVR/BVP and Marriott's Way budget.	
	<i>[Note: paragraph 4.19 of the report states: Current annual overspends - The accumulation of dilapidations along the BVP have meant that in the year 2019-2020 spending has increased well in excess of the current maintenance budget - to date the spend this year against the current budget of £12,000 is £30,005, which equates to an overspend of £18,005.]</i>	
<b>10</b>	<b>Planning Committee</b>	<b>65</b>
	To receive the decisions of the meeting held on 4 March 2020	
<b>11</b>	<b>Licensing and Regulatory Committee</b>	<b>66</b>
	To receive the minutes of the meeting held on 18 March 2020	
<b>12</b>	<b>Audit Committee</b>	<b>70</b>
	To receive the minutes of the meeting held on 12 March 2020	
<b>13</b>	<b>Governance Arrangements – COVID-19</b>	<b>76</b>
	To approve the report of the Monitoring Officer which sets out the changes required to the standing orders relating to virtual meetings	
<b>14</b>	<b>Financial Implications of COVID-19</b>	<b>83</b>
	To consider information on the financial implications of Covid 19 on Broadland District Council	
<b>15</b>	<b>Water Damage at Thorpe Lodge</b>	<b>88</b>
	To consider issues arising from the recent water damage at Thorpe Lodge	

<b>16</b>	<b>Pay Policy Statement</b>	<b>92</b>
	To consider approval of the Pay Policy Statement	
<b>17</b>	<b>Norfolk Police &amp; Crime Panel</b>	<b>107</b>
	To agree an amendment to the Norfolk Police and Crime Panel arrangements and to allow Air Commodore Kevin Pellatt to continue in the role of co-opted independent member on the Panel	
<b>18</b>	<b>Outside Organisations – Feedback from Representatives</b>	<b>113</b>
	To note the reports from Members appointed to represent the Council on outside bodies	
<b>19</b>	<b>Questions from Members</b>	
	To consider any questions received in accordance with Procedural Rule 12.4	
<b>20</b>	<b>Motions</b>	
	To consider any motions received under Procedural Rule 13	

Trevor Holden  
Managing Director

## DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

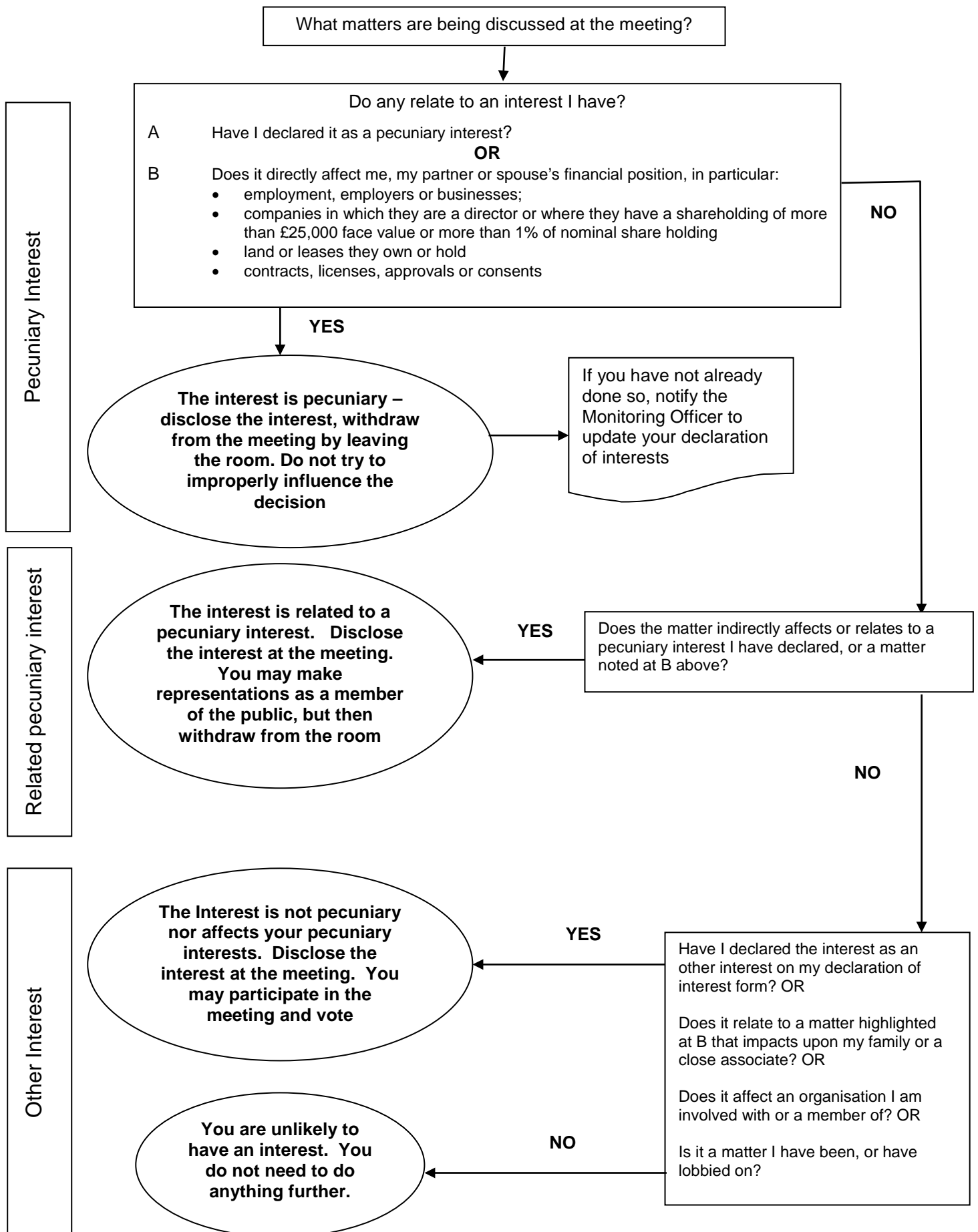
Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF**

**PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE**

# DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Minutes of a meeting of the **Council** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Thursday 20 February 2020** at **7.00pm** when there were present:

Mrs K A Vincent – Chairman

Mr A D Adams	Ms S I Holland	Mr S Riley
Mr N J Brennan	Mrs N C Karimi-Ghovanlou	Mr D Roper
Mr D J Britcher	Mr K S Kelly	Mr N C Shaw
Mr P E Bulman	Mr D King	Mr M D Snowling
Ms S J Catchpole	Miss S Lawn	Mrs L A Starling
Mr S M Clancy	Dr K E Lawrence	Mr D M Thomas
Mr A D Crotch	Mrs J Leggett	Miss J L Thomas
Mr J J Emsell	Mr K G Leggett	Mr S A Vincent
Mr J F Fisher	Mrs T M Mancini-Boyle	Mr S C Walker
Mr R R Foulger	Mr M L Murrell	Mr J M Ward
Ms R M Grattan	Mr G K Nurden	Mr F Whymark
Mr D Harrison	Mr G Peck	
Mrs L H Hempsall	Mrs S M Prutton	

Also in attendance were the Director of Resources, the Assistant Director Governance & Business Support (Monitoring Officer), the Assistant Director Finance & Chief Financial Officer (Section 151 Officer) and the Committee Officer (DM).

## **106 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8**

<b>Member/ Officer</b>	<b>Minute No &amp; Heading</b>	<b>Nature of Interest</b>
The Chairman on behalf of all Members	108 - Review of the Broadland Scheme of Members' Allowances	Pecuniary Interest - In accordance with the Constitution, Part 4 Rules of Procedure, Section 8 – Interests to be declared at meetings – the Monitoring Officer granted a dispensation to all Members of the Council to enable discussion and voting on this item.

## **107 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mr S C Beadle, Mrs J K Copplestone, Mrs B Cook, Mrs S C Gurney, Ms N J Harpley, Mr I J Mackie, Ms J A Neesam and Ms C E Ryman-Tubb.

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**108 REVIEW OF THE BROADLAND SCHEME OF MEMBERS' ALLOWANCES**

The Chairman welcomed to the meeting Mr P Franzen, Chairman of the Broadland Independent Remuneration Panel. Mr Franzen explained that the Independent Remuneration Panel (IRP) had been convened in October 2019 to undertake an exercise to find a solution to the current remuneration scheme in Broadland. It had become apparent early in the process that there was insufficient data available to undertake a full review and, in view of the short timeframe given to the Panel to report on its findings, it had been agreed to progress with an interim review of basic and special responsibility allowances (SRAs) pending a more detailed review which could be undertaken in conjunction with South Norfolk's scheme which was due for review by May 2020. The Panel had been ready to report its findings by the December 2019 deadline but this had been deferred because of the Parliamentary Election held that month. The review had concluded that there was little rationale and methodology to the current allowance scheme and how the levels of allowances had been determined. The existing allowances had therefore been reviewed against comparable local authorities and it was clear the Broadland allowances had fallen considerably behind the levels of other Norfolk authorities and an increase of circa 30% was needed to bring these in line. The Panel was conscious of the potential public perception associated with such an increase but felt this should not colour the integrity of the Panel's findings. Mr Franzen went on to state that he had been involved in work to review allowances at the County Council and South Norfolk Council and that the ideal model used to determine SRAs should have a clear methodology, for example, be based on a percentage of the allowance paid to the Leader, and should be mindful of government guidance that SRAs should be limited in number and should only be awarded to roles with significant extra responsibility. The Panel's findings had been shared with the current Administration who had raised a number of potential changes but the Panel had not received any evidence to support the suggestions.

The following questions were then put to Mr Franzen:

1. *Overall scheme and Methodology – mindful of the changing times for Councillors which was far more demanding than ever before, with more and more being expected at a local level - the IRP were seeking to establish the principles of the Members' Allowance scheme and that it should be inclusive, based on fairness, simple to understand and operate and transparent (clear who is getting what). Why were members not asked to complete the questionnaire which would have provided the IRP with data and information?*

The six week time frame given to complete the interim review had not given sufficient time to gather this data. Similar data gathered in the past had not assisted with previous reviews. The detailed review could allow for this data to be collected if required.



2. *Chairman's allowance - while it was recognised that it was an honour to hold the role of Chairman of the Council, there does need to be consideration of the huge amount of time and energy that goes into making the role a success and promoting Broadland. The report states that the current allowance for the Chairman is "relatively low compared to some others in Norfolk". Indeed it is the lowest across Norfolk by some margin. The IRP's recommendation of increasing the Chairman's allowance to £1,967 would still leave it as the lowest, by some margin, compared to other Norfolk councils and the resolution to this was to consider an 'honorarium' to "top-up" the allowance. Is there a reason an amount was not recommended? Would setting the level around the 'Norfolk average' be an appropriate approach to take?*

The Panel did not have sufficient evidence to demonstrate significant extra responsibility as required by government guidance. The amount of time spent on the role and the "civic" element of the role alone did not satisfy this. An amount of honorarium was not proposed as the Panel did not have sufficient information to fully understand the role and make an informed judgement on an appropriate level and it would have been inappropriate to settle for a Norfolk average. The Panel was however mindful that the current allowance had fallen significantly behind and had endeavoured to find a quick fix.

3. *Leader's allowance - the recommendation was to increase the Leader's allowance by 31.06% but immediately reduce it – the real rise is 14.67%. This is considerably below the average of other Norfolk councils. Why was this figure picked as it is not even the same as the South Norfolk allowance?*

The Panel had attempted to increase transparency by splitting the allowance to reflect the roles of Leader of the Council and Leader of the majority group and increasing the allowance in line with the recommended increase in the basic allowance to provide some rationale for the allowance. The South Norfolk allowance had not been used as a benchmark; instead data had been used from other comparable councils. It was acknowledged that the allowance was still low compared to other Norfolk councils.

4. *Leader of the main opposition group allowance - the Panel has recommended the basic allowance be increased as it "gives parity with South Norfolk" but this is not the case with the role of Leader of the main opposition group. Why is a reduction in the current allowance being recommended which is significantly lower than SNC?*

*Why does the Panel acknowledge the role of the Leader of the main opposition group in relation to a manager of the group but not as the shadow Leader?*

Further work was needed at the next review to examine the allowances at South Norfolk to ensure they were at an appropriate level and whilst they had been used to give the desired parity across both councils where appropriate, not all the figures could be supported at this time.

The Panel had not been able to engage with the Leader of the Opposition as part of the review so could not take their views into account and had no information before them in relation to this. The Leader of the Opposition referred to a breakdown in communication on this matter and stated that he would welcome the opportunity to engage with the Panel for the next detailed review.

5. *Basic allowance – why was the suggested increase still considerably below the average of other Norfolk councils? Whilst it was accepted that the level gave “parity with South Norfolk” what was to say their allowance was set at the appropriate level – the IRP recommendation would still leave the basic allowance significantly below the average of the other Norfolk councils?*

The current allowance was the lowest in the County and the recommended increase had been derived not by applying a percentage increase but by endeavouring to place Broadland in the appropriate quartile in the County and to have parity with the South Norfolk allowance. The Norfolk average was skewed as a result of a higher allowance paid in some other councils.

6. *Chairman of Overview & Scrutiny allowance - the Panel has recommended the basic allowance be increased as it “gives parity with South Norfolk” but this is not the case with the role of Chairman of Overview & Scrutiny - why is a much lower SRA being recommended?*

Further work was needed at the next review to examine the allowances at South Norfolk to ensure they were at an appropriate level and, whilst they had been used to give the desired parity across both councils where appropriate, not all the figures could be supported at this time.

7. *Outside organisations – why was there no SRA for Members appointed to outside organisations?*

This was a matter which would be included in the full review mindful of the need to have regard to the government guidance requiring significant extra responsibility to justify a SRA.

With regard to the changes proposed to the overall scheme, a concern was expressed about the recommended increases stating that Members had accepted the levels of allowances when elected to their roles and these

should not be reviewed until the end of the current term of office. It was also suggested that the time was not right to be supporting the increases proposed pending the more detailed review in conjunction with South Norfolk and in the light of the haste in which the current review had been undertaken and with little supporting evidence.

The Chairman thanked Mr Franzen for his work with the Panel on the interim review and Mr Franzen left the meeting. The Chairman invited Members to consider each of the recommendations in turn.

(1) Basic Allowance

Reference was made to the level to which Broadland allowances fell well below those at other Norfolk authorities and to the principles which needed to be applied in setting the appropriate allowances: inclusivity and ensuring the allowance did not exclude anyone from joining the Council as an elected Member, fairness, transparency and simplicity. The role of a councillor was becoming increasingly demanding and there was a need to ensure councillors were representative of all sectors of the community. It was proposed, seconded and, on being put the vote

**RESOLVED** to increase the basic allowance from £3,712 to £4,865 and to continue to link the allowance to the annual pay award for staff.

(2) Leader of the Council

It was suggested that the Panel's recommendation to split the Leader's allowance into two elements could lead to confusion and detract from the agreed principles in terms of simplicity and transparency. An amendment was proposed, duly seconded to not create two allowances but to increase the existing allowance in line with the increase for the basic allowance (31.06%) resulting in an allowance of £12,908. On being put to the vote, the amendment was carried. Members then voted on the substantive motion and it was

**RESOLVED** to not create two allowances but to increase the current allowance to £12,908.

(3) Chairman of the Council

Reference was made to the fact that the Broadland allowance for the Chairman of the Council was the lowest in Norfolk at £1,501 with the highest being £6,325. There was concern that the use of an honorarium to close the gap would not be transparent or practical as it would need to be reviewed each year and could reflect the person appointed and not the role. A clearer, more transparent option was needed and a recognition of the importance of the role. An amendment was proposed that the allowance for the Chairman of the Council be

set at 30% of the allowance of the Leader, resulting in an allowance of £3,872. On being put to the vote, the amendment was carried. Members then voted on the substantive motion and it was

**RESOLVED** to set the allowance for the Chairman of the Council at 30% of the allowance of the Leader, resulting in an allowance of £3,872.

(4) Vice-Chairman of the Council

It was suggested that it was no longer appropriate to maintain the current level of this allowance (50% of the Chairman's allowance) having regard to the requirements of the role but that an increase was appropriate. An amendment was proposed, duly seconded that the current level of the allowance be set at 25% of the new Chairman's allowance resulting in an allowance of £968 which was still below the Norfolk average. On being put to the vote, the amendment was carried. Members then voted on the substantive motion and it was

**RESOLVED** to set the Vice-Chairman's allowance at 25% of the new Chairman's allowance resulting in an allowance of £968.

(5) Portfolio Holders

Reference was made to the need to recognise the importance of these roles and that the recommendations of the IRP should be supported. This would see the new level still below the Norfolk average. It was proposed, seconded and, on being put to the vote,

**RESOLVED** to increase the allowance to Portfolio Holders from £5,628 to £6,454 (50% of the allowance of the Leader).

(6) Chairman of the Planning Committee

It was suggested that the recommendations of the IRP should be supported in relation to this allowance and it was proposed, seconded and, on being put to the vote,

**RESOLVED** to increase the allowance to the Chairman of the Planning Committee from £1,876 to £3,872 (30% of the allowance of the Leader).

(7) Chairman of the Audit Committee

It was suggested that the recommendations of the IRP should be supported in relation to this allowance and it was proposed, seconded and, on being put to the vote,

**RESOLVED** to increase the allowance to the Chairman of the Audit

Committee from £1,127 to £2,582; (20% of the allowance of the Leader).

(8) Chairman of the Licensing & Regulatory Committee

It was suggested that this allowance needed to increase to recognise the importance of the role and how far below the Norfolk average the current allowance was set. It was however felt that the Panel's proposed increase was too high and that the allowance should be aligned to that of the Chairman of the Audit Committee. An amendment was therefore proposed, duly seconded, that the current level of the allowance be set at 20% of the allowance of the Leader resulting in an allowance of £2,582. On being put to the vote, the amendment was carried. Members then voted on the substantive motion and it was

**RESOLVED** to set the allowance for the Chairman of the Licensing and Regulatory Committee at 20% of the Leader's allowance resulting in an allowance of £2,582.

(9) Chairman of the Overview & Scrutiny Committee

It was suggested that the recommendations of the IRP should be supported in relation to this allowance and it was proposed, seconded and, on being put to the vote,

**RESOLVED** to increase the allowance to the Chairman of the Overview and Scrutiny Committee from £1,127 to £3,872 (30% of the allowance of the Leader).

(10) Chairmen of the Awards Panel, Electoral Arrangements Committee and Standards Committee

It was suggested that the recommendations of the IRP should be supported in relation to these allowances and it was proposed, seconded and, on being put to the vote,

**RESOLVED** to not make any SRA payment in respect of these positions.

(11) Annual increases

It was suggested that the recommendations of the IRP, to continue to link SRAs to the annual pay award for staff, should be supported and it was proposed, seconded and, on being put to the vote,

**RESOLVED** to continue to link all SRAs to the annual pay award for staff.

(12) Majority Group Leader / Leader of the Opposition

In line with the proposals for the allowance for the Leader, this allowance needed to continue to be set as one allowance. Having regard to the need to have an effective and organised opposition and mindful of the level of allowances at other Norfolk authorities, it was suggested that the allowance for the Leader of the Opposition should be increased and should be set as a percentage of the allowance for the Leader. An amendment was therefore proposed, duly seconded, to not set a second Majority Group Leader allowance and to increase the level of the Leader of the Opposition allowance from £1,272 to £2,582 (20% of the Leader's allowance). This allowance was still lower than the Norfolk average and the methodology behind the amendment was supported. On being put to the vote the amendment was carried. Members then voted on the substantive motion and it was

**RESOLVED** to not set a second Majority Group Leader allowance and to increase the level of the allowance for the Leader of the Opposition from £1,272 to £2,582 (20% of the Leader's allowance).

(13) Effective date

It was suggested that the recommendation of the IRP to backdate the increases should be supported. A proposal was put forward, duly seconded, to backdate the scheme to 3 May 2019 which was the start of the current 4 year term of office of current Members. An amendment was made, duly seconded, that the amended scheme of allowances be not backdated. On being put to the vote, the amendment was lost. Members then voted on the proposal to backdate the amended scheme of allowances to 3 May 2019 and it was

**RESOLVED** to backdate the amended scheme of allowances to 3 May 2019.

**Council was then invited to consider four further additional SRAs:**

(14) Deputy Leader of the Council

To recognise the importance of this role and reflect the arrangements at other Norfolk authorities, it was proposed that a new SRA be paid to the Deputy Leader and be set at a level of 70% of the Leader's allowance. This allowance would be paid instead of the allowance for the role of Portfolio Holder. It was proposed, seconded and, on being put to the vote,

**RESOLVED** to provide a new allowance to the Deputy Leader of the Council to be set at 70% of the allowance of the Leader amounting to £9,035; to be paid to the post holder instead of the allowance for Portfolio Holder.

(15) Vice-Chairman of the Planning Committee

To recognise the high profile and demanding work of the Committee and to reflect the position in most other Norfolk authorities, it was proposed that a new SRA be paid to the Vice-Chairman of the Planning Committee to be set at 50% of the allowance for the Chairman of the Committee, the amount proposed being £1,936. It was proposed, seconded and, on being put to the vote,

**RESOLVED** to provide a new SRA to the Vice-Chairman of the Planning Committee to be set at 50% of the allowance for the Chairman of the Committee, the amount being £1,936.

(16) Vice Chairman of the Overview and Scrutiny Committee

To recognise the need to have an effective Overview and Scrutiny Committee and the role of the Vice-Chairman in this, it was proposed that a new SRA be paid to the Vice-Chairman of this Committee to be set at 50% of the allowance for the Chairman of the Committee, the amount proposed being £1,936. It was proposed, seconded and, on being put to the vote,

**RESOLVED** to provide a new SRA to the Vice-Chairman of the Overview and Scrutiny Committee to be set at 50% of the allowance for the Chairman of the Committee, the amount being £1,936.

(17) Parish Council meetings – travel expenses

In recognition of the distances travelled by some Members in attending parish council meetings and to ensure inclusivity, it was proposed that travel to/from parish council meetings should be added to the list of approved duties for Members, giving them the option to claim these allowances if they wished. Following a request for further clarity, it was noted that eligible meetings of parish councils related to the main, regular, formally constituted parish council meetings and not to any adhoc meetings or working groups and that the travel rates would be the HMRC rates. Following a suggestion, a small amendment to the proposal was accepted that claims could not be made where the Member was also able to claim an allowance by virtue of them being a member of another authority (i.e. Parish / County Council). The effective date for the new approved duty was suggested as 21 February 2020. It was proposed, duly seconded and, on being put to the vote,

**RESOLVED** that travel to formally constituted parish council meetings be added to the list of approved duties for the payment of travel allowance at HMRC rates effective from 21 February 2020. Claims could not be made where the member was also able to claim an

allowance by virtue of their being a member of another authority (i.e. Parish / County Council).

[Note: the meeting adjourned for a short break and resumed at 9:05pm - Mr M Snowling and Mrs L Starling left the meeting at this point.]

**109 MINUTES**

The minutes of the meeting held on 17 December 2019 were confirmed as a correct record and signed by the Chairman

**110 ANNOUNCEMENTS**

Members noted the civic engagements undertaken by the Chairman and Vice-Chairman of the Council since the last meeting. The Chairman and Vice-Chairman drew attention to some of the events they had attended. Members congratulated the Chairman on raising £1500 to date from recent events including a cake sale and a gala dinner for her chosen charity. They also noted that due to a car breakdown the Vice-Chairman had been unable to attend the opening of the King's Lynn Mart as detailed in the report.

The Chairman advised Council that the AGM of the Council scheduled for 14 May 2020 would now take place on 21 May 2020.

**111 QUESTIONS FROM THE PUBLIC**

It was noted that there had been no questions from the Public.

**112 PUBLIC SPEAKING**

It was noted that there had been no requests for public speaking.

**113 OVERVIEW AND SCRUTINY COMMITTEE**

The minutes of the Overview and Scrutiny Committee meetings held on 7 January 2020, 28 January 2020 and 4 February 2020 were received.

**114 CABINET**

The minutes of the Cabinet meetings held on 14 January 2020 and 11 February 2020 were received.



**14 January 2020 - Minute no: 68 – Leisure Principles**

The Portfolio Holder for Housing and Wellbeing (Mr F Whymark) advised Members that Cabinet had supported the proposed Leisure Principles as set out in the Cabinet minutes. The population was now living longer, and levels of inactivity and obesity were high. The principles would seek to ensure that every resident had accessible opportunities to engage in physical activity in their community.

Members were advised that the Council had recently been successful in securing circa £10k from the County Council's social prescribing fund. Community grants of £300 were again available until November this year for Members to allocate. Further information would be available in the next Members' Bulletin.

Members then voted on the recommendation from Cabinet and it was

**RESOLVED**

to adopt the following Leisure Principles:

**Community Offer**

1. We will work with partners to aim to ensure that there is a leisure offer appropriate and proportionate to communities across Broadland, to help as many of our population become active. In doing this, our order of priority of preference will be:
  - a) Steer the community towards existing provisions and work with partners to make sure they are accessible.
  - b) Develop capacity in the community sector to help establish self-sustaining leisure solutions.
  - c) Where there is a gap in the market, look at options to provide.
2. We will work with partners to ensure that a leisure offer is a consideration of any major development or population growth in the District.

**Health and Wellbeing**

1. Given the developed national evidence on the telling contribution that activity can have on various longer-term conditions and social issues, we will utilise leisure assets and expertise to help work in the following areas

in line with the shared health and wellbeing priorities. This is building upon our successful Help Hub partnership and work to help develop community capacity.

- People who are likely to or have suffered a fall as a consequence of frailty.
  - Unhealthy and inactive lifestyles in adults and children/adult obesity.
  - Those experiencing long term worklessness and NEET (not in education, employment or training).
  - Those experiencing low level mental wellbeing issues such as early onset dementia and social isolation.
  - Those living with low level chronic health conditions where increased physical activity could be beneficial
2. Activity will be targeted to areas of the District where we are aware of specific needs to ensure tailored provision to local communities, not universally.
  3. Given the contribution to wider public-sector issues, we will seek to work in partnership and attract funding to help deliver in these areas, and to satisfy financial objectives for the service.

### Financial

1. Any new or existing facility or activity should seek to be at least cost neutral.
2. In establishing or maintaining any facility or activity we should look to work with partners to help share the operational cost burden and risks.
3. Our leisure services should remain affordable to different members of our community, which means that some cohorts or products (see 'Health and Wellbeing') will generate less of a commercial operational yield than others.
4. In any investment we should look to better utilise existing community assets rather than develop from new.
5. Aside of investment to maintain our assets, any new non-essential (i.e. repair, replacement and maintenance) capital investment over the

strategy period in leisure facilities will need to come from external sources unless there is a demonstrable ROI in excess of those typically expected via our treasury management investments (typically this is currently between two and three percent).

**11 February 2020**

**Minute no: 78 – Capital Strategy and Capital Programme 2020/21 to 2024/25**

The Portfolio Holder for Finance (Mrs T Mancini-Boyle) invited Council to support the recommendations from Cabinet relating to the five year Capital Strategy and Programme 2020/21 to 2024/25 including recommendations 1 and 2 set out in the Cabinet minutes as these were both matters which required Council resolution. The Cabinet report set out proposals to deliver the Council's vision for the district as set out in the Broadland and South Norfolk Delivery Plan, in particular the investment needed to deliver the priorities whilst also retaining the financial sustainability of the Council. The Capital Programme currently totalled £28.8m and would be financed by a mix of revenue and capital reserves, capital receipts and grants and internal/external borrowing. External borrowing would be considered if needed and was provisionally earmarked for 2021/2022 but slippage could delay this. Borrowing had been included to expand the operation of Broadland Growth Ltd with each project being subject to detailed consideration on a case by case basis.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, which set out the requirement for a recorded vote to be taken on all budget and Council Tax setting matters, a recorded vote was taken as follows:

**FOR THE RECOMMENDATIONS – 32**

Mr A D Adams, Mr N J Brennan, Mr P E Bulman, Mr S M Clancy, Mr A D Crotch, Mr J Emsell, Mr J F Fisher, Mr R R Foulger, Ms R M Grattan, Mrs L H Hemsall, Ms S I Holland, Mrs N C Karimi-Ghovanlou, Mr K S Kelly, Mr D King, Miss S Lawn, Dr K E Lawrence, Mrs J Leggett, Mr K G Leggett, Mrs T M Mancini-Boyle, Mr M L Murrell, Mr G K Nurden, Mr G Peck, Mrs S M Prutton, Mr S Riley, Mr D Roper, Mr N C Shaw, Miss J L Thomas, Mrs K A Vincent, Mr S A Vincent, Mr S C Walker, Mr J M Ward, Mr F Whymark

**AGAINST THE RECOMMENDATIONS – 0**

**ABSTENTIONS - 4**

Mr D J Britcher, Ms S J Catchpole, Mr D Harrison, Mr D M Thomas

**RESOLVED**

to

- (1) approve the Capital Programme for 2020/21-2024/25 (attached at appendix 1 to the signed copy of these minutes) and the Capital Strategy (attached at appendix 2 to the signed copy of these minutes);
- (2) approve the programme of work for 2019/20 to align key elements of ICT infrastructure and corporate systems in use across Broadland District Council and South Norfolk Council as set out in appendix 3 attached to the signed copy of these minutes.

**Minute no: 79 – Revenue Budget and Council Tax 2020/21 (see Minute 117 below)**

**Minute no: 80 - Treasury Management Strategy Statement 2020/21**

The Portfolio Holder for Finance invited Council to support the recommendations from Cabinet in relation to the Council's approach to management of its borrowing, investments, cash flow, banking, money market and capital market transaction and the effective control of the associated risks and performance. With regard to borrowing, interest rates would continue to be monitored to ensure a pragmatic approach to changing circumstances. The primary objective was still the security of the Council's cash above the liquidity of its investments. In response to a question, the Portfolio Holder drew attention to reference in the appropriate policy to the desire where possible to ensure the Council invested/borrowed ethically, although this had to be balanced with the Council's policy with regard to risk.

**RESOLVED**

to approve

- (1) the Treasury Management Strategy Statement;
- (2) the Treasury Management Policy Statement 2020/21 (attached at appendix 4 to the signed copy of these minutes);
- (3) the Annual Investment Strategy 2020/21 (attached at appendix 5 to the signed copy of these minutes);
- (4) the Treasury Management Practice (TMP1) Credit and Counterparty Risk Management (attached at appendix 6 to the signed copy of these minutes);

- (5) The Treasury Management Scheme of Delegation (attached at appendix 7 to the signed copy of these minutes);
- (6) The Minimum Revenue Provision (MRP) Statement (Section 8) that sets out the Council's policy on MRP;
- (7) The Prudential Indicators and Limits for the next 5 years contained within the report.

**Minute no: 81 - Council Tax Reduction 2020/21**

The Portfolio Holder for Finance invited Council to endorse the amendments to the scheme following the annual review and consultation, drawing attention to the proposal to adopt the introduction of a £20 per month tolerance scheme for those residents not in receipt of Housing Benefit. Those affected would be claiming universal credit and council tax assistance and the proposal would allow the Council to address issues of increasing administration and maintenance of council tax assistance where universal credit payments applied.

**RESOLVED**

to approve the amendments set out in appendix 8 to the signed copy of these minutes and to update the Scheme for 2020/21 accordingly.

**Minute no: 82 – Greater Norwich Growth Board: Joint five-year Investment Plan**

The Portfolio Holder for Planning (Mrs L Hempsall) invited Council to endorse the recommendations from Cabinet to support the five-year Infrastructure Investment Plan and approve the allocation of CIL monies to 12 specified projects.

**RESOLVED**

to

- (1) approve the Greater Norwich Joint Five Year Infrastructure Investment Plan 2020-2025;
- (2) approve the allocation of CIL to 12 specified projects, these projects will form the 2020/21 Annual Growth Programme; the allocation of £2M to support the Education Capital Programme within Greater Norwich; payment of the previously committed CIL funding of £561,760 to the Hempsall Crossroad project within 2020/21; and the full reinstatement of the £2M IIF cash reserve.

**Minute no: 83 – Broadland District Council and South Norfolk Council - Strategic Plan and Delivery Plan**

The Leader (Mr Vincent) invited Council to support the recommendations of Cabinet to approve the adoption of the new Strategic Plan and the Interim Delivery Plan.

**RESOLVED**

to

- (1) approve the adoption of the Strategic Plan 2020-2024; (copy attached at appendix 9 to the signed copy of these minutes) subject to the inclusion of reference to the environment and the Environmental Strategy; and
- (2) approve the adoption of the Interim one-year Delivery Plan for 2020/21 (attached at appendix 10 to the signed copy of these minutes).

**Minute no: 85 - Investment Proposition for the Food Innovation Centre see Minute no: 123 below**

**115 PLANNING COMMITTEE**

The decisions of the Planning Committee meetings held on 18 December 2019, 8 January 2020 and 5 February 2020 were received.

**116 AUDIT COMMITTEE**

The minutes of the Audit Committee meeting held on 9 January 2020 were received. The Chairman of the Committee expressed the hope that the outstanding matter regarding compliance with the requirement for purchase orders to be used for all purchases would be resolved as a matter of urgency.

**117 COUNCIL TAX RESOLUTION 2020/21**

Members considered the report of the Assistant Director – Finance on the council tax resolution for 2020/21 together with the recommendation from the Cabinet meeting on 11 February 2020 - Minute no: 79 refers, regarding the revenue budget. The revenue budget recommended by Cabinet together with information from the various precepting bodies formed the basis of the recommendations in the report regarding the setting of the council tax for the area for 2020/21.

An updated report had been circulated to all Members as it had been

necessary to amend the report due to a rounding technicality. The figures in last year's tax resolution report resulted in the average Band D council tax (district and special expenses) for 2019/20 being calculated according to the Government's council tax return as £123.55, rather than £123.56. The aggregate expenditure figure of £44,219,055 therefore needed to be reduced by £200 in order for the equivalent number this year to be £128.55. Without this change the Government form would show an increase of £5.01, thus breaching the referendum threshold level. This did not change any of the actual amounts to be billed.

The Director of Resources drew attention to a small adjustment needed to the figure in recommendation 4 from Cabinet for the demand on the Collection Fund for general expenditure for 2020/2021 from £5,827,894 to £5,827,694 to reflect the £200 adjustment above.

The Portfolio Holder for Finance thanked Officers for their hard work putting the budget together whilst also dealing with extra work involved with collaboration with South Norfolk. The benefits from the collaboration were already beginning to be seen. Making savings through collaboration had never been the main driver, however a cost and savings tracker was being regularly reviewed and shared whenever accurate figures were known and savings were currently exceeding forecasts and were likely to be in the region of £8.6m. Caution was needed but known costs and savings had been built into the medium term financial plan.

The structures of each department had been reviewed together with the costs and savings available within. There were currently a number of staff vacancies across departments, which would not be filled unless they were identified as needed. This work had been completed without interruption to the level of services residents had come to expect from a top performing council. More savings were expected from future joint procurement with work underway on the waste collection contract – Broadland's biggest contract. Opportunities to collaborate were being sought whenever possible.

With regard to the Local Government Finance Settlement, as expected, Broadland was receiving significantly less core funding from central government than in the past. In the current year Norfolk authorities were participating in a business rates retention pilot scheme which would not continue in 2020/21 and the Government had stated there would be a business rates retention reset in 2021/2022 resulting in even more funding uncertainty. The Council had achieved housing growth well above the national average and the new homes bonus was £2.3m as a result. This was, however, for one year only and the government would be consulting on the future of this incentive in the spring. This clearly presented a risk for Broadland and its medium-term financial plan going forward. Currently Broadland relied heavily on council tax and business rates for funding and the likely reduction in future funding and the need to finance the capital

programme were the key reasons there was a reluctant recommendation to increase council tax in 2020/2021. The increase to a Band D property equated to a 3.6% rise. The medium-term financial plan showed an increase of £5 annually but this decision would be taken each year when the budget was set. It was proposed to increase most discretionary fees and charges inline with inflation in accordance with normal practice. No increase however would be applied to brown bins. The special expense recouped from Drayton, Hellesdon and Gt Witchingham relating to footway lighting was proposed to be increased by £5 to provide funds for future essential work such as column replacement.

New projects were required and the Council was now looking at a far more ambitious capital strategy and programme equating to £28.8m. This included £5m to Broadland Growth Ltd, with the potential of a further £5m in the following year. This would enable the Council to carry out its own development projects which had proven to be successful in the past. All projects would be subject to individual business cases. £1.86m had been set aside as Broadland's contribution to the Food Hub - an exciting project creating local jobs and putting Broadland on the map as one of very few food hubs across the Country, with environmental and economic benefits of manufacturing the food produced in the County instead of sending it elsewhere. European funding was required for this to go ahead and was currently being sought. A large amount had been set aside for IT as Broadland's IT was coming to the end of its useful life and there was a need to ensure this was right for Members, Officers and residents. Funds had also been earmarked for maintenance of Council assets such as Thorpe Lodge and bridges.

There would be inflationary pressures on the budget which had been included, together with pension fund and pay increases. A new PRP scheme was also being considered at present and allowed for.

With regard to borrowing, this was not currently necessary but would be considered on a case by case basis if a project came forward that proved to be beneficial and able to achieve some or all of the Council's main objectives.

This was an exciting time for the Council, which over the next few years needed to find annual savings or additional income of approximately £1.1m. New ways of working and innovative ideas would need to come forward and there was an ambition for this throughout the Council amongst Officers and Members. This would not only help to fill the funding gap but would also contribute to delivering the Council's ambitions for new and existing residents.

The proposed 2020/2021 revenue budget was a balanced one with no call on general reserves and the Portfolio Holder for Finance invited Members to support the budget in full.



A question was raised as to whether it was necessary to introduce an increase in council tax this year having regard to the Council's reserves which it was felt were at a sufficient level to support the budget without any increase in council tax and whether an increase would be more appropriate next year. Reference was also made to the earlier decision to increase Members' allowances at the same time as increasing council tax. The Portfolio Holder for Finance responded that, going forward the council was looking for a more ambitious programme which could ultimately increase revenue and that the proposed council tax increase was modest. Mindful of the number of uncertainties still facing the Council, it was prudent to make adequate provision at the present time.

**Cabinet Recommendation - Minute no: 79 – Revenue Budget and Council Tax 2020/21**

Members then voted on the recommendations from Cabinet (including the updated figure).

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, which set out the requirement for a recorded vote to be taken on all budget and Council Tax setting matters, a recorded vote was taken as follows:

**FOR THE RECOMMENDATIONS – 26**

Mr A D Adams, Mr N J Brennan, Mr P E Bulman, Mr S M Clancy, Mr A D Crotch, Mr J J Emsell, Mr J F Fisher, Mr R R Foulger, Ms R Grattan, Mrs L H Hemsall, Mr K S Kelly, Mr D King, Miss S Lawn, Mrs J Leggett, Mr K G Leggett, Mrs T M Mancini-Boyle, Mr M L Murrell, Mr G K Nurden, Mr G Peck, Mrs S M Prutton, Mr N C Shaw, Miss J L Thomas, Mrs K A Vincent, Mr S A Vincent, Mr J M Ward, Mr F Whymark

**AGAINST THE RECOMMENDATIONS – 9**

Mr D J Britcher, Ms S J Catchpole, Mr D Harrison, Ms S I Holland, Mrs N C Karimi-Ghovanlou, Dr K E Lawrence, Mr S Riley, Mr D Roper, Mr D M Thomas

**ABSTENTIONS – 1**

Mr S C Walker

**RESOLVED**

to approve

- (1) the base budget, subject to confirmation of the finalised Local Government Finance Settlement figures which may necessitate an adjustment through the General Revenue Reserve to maintain a balanced budget. Authority to make any such change to be delegated to the Assistant Director of Finance.

- (2) the use of the earmarked reserves as set out in Appendix 11 (attached to the signed copy of these minutes).
- (3) that any surplus at the end of the 2019/20 financial year is transferred to a new earmarked reserve to help fund the future capital programme, particularly the IT and waste services investment.
- (4) that the Council's demand on the Collection Fund for 2020/21 for General Expenditure shall be £5,827,694 and for Special Expenditure shall be £141,112.
- (5) that the Band D level of Council Tax be £125.52 for General Expenditure and £3.04 for Special Expenditure.

### **Council Tax Resolution 2020/21**

Members then voted on the recommendations contained in the updated report on the Council Tax Resolution.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, which set out the requirement for a recorded vote to be taken on all budget and Council Tax setting matters, a recorded vote was taken as follows:

#### **FOR THE RECOMMENDATIONS – 26**

Mr A D Adams, Mr N J Brennan, Mr P E Bulman, Mr S M Clancy, Mr A D Crotch, Mr J J Emsell, Mr J F Fisher, Mr R R Foulger, Ms R Grattan, Mrs L H Hemsall, Mr K S Kelly, Mr D King, Miss S Lawn, Mrs J Leggett, Mr K G Leggett, Mrs T M Mancini-Boyle, Mr M L Murrell, Mr G K Nurden, Mr G Peck, Mrs S M Prutton, Mr N C Shaw, Miss J L Thomas, Mrs K A Vincent, Mr S A Vincent, Mr J M Ward, Mr F Whymark

#### **AGAINST THE RECOMMENDATIONS – 9**

Mr D J Britcher, Ms S J Catchpole, Mr D Harrison, Ms S I Holland, Mrs N C Karimi-Ghovanlou, Dr K E Lawrence, Mr S Riley, Mr D Roper, Mr D M Thomas

#### **ABSTENTIONS – 1**

Mr S C Walker

### **RESOLVED**

- (1) that it be noted that the following amounts for 2020/21 have been determined under delegated authority and in accordance with regulations made under the local Government Finance Act 1992:

- a) **46,430** being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax Base for the year.
  - b) The amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amount of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items (i.e. Parish precepts) relate, as shown in appendix 12 attached to the signed copy of these minutes.
- (2) that the Council calculates the following amounts for 2020/21 in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011):
- a) **£44,218,855** being the aggregate expenditure which the Council estimates for the items set out in Section 31A(2) (a) to (f) of the Act (including the General Fund, Special Expenses and Parish Precepts).
  - b) **£34,424,311** being the aggregate income which the Council estimates for the items set out in Section 31A(3) (a) to (d) of the Act.
  - c) **£9,794,544** as its council tax requirement for the year including Special Expenses and Parish Precepts being the amount by which the aggregate expenditure at 2(a) above exceeds the aggregate income at 2(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act.
  - d) **£210.95** as the basic amount of its Council Tax for the year, being the council tax requirement at 2(c), divided by the Council Tax Base for the year (46,430) at 1(a) above, calculated by the Council, in accordance with Section 31B(1) of the Act.
  - e) **£3,966,850** being the aggregate amount of all special items referred to in Section 34(1) of the Act (i.e. Parish Precepts and street lighting special expenses).
  - f) **£125.52** as the basic amount of its Council Tax for dwellings in its area, excluding Special Expenses and Parish Precepts, being the amount at 2(d) above less the result given by dividing the amount at 2(e) above by the amount at 1(a) above,

calculated by the Council, in accordance with Section 34(2) of the Act.

- g) the amounts given by adding to the amount at 2(f) above the amounts of the special items for the relevant Parish divided in each case by the Council Tax Base for the Parish at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in each Parish is as set out in appendix 13 attached to the signed copy of these minutes.
  - h) the amounts given by multiplying the basic amounts for each Parish 2(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
- (3) that it be noted that for the year 2020/21 the main precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with s40 of the Local Government Finance Act 1992.

Band	Norfolk County Council £	Police & Crime Commissioner £	Total Preceptors £
A	944.34	175.38	1,119.72
B	1,101.73	204.61	1,306.34
C	1,259.12	233.84	1,492.96
D	<b>1,416.51</b>	<b>263.07</b>	<b>1,679.58</b>
E	1,731.29	321.53	2,052.82
F	2,046.07	379.99	2,426.06
G	2,360.85	438.45	2,799.30
H	2,833.02	526.14	3,359.16

- (4) that, having calculated the aggregate in each case of the amounts of the District's and preceptors requirements, in accordance with s30(2) of the Local Government Finance Act 1992, hereby sets amounts of the council tax for the year 2020/21 for each category of dwelling as follows.

Band	District & Parishes Council Tax £	Total Preceptors £	Total 2020/21 Council Tax £
A	140.63	1,119.72	1,260.35
B	164.07	1,306.34	1,470.41
C	187.51	1,492.96	1,680.47
D	<b>210.95</b>	<b>1,679.58</b>	<b>1,890.53</b>
E	257.83	2,052.82	2,310.65
F	304.71	2,426.06	2,730.77
G	351.58	2,799.30	3,150.88
H	421.90	3,359.16	3,781.06

The council tax for each category of dwelling by parish is as set out in Appendix 14 attached to the signed copy of these minutes.

- (5) to determine that the Council's basic amount of Council Tax (including special expenses) for 2020/21 is not excessive, in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992, and thus there is no need to hold a Council Tax referendum.

## 118 MONITORING OFFICER REPORT

Members considered the report of the Monitoring Officer inviting Council to consider amending the constitution in respect of Officers who could deputise for the Monitoring Officer and the Section 151 Officer and to consider appointing Cllr Prutton to the Norfolk Against Scams Partnership and to authorise attendance at meetings as an approved duty for the purpose of payments under the Members' Allowances Scheme.

### RESOLVED:

to

- (1) amend the constitution in respect of Officers who can deputise for the Monitoring Officer (the Governance Manager and the two Senior Governance Officers) and the Section 151 Officer (the Senior Finance Business Partner and the Finance Manager);
- (2) appoint Cllr Prutton to the Norfolk Against Scams Partnership and to authorise attendance at meetings as an approved duty for the purpose of payments under the Members' Allowances Scheme.

**119 OUTSIDE ORGANISATIONS – FEEDBACK FROM REPRESENTATIVES**

Members received and noted the feedback from Members on Outside Bodies. Cllr Prutton also reported on her attendance at a meeting of the Norfolk Health Overview and Scrutiny Committee, further details of which would be circulated to Members at the next meeting.

**120 QUESTIONS FROM MEMBERS**

It was noted that there had been no Questions received in accordance with Procedural Rule 12.4.

**121 MOTIONS**

Members considered the following motion received in accordance with Procedural Rule 13:

Proposed by Cllr J Leggett, seconded by Cllr T Mancini-Boyle

Following concerns expressed by residents about the impact of fireworks on vulnerable people and animals, Broadland District Council resolves:

- to encourage all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people
- to actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks
- to write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays
- to encourage local suppliers of fireworks to stock ‘quieter’ fireworks for public display

In proposing the motion, Cllr J Leggett referred to representations she had received from residents about the impact of fireworks on the wellbeing of animals and the need to raise awareness of this impact. In supporting the motion, a suggestion was made that the government be urged to improve the labelling on all fireworks to identify the noise levels and it was noted that this was probably already in place.

A concern was raised that the real issue was in relation to the use of fireworks

outside public displays and the motion would not help in this respect as it would be difficult to enforce. It was noted that the Council's role was to try and publicise the issues and not to police them. In supporting the motion, the seconder reiterated that she had received representations from the public and she wanted to see the Council encourage responsible use of fireworks.

**RESOLVED**

to

- (1) encourage all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people;
- (2) actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks;
- (3) write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays;
- (4) encourage local suppliers of fireworks to stock 'quieter' fireworks for public display;

**122 EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED**

to exclude the Press and public from the meeting for the remaining business because otherwise, information which was exempt information by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 would be disclosed to them.

[The press left the meeting and no members of the public remained.]

**123 CABINET**

**11 February 2020**

**Minute no: 85 – Investment Proposal for the Food Innovation Centre**

Members considered the recommendations from Cabinet and it was noted that recommendation (2) needed to be amended to include consultation with the Portfolio Holder for Finance as well as Economic Development.

The Leader invited Council to support the recommendations and drew attention to the benefits arising from the development including creating jobs, new businesses, increased business rate income and raising the profile of the agri-food sector at a national and international level. It was noted that a number of issues regarding risk and governance had been raised at the Overview and Scrutiny Committee meeting when this matter had been considered and Members had been advised of the measures in place to manage these.

In response to questions, the Leader confirmed that prospective tenants of the Centre were more likely to be established and expanding businesses rather than new start up businesses and that, despite Brexit, funding was available to draw down for this project subject to a successful application.

### **RESOLVED**

- (1) to allocate from capital reserves, the sum as set out in the report, for the delivery of the Food Innovation Centre project;
- (2) that final costings and funding agreements be signed off through delegated authority by the Director of Resources in consultation with the Portfolio Holder for Economic Development and the Portfolio Holder for Finance;
- (3) to use the European Regional Development Fund (ERDF) compliant Scape Procurement Framework to design and build the Food Innovation Centre giving delegated authority to the Director of Resources to initiate all pre contract work;
- (4) to continue propriety work, up to and including but not beyond the signing of the funding contracts with the Ministry for Housing Communities and Local Government (MHCLG) and other funders;
- (5) to front fund the sum, as set out in the report, for pre contract work which is not eligible under ERDF and therefore 100% at risk if ERDF funding is not secured from MHCLG.

*The meeting closed at 10.30pm*



## Council

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Minutes of a remote **Extraordinary meeting of the Council** held via video link on **Wednesday 1 April 2020** at **7.00pm**.

A roll call was taken and the following Members were present:

Mrs K A Vincent – Chairman

Mr A D Adams	Mrs L H Hemsall	Mr G Peck
Mr S C Beadle	Ms S I Holland	Mrs S M Prutton
Mr N J Brennan	Mrs N C Karimi-Ghovanlou	Mr S Riley
Mr D J Britcher	Mr K S Kelly	Mr D Roper
Mr P E Bulman	Mr D King	Ms C E Ryman-Tubb
Ms S J Catchpole	Miss S Lawn	Mr N C Shaw
Mr S M Clancy	Dr K E Lawrence	Mr M D Snowling
Mrs B Cook	Mrs J Leggett	Mrs L A Starling
Mrs J K Copplestone	Mr K G Leggett	Mr D M Thomas
Mr A D Crotch	Mr I J Mackie	Miss J L Thomas
Mr J J Emsell	Mrs T M Mancini-Boyle	Mr S A Vincent
Mr J F Fisher	Mr I N Moncur	Mr J M Ward
Mr R R Foulger	Mr M L Murrell	Mr F Whymark
Ms R M Grattan	Ms J A Neesam	
Ms N J Harpley	Mr G K Nurden	

Also in attendance were the Managing Director, the Director of Resources, the Assistant Director Governance & Business Support (Monitoring Officer), the Assistant Director Finance (Section 151 Officer), the Governance Manager and the Committee Officer (DM).

The Chairman welcomed everyone to the meeting and explained the protocol for management of the meeting.

### 124 APOLOGIES FOR ABSENCE

An apology for absence was received from Mrs S C Gurney.

### 125 EMERGENCY POWERS – COVID – 19

The Leader (Mr S Vincent) explained that the purpose of the meeting was to put measures in place to ensure that Council business and decision making could continue in the current unprecedented emergency relating to the COVID-19 pandemic.

The report set out arrangements for the establishment of an Emergency Committee which could be convened in the event that the Council was unable to meet in accordance with its current constitution and take on delegations of the key committees being Council, Cabinet, Planning, Licensing and Audit. The terms of reference of the Emergency Committee were set out in the report and the Leader drew attention to the proposed membership of the Committee which would comprise of the Chairman of the Cabinet (Chairman of the Committee), the Vice-Chairman of the Cabinet, the Leader of the main Opposition Group (to provide a scrutiny role), the Portfolio Holder whose responsibility includes Housing and Wellbeing and two other named Members to achieve a political balance.

The report also addressed the issue of the potential for Members to be unable to attend a meeting for six months (depending on their last attendance) and therefore recommended the suspension of the six-month rule, to be reviewed on a monthly basis and lifted at the appropriate time.

The Council was required annually to approve its programme of meetings which had now been prepared and Members were being invited to approve the programme of ordinary meetings attached to the report on the understanding that this would be reviewed regularly by the Monitoring Officer due to the current situation.

The Leader proposed, duly seconded, that the recommendations contained in the report be approved.

An amendment was proposed, duly seconded, that membership of the Emergency Committee be increased from 6 to 7 and, having regard to previous experience as a member of a county committee responsible for public protection and resilience in emergency situations, the proposer indicated he would wish to be considered for the additional place. On being put to the vote, and following a roll call, with 14 members voting for, 30 against, the amendment was lost.

(Mr Ward left the meeting at this point)

In response to questions raised, the Leader confirmed that the Emergency Committee would only be convened in the event of one of the key Committees/Council being unable to meet, including via a “remote/virtual” forum and that all meetings would be convened in accordance with the current requirement to publish the agenda five working days prior to the meeting. With regard to a concern about the “quasi judicial” nature of the role of the Licensing and Regulatory Committee, it was noted that this Committee usually consisted of 3 Members and which should not cause significant issues if it needed to meet. In the event of the Emergency Committee needing to convene to undertake the functions of this Committee, appropriate training would take place. Members noted that further guidance relating to the

functioning of Planning and Licensing/Regulatory Committees was expected from Government in the near future and the arrangements would be reviewed in the light of the guidance. It was noted that increasing use was being made of video conferencing in relation to the Magistrates' Court. The Leader also confirmed that the Managing Director, in consultation with the Leader, would continue to monitor the situation regarding the delegation of functions to the Emergency Committee and when this would no longer be necessary.

Attention was drawn to the reference to the "Council" as a "key committee" in the fourth paragraph of the Terms of Reference and the Monitoring Officer confirmed that this was a drafting anomaly and agreed to make an amendment to the wording to clarify this.

Members then voted on the three recommendations contained in the report by way of a roll call and it was

### **RESOLVED**

1. (with 34 Members voting for, 0 against and 9 abstentions) to agree the Terms of Reference for the Emergency Committee (subject to the drafting anomaly referred to above) and to include these within the Council's Constitution attached at Appendix 1 of the signed copy of these Minutes;
2. (with 43 members voting for 0 against) to agree to suspend the six-month rule in relation to Members attending meetings of the Council and the Committees on which they serve, pursuant to Section 85 (1) of the Local Government Act 1972. This will be reviewed by the Monitoring Officer on a monthly basis;
3. (with 43 members voting for 0 against) to agree the proposed calendar of meetings for 2020/21 attached at Appendix 2 of the signed copy of these Minutes.

*The meeting closed at 8:00pm*

## CIVIC ENGAGEMENTS – 2019/20

List of engagements carried out by the Chairman and Vice-Chairman of the Council since the last meeting of Council.

March 2020		
3 <sup>rd</sup>	Norfolk Reserve Forces & Cadets Association Lord Lieutenant's Awards event held at the Army Reserve Centre on 325 Aylsham Road in Norwich	Chairman
4 <sup>th</sup>	Access to Justice Charity Fundraiser hosted by The Lord Mayor and the Sheriff of Norwich in conjunction with the UEA Student Law Society at City Hall in Norwich	Chairman
7 <sup>th</sup>	Launch of Aylsham's 15 <sup>th</sup> anniversary year as a Cittaslow town held in Aylsham Market Place	Chairman
9 <sup>th</sup>	Raising of the flag at Thorpe Lodge for Commonwealth Day	Chairman
14 <sup>th</sup>	"Small Business Saturday" – visit to local businesses <i>(postponed from December 2019)</i>	Chairman

## Overview & Scrutiny Committee

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Minutes of a meeting of the **Overview & Scrutiny Committee – Review of Cabinet Agenda** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Tuesday 3 March 2020** at **10.00 am** when there were present:

Mr S Riley – Chairman

Mr A D Adams  
Mr S C Beadle  
Mr N J Brennan  
Mr P E Bulman

Ms S J Catchpole  
Ms S I Holland  
Mr K S Kelly  
Mr D King

Mr K Leggett  
Mr G K Nurden  
Mrs S M Prutton  
Mr N C Shaw

Mr Emsell, Mrs Hemsall, Mrs Karimi-Ghovanlou and Mr Vincent were also in attendance during the meeting.

Also in attendance were the Director Place, Director Resources, Director People and Communities, Assistant Director Planning, Assistant Director Governance and Business Support (Monitoring Officer), Assistant Director Individuals and Families, Business Support and Promotion Team Manager, Infrastructure Officer, Senior Governance Officer and the Committee Officer (JO).

### 113 APOLOGIES FOR ABSENCE

Apologies for absence were received from Ms Harpley and Mr Murrell.

### 114 MINUTES

The Minutes of the meeting held on 4 February 2020 were confirmed and signed by the Chairman as a correct record.

### 115 EXCLUSION OF THE PRESS AND PUBLIC

#### RESOLVED

to exclude the press and public from the meeting for the remaining business because otherwise, information which was exempt information by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 would be disclosed to them.

### **116 REVIEW OF LEGAL SERVICES PROVISION - CALL- IN OF CABINET DECISION**

The Chairman explained that he had agreed that this item be added to the 11 February 2020 Cabinet Agenda, as a matter of special urgency. But, as it had not been subject to appropriate scrutiny, he had called it in to allow the Committee to consider the report.

The Assistant Director Governance and Business Support (Monitoring Officer) advised the meeting that due to the legal services contracts of both Councils expiring during 2020/21 Cabinet were being asked to look at options for a joint legal service across both Councils.

The Council had a Service Level Agreement with nplaw, whilst South Norfolk was a stakeholder in nplaw. Following discussions the Board of nplaw had invited Broadland to join as a stakeholder and an agreement had been drafted. However, there were issues with the agreement that needed consideration and, therefore, a number of other options were outlined in the report that Members were asked to look at before determining a preferred course of action.

Member's discussed and considered all of the options in the report and explored the decision made by Cabinet.

Following a vote with 12 voting for and one abstention it was:

#### **RECOMMENDED TO CABINET**

1. To agree the contract as set out in Option 1 of the report, subject to the removal of the restrictive clause, with final sign off to be delegated to the Assistant Director Governance and Business Support (Monitoring Officer), in consultation with the Portfolio Holder for Policy;

or

2. If the above matter could not be resolved to bring an alternative contract back to Cabinet for consideration.

### CABINET REPORTS

#### 117 COMMUNITY LOTTERY

The Assistant Director Individuals and Families advised the Committee that the report proposed establishing a Community Lottery to facilitate fund raising for local good causes.

The Council would provide the infrastructure, licences and online platform for local groups to sign up to take part in the lottery and for each £1 ticket sold they would receive 50p for specific good causes.

Community Lotteries were considered to be low risk in respect to problem gambling. As there was no 'instant gratification', due to the midnight deadline and payment was via pre-arranged sign up and online non-cash methods

It was proposed to deliver the Lottery with Gatherwell, an External Lottery Manager, which facilitated similar schemes for 51 other local authorities across the country.

It had been suggested calling the scheme the Community at Heart Lottery, but this would be finally agreed in consultation with the Portfolio Holder, Leader and Deputy Leader.

A Member suggested that this was not a good means of raising funds for local causes and that a national scheme would be more effective, whilst another Member thought that a donation page for local causes on the Council website might be a better way forward.

In response the Business Support and Promotion Team Manager advised the meeting that the scheme was not trying to compete with the National Lottery and should be seen instead as 'incentivised giving' to generate monthly income for the day to day funding of local good causes.

It was confirmed that the scheme would be promoted jointly by the local community group and the Council on their websites and that tickets would not be allowed to be purchased with credit cards. Customers' purchases could also be tracked and the number limited, if they were becoming concerning.

The Committee was advised that the initial contract with Gatherwell would be for 24 months, not 12 months as stated in the report. However, a break clause could be inserted into the contract if required.

The Committee confirmed that they would like to see a 12 month break clause in the contract and made this an additional recommendation to Cabinet.

### RECOMMENDED TO CABINET

Option (1, 2, 3, 4 and 5)

1. The establishment of the Community Lottery for the purpose of raising funds to support good causes that benefit our residents;
2. Approves the procurement of an External Lottery Manager to run the operational side of the Lottery;
3. Authorises the Assistant Director of Individuals and Families, in consultation with the Portfolio Holder for Economic Development and Economic Development team to establish criteria for determining which good causes can participate in the Lottery, and apply those criteria;
4. Nominates the Assistant Director of Individuals and Families and Assistant Director of Finance as the personal licence holder for the Lottery and authorises them to apply for the personal licence and delegate the running of the Lottery to them; and
5. *To insert a 12 month break clause into the initial contract with the External Lottery Manager.*

### 118 DEVELOPMENT MANAGEMENT CHARGING FOR PRE-APPLICATION ADVICE

The report proposed the introduction of a range of charges for pre-application planning advice, which was a non-statutory service that the Council currently provided for free.

The Feasibility Study had identified that the pre-application service was an area that had the potential to generate income as Broadland was one of the only planning authorities in Norfolk that did not charge for pre-application advice.

Engagement with customers particularly agents had confirmed that they valued the benefits of pre-application advice and it was proposed that initial high-level advice and permitted development advice would still be available to customers free of charge, both on the phone and in person in the office. However, charges could be made for providing a more comprehensive response that involved further research or input from a range of officers.



The key benefit of a more in-depth service would be to speed up the planning application process for the customer by ensuring that the correct information was provided from the beginning and any officer concerns were addressed before the application was submitted. It would also be an opportunity to recover some of the Council's costs and could generate additional revenue of £184,725 phased over four years.

The Place Shaping Panel had considered a proposal to introduce charging for the full range of pre-application services, including householder enquiries and from small housing developments and small commercial developments.

However, following further discussions with the Portfolio Holder and to strike a balance between recovering officer costs and supporting households and small businesses, the proposed charging schedule has been amended, to provide free advice for householder enquiries and residential development of 1-2 dwellings. The charge for major proposals (51 dwellings or more and for 10,000sq.m or more) had also been increased.

Members were advised that developments of three or more were usually brought forwards by agents who then charged the developer for advice that they were currently getting from the Council for free.

The Chairman suggested that due process should have taken place and that the report should have gone back for consideration by the Place Shaping Panel, before being taken to Cabinet.

In response, the Portfolio Holder for Planning informed Members that the principle of charging for advice had been agreed by the Panel and, as the revised schedule had been reduced, she had made a judgement call that it did not need further consideration by the Panel. However, she took on board the comments of the Chairman.

A Member pointed out that there was a risk associated with charging, which should have been pointed out in the report.

Some Members also considered that parish and town councils should be given free, rather than a reduction in the cost of advice, however it was also pointed out that a number of parish and town councils had considerable levels of reserves, as a result of the Community Infrastructure Levy.

A Member suggested that advice for residential developments of between one and five should be free and charges begin for six and to nine dwellings.

This proposal was put to the vote and lost, by 7 to 5 votes with 1 abstention.

### **RECOMMENDED TO CABINET**

Options (1 and 2)

1. To introduce charging for pre-application advice as outlined in the proposed charging schedule, attached at appendix 1, from 1 April 2020; and
2. To review the charging schedule after 12 months.

### **119 PUBLIC SECTOR EQUALITY DUTY ANNUAL UPDATE**

The report set out the activities that the Council had undertaken over the last year, which demonstrated its compliance with its Public Sector Equality Duty, as required by the Equality Act 2010.

A Member pointed out the gender in-balance between elected Members, but it was confirmed that this was a matter for the political groups concerned.

The Committee noted the report.

### **RECOMMENDED TO CABINET**

Option (1)

To approve the report for publication.

### **120 BURE VALLEY RAILWAY AND PATH**

The Director of Place informed the meeting that the report provided a comprehensive update to Members on the Bure Valley Railway and Path and sought endorsement for amendments to associated maintenance and management budgets.

In June 2017 the Council resolved to transfer the asset to the Bure Valley Railway Ltd. However, the implementation of the resolution had been delayed for legal reasons and in August 2019 the Council agreed to sign a Public Service Cooperation Agreement with Norfolk County Council for a 10-year period to enable £1.2m of funding from an Interreg Visitor Economy fund to be drawn down as investment in the asset. In September 2019 it was resolved to retain the asset and enter into negotiations regarding the future relationship with the BVR Ltd.

As the Council intended to retain the asset, a series of works were required across the site to bring it back up to pre-sale-negotiation standards and address the series of dilapidations that had occurred over the last five years

whilst the 'bare-minimum' approach was adopted. This was also the reason that a rent review was not carried out in 2016. The next rent review would take place in September 2021, when much of the maintenance would have been carried out, including replacement of the nine mile length of outer-fencing.

It was, therefore, proposed to separate budgets for the BVR/BVP and Marriotts Way, which had previously been combined. This would simplify the process for awarding maintenance contracts and budget forecasts.

Approval of additional funding for the replacement of the outer fencing was also sought, as was approval of the £18,005 overspend for the 2019-2020 maintenance budget.

The Committee were also advised that the Managing Director and the Director of Place would be meeting with the Chief Executive of BVR Ltd tomorrow to discuss the ongoing relationship and to brief them on the contents of the Cabinet report. Some Members' concerns regarding peripheral issues such as signage would also be discussed.

### **RECOMMENDED TO CABINET**

Options (1, 2, 3, 4 and 5)

1. For Cabinet to agree to separate budgets for the BVR/BVP and Marriott's Way and to increase the annual budget allowance for the BVR/BVP to £29,000 per annum, as contained within 4.6 of this report;
2. For Cabinet to agree to a separate budget and allowance of £9,000 per annum for the Marriott's Way, as contained within section 4.7 of this report;
3. For Cabinet to reallocate the £30,000 per annum rental income from the BVR Ltd into the asset to cover all annual maintenance costs for the site. Under this proposal any under spends could also be allocated into the reserve for 'large-capital' items;
4. Cabinet to approve the additional funding required to make good the outer-fence along the Bure Valley Railway line and to delegate the procurement strategy for these works to the Director of Place in consultation with the Portfolio Holder for Economic Development;
5. For Cabinet to approve the annual overspend, as outline in 4.19 of this report, incurred in the period 2019-2020 on the combined BVR/BVP and Marriott's Way budget.

**121 EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**

to exclude the press and public from the meeting for the remaining business because otherwise, information which was exempt information by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 would be disclosed to them.

**122 INSURANCE PROCUREMENT**

The report explored the options available to the Council for procuring insurance cover, which expired on the 31 May 2020.

Following discussion it was:

**RECOMMENDED TO CABINET**

Options (1 and 2)

1. To agree the terms of the Local Government Mutual's offer to the Council.
2. To delegate to the Director Resources, in consultation with the Finance Portfolio Holder, authority to enter into all necessary legal agreements and applications necessary to give effect to this decision

*The meeting closed at 12.41 pm*

## Overview & Scrutiny Committee

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Minutes of a meeting of the **Overview & Scrutiny Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Tuesday 17 March 2020** at **10.00 am** when there were present:

Mr S Riley – Chairman

Mr A D Adams  
Mr S C Beadle  
Mr N J Brennan  
Mr P E Bulman

Ms S J Catchpole  
Ms N J Harpley  
Ms S I Holland  
Mr K S Kelly

Mr D King  
Mr M L Murrell  
Mrs S M Prutton  
Mrs C E Ryman-Tubb

Also in attendance were the Director Resources, Assistant Director Governance and Business Support (Monitoring Officer), Senior Governance Officer and the Committee Officer (JO).

### 123 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr Nurden and Mr Shaw.

### 124 MINUTES

The Minutes of the meeting held on 3 March 2020 were confirmed and signed by the Chairman as a correct record.

*Minute no 117 – Community Lottery*

The Chairman advised the meeting that the Committee's recommendation to insert a 12 month break clause in the initial two year Community Lottery contract had been rejected by Cabinet.

The Chairman requested that Members be provided with a summary setting out the number of recommendations made by the Committee that were accepted by Cabinet over the last five years.

The Vice-Chairman advised Members that he was very disappointed by the number of Committee recommendations that were rejected by Cabinet. He questioned the value of the Committee continuing to review the Cabinet Agenda as a critical friend, if the views expressed by Members were not taken into account.

### 125 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised the meeting the Assistant Director Governance and Business Support (Monitoring Officer) would provide Members with an update

on the Council's response to coronavirus situation after the meeting.

### 126 LOCAL AUTHORITY COMMERCIALISATION

The Director for Resources gave a presentation which looked at commercialisation activities at local authorities across the country and some of the opportunities that might be considered by Broadland, according to the Council's appetite for risk.

The Localism Act 2011 allowed local authorities for the first time to set up trading companies that could generate a profit that could be reinvested in Council services.

The main driver for commercialisation was to generate income to fill the revenue budget gap, due to the likelihood of a reduction in New Homes Bonus, and other Government funding. With the advent of the coronavirus pandemic, a reduction in Business Rates retention was also now likely. The Council also had a large capital programme that required significant investment in the waste service and IT.

Commercialisation was a common approach to this problem and as of September 2018 there were 743 Local Authority Trading Companies (LATC) in Great Britain, with 59.2% of local authorities owning at least one. Commercial property companies made up 23.2% of all LATCs.

Examples where commercial enterprises had been established were:

- Birmingham City Council which had raised income from cafes and gift shops.
- Warrington Borough Council had raised a £150 million Consumer Price Index linked bond to support a range of financing initiatives including developing the new Local Authority Mortgage Scheme concept, which had realised over 200 loans valued at £5.5 million.
- Cheshire East Council had recognised a skills shortage in their area and set up a company to provide training in specific areas needed in the locality. This had helped local people stay in the area, supported local businesses and generated a profit.
- Sevenoaks District Council had a property investment portfolio, which included an office block, a petrol station, a working men's club and transformed a car park into a new hotel to be lease to a hotel chain. Sevenoaks had also developed their own bespoke staff training programme that delivered an excellent return on investment. Moreover,

performance had increased by 41 per cent, productivity was up by 45 per cent and resident satisfaction was up to 80 per cent

- West Lindsey District Council had bought and now ran a staff agency they had been using.
- Nottingham City Council's in-house waste service had seen a reduction in marginal collection cost of 14.6 per cent per tonne of commercial waste and a reduction in operating costs for domestic waste by £575,000 per annum. Nottingham also operated trade waste collection services for a number of local businesses and neighbouring local authorities.
- Birmingham and Derby Councils had founded the Council Advertising Network, which allowed councils to charge for website advertising and had earned £1m in their first year.

Local authorities with property investments include:

- Luton Borough Council, which owned London Luton Airport.
- Winchester City Council, which had built a doctor's surgery
- At South Norfolk, Big Sky Housing was developing for the public good rather than purely for monetary gain, with high design and build standards.
- Rutland County Council had purchased a former prison for conversion to affordable office, industrial and leisure premises.
- Stockton-on-Tees Borough Council had partnered with a Scottish charity to build a specialist children's home.

Norse Group was owned by Norfolk County Council and was by far the largest LATC in the country with an annual turnover in excess of £250 million. The Group covered facilities management, property design, management consultancy; and residential care homes and employed over 10,000 people nationwide.

There had been failures, however, Bournemouth Borough Council established a 'Bank of Bournemouth' in 2014 as a community finance company, which was forecast to return up to £24m over its first 10 years. However, it was forced to close in 2015 after lending to just 22 businesses in 18 months.

In 2012 Shropshire Council agreed to set up Inspiring Partnerships and Enterprises, to sell the council's services to outside bodies, but was forced to close in 2016 after securing minimal external business and suffering from huge overheads.

Lessons learnt from other local authority ventures included:

- Engage Members, staff and trade unions at an early stage.
- Align commercialism with the broader council agenda.
- Be bold and opportunistic and be prepared to think outside of your comfort zone.
- Establish a broad set of success criteria.
- Take appropriate external professional advice.
- Understand risk and be risk aware not risk adverse; the risk of doing nothing could sometimes be greater.
- Ensure that there was the commercial acumen to develop a robust and deliverable business plan.
- Ensure a good governance model was adopted.

The Director of Resources confirmed that ideas for commercial ventures from Members and staff would be welcomed and Member engagement workshops would be held to help develop ideas. As resources were limited, any ideas would be subject to a 'quick and dirty' appraisal to assess if they had merit before any further more detailed research was done. However, the final decision on pursuing commercial ventures would be made by Members.

There were also a number of different fees and charges that the Council could increase to ensure full cost recovery. They included, leisure services, licensing, trade waste, grounds maintenance and parking charges. The Council had already agreed to implement a range of charges for pre-application planning advice.

The Chairman emphasised the importance of commercial projects having a good business case and not being driven by political motivation.

A Member advised the meeting that he was working with officers to establish a Community Land Trust in Taverham. Community Land Trusts developed and managed affordable housing and other assets locally and the Leader had



been very supportive of the initiative. A proposal for the scheme would be brought to Members in due course.

In answer to a query the Director of Resources confirmed that Big Sky Developments' income from housing rental was approximately 3.5 to 4 per cent of its income, as it only had 25 properties currently. The optimal number of dwellings would be around 80.

The Chairman thanked the Director of Resources for her comprehensive report.

### **127 NORFOLK HEALTH OVERVIEW AND SCRUTINY COMMITTEE UPDATE**

The Council's representative on the Norfolk Health Overview and Scrutiny Committee, provided a report on the meeting held on 13 February 2020.

The Committee had received a report on the Queen Elizabeth Hospital, King's Lynn, which had received an 'inadequate' rating by the Care Quality Commission in spring 2019. Since then a number of improvements had been made and it was anticipated that the rating would be improved when it was next assessed in autumn 2020.

The Committee also received a report on the Fairstead branch surgery, which it had now been decided to refurbish, instead of closing.

### **128 RECOMMENDATION TRACKER**

The Committee noted that the EcoCube Time and Task Panel's recommendations had been agreed by Cabinet and were being implemented. The final set of Minutes from the Time and Task Panel would be brought to a future meeting of the Committee.

The Chairman noted that the Panel had carried out a very good piece of scrutiny.

### **129 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME**

The Senior Governance Officer informed the Committee that dates for the items on the Work Programme were not yet available until the Programme of Meetings was agreed by Council on 24 March 2020.

The Chairman advised Members that the letter to parish and town councils requesting topics for the Committee's Work Programme had yet to be sent out. He noted that by sending out a formal letter, it would ensure that the

matter was given due consideration on the Agenda of parish council meetings.

The Committee confirmed that they wished that the letter be sent out as soon as possible.

It was confirmed that arrangements for the Apprenticeships Time and Task Limited Panel to meet would be made in due course.

A five year summary of recommendations made to Cabinet, setting out how many were agreed and how many rejected was added to the Work Programme.

*The meeting closed at 11.48am.*

DRAFT

Minutes of a meeting of the **Cabinet** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Tuesday 10 March 2020** at **6.00pm** when there were present:

Mr S A Vincent – Policy (Chairman)

Portfolio holders:

Mrs J K Copplestone	Economic Development
Mr J J Emsell	Transformation and Organisational Development
Mrs L H Hemsall	Planning
Mrs J Leggett	Environmental Excellence
Mrs T M Mancini-Boyle	Finance
Mr F Whymark	Housing and Wellbeing

Mr T Adams, Mrs S Catchpole, Mr M Murrell, Mr S Riley and Mrs K Vincent also attended the meeting for its duration.

Also in attendance were the Managing Director, Director Place, Director Resources, Assistant Director Governance and Business Support (Monitoring Officer), Assistant Director Planning, Assistant Director Individuals and Families, Business Support and Promotion Team Manager, Infrastructure Delivery Officer and the Committee Officer (JO).

## **87 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8**

<b>Member</b>	<b>Minute No &amp; Heading</b>	<b>Nature of Interest</b>
Mr Whymark	94 – Bure Valley Railway and Path	Non-pecuniary interest, the Bure Valley Railway was located in the Member's Ward

## **88 MINUTES**

The Minutes of the meeting held on 11 February 2020 were confirmed and signed by the Chairman as a correct record.

## **89 REPRESENTATIONS FROM NON CABINET MEMBERS**

The Chairman agreed that, at his discretion, all non-Cabinet Members in attendance be allowed to join the debate at the relevant point of the proceedings on request.

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**90 OVERVIEW AND SCRUTINY COMMITTEE**

The Chairman of the Overview and Scrutiny Committee advised Members on the views expressed by the Committee when it reviewed the Cabinet Agenda on 3 March 2020, as each item was considered.

**91 COMMUNITY LOTTERY**

The Assistant Director Individuals and Families introduced the report, which proposed establishing a Community Lottery to facilitate fund raising for local good causes.

The proposed scheme would provide a framework for 'incentivised giving', whereby local voluntary and community organisations could sign up to take part in the lottery and for each £1 ticket sold they would receive 50p for specific good causes.

Community Lotteries were considered to be low risk in respect to problem gambling, as there was no 'instant gratification', due to the midnight deadline and payment was via pre-arranged sign-up and online non-cash methods

It was suggested that the Assistant Director for Individuals and Families and the Assistant Director of Finance be nominated as Personal Management Licence Holders and that the scheme be called the Community at Heart Lottery.

Setting up the Lottery would cost approximately £7,300, with ongoing annual costs of around £1,042 for a Gambling Commission Licence and Lotteries Council membership.

The Business Support and Promotion Team Manager advised the meeting that it would be a very simple process for community organisations to sign up to the Lottery, which would help to fund their ongoing costs as well as being a useful means of engaging with local community groups.

Members noted that the Overview and Scrutiny Committee had recommended that a 12 month break clause be inserted into the contract, but considered this to be unnecessary as the scheme would need to be run for at least two years before a thorough assessment could be made of it.

The Portfolio Holder for Economic Development advised the meeting that the scheme would be an excellent opportunity to support local communities and commended the proposal to call it the Community at Heart Lottery.

**RESOLVED**

- (1) To establish a Community Lottery for the purpose of raising funds to support good causes that benefit our residents;
- (2) To approve the procurement of an External Lottery Manager to run the operational side of the Lottery;
- (3) To authorise the Assistant Director of Individuals and Families, in consultation with the Portfolio Holder for Economic Development and Economic Development team to establish criteria for determining which good causes can participate in the Lottery, and apply those criteria;
- (4) To nominate the Assistant Director of Individuals and Families and Assistant Director of Finance as the personal licence holder for the Lottery and authorises them to apply for the personal licence and delegate the running of the Lottery to them; and

**Reasons for decision**

To establish a Community Lottery to raise funds for good causes in the District.

**92 DEVELOPMENT MANAGEMENT CHARGING FOR PRE-APPLICATION ADVICE**

The report proposed the introduction of a range of charges for pre-application planning advice from 1 April 2020 and to monitor and review the charging schedule after a period of 12 months.

The Feasibility Study had identified that the pre-application service was an area that had the potential to generate income, as Broadland was one of the only planning authorities in Norfolk that did not charge for pre-application advice.

The Place Shaping Panel had considered a proposal to introduce charging for the full range of pre-application services, including householder enquiries and from small housing developments and small commercial developments. However, following further discussions with the Portfolio Holder for Planning and to strike a balance between recovering officer costs and supporting households and small businesses, the proposed charging schedule has been amended, to provide free advice for householder enquiries and residential development of 1-2 dwellings. The charge for major proposals (51 dwellings or more and for 10,000sq.m or more) had also been increased.

It was conservatively estimated that the service could generate additional revenue for the Council of £184,725 phased over four years.

The Chairman of the Overview and Scrutiny Committee informed the meeting that there had been considerable debate about this matter at the Committee and some Members had considered that parish and town councils should also receive free advice, as they were already charging a parish precept.

In response, Cabinet were reminded that the charge for parish and town councils, charities and voluntary groups would only apply to larger developments and that advice for smaller developments would remain free.

The Portfolio Holder for Economic Development thanked the Portfolio Holder for Planning and the Assistant Director for Planning for protecting small businesses from the charges.

The Portfolio Holder for Transformation and Organisational Development noted that the charge of up to £400 for residential developments of up to nine dwellings was very little in comparison with other development costs.

Cabinet were informed that advice in respect of trees would also be included in the free category. Members, were also reassured that monitoring to assess if the charges were discouraging customers would also be carried out over the initial 12 month period.

#### **RECOMMENDED TO COUNCIL**

- (1) To introduce charging for pre-application advice as outlined in the proposed charging schedule, from 1 April 2020; and
- (2) To review the charging schedule after 12 months.

#### **Reasons for decision**

To introduce charges for pre-application advice.

### **93 PUBLIC SECTOR EQUALITY DUTY ANNUAL UPDATE**

The report set out the activities that the Council had undertaken over the last year, which demonstrated its compliance with its Public Sector Equality Duty, as required by the Equality Act 2010.

The report was a joint one with South Norfolk Council, which set out the shared equality objectives of the Councils, which were: being inclusive employers, having inclusive services and an increased awareness of protected characteristics and equality issues.

The report included a snapshot of the population by age and ethnicity across the Districts and provided details of the age profile of Members and representation by gender.

The report also set out the work undertaken to have a positive impact on staff and customers in relation to the shared equality objectives.

It was requested that more narrative be added to the staff turnover and ethnicity sections and that it be confirmed if paragraph titles were statutory or could be amended. The Assistant Director Governance and Business Support confirmed that she would address these issues before publication of the report.

In response to a query, the Managing Director confirmed that although there was a Single Officer Team, with aligned terms and conditions, the employment of staff was allocated equally across both authorities.

The Leader commended the report and thanked the Policy Partnership Officers for their hard work in putting it together.

## **RESOLVED**

To approve the Public Sector Equality Duty Annual Update for publication, as amended.

### **Reasons for decision**

The report is a factual account.

## **94 BURE VALLEY RAILWAY AND PATH**

The Director of Place informed the meeting that the report provided a comprehensive update to Members on the Bure Valley Railway and Path and sought endorsement for amendments to associated maintenance and management budgets.

In June 2017 the Council had resolved to transfer the asset to the Bure Valley Railway Ltd. However, the implementation of the resolution had been delayed for legal reasons and in August 2019 the Council agreed to sign a Public Service Cooperation Agreement with Norfolk County Council for a 10-year period to enable £1.2m of funding from an Interreg Visitor Economy fund to be drawn down as investment in the asset. In September 2019 it was resolved to retain the asset and enter into negotiations regarding the future relationship with the BVR Ltd.

As the Council intended to retain the asset, a series of works were required across the site to bring it back up to pre-sale-negotiation standards and address the series of dilapidations that had occurred over the last five years whilst the 'bare-minimum' approach was adopted. This was also the reason that a rent review was not carried out in 2016. The next rent review would take place in September 2021, when much of the maintenance would have been carried out, including replacement of the nine mile length of outer-fencing.

It was, therefore, proposed to separate budgets for the BVR/BVP and Marriotts Way, which had previously been combined. This would simplify the process for awarding maintenance contracts and budget forecasts.

Approval of additional funding for the replacement of the outer fencing was also sought, as was approval of the £18,005 overspend for the 2019-2020 maintenance budget.

Members were asked to note that maintenance costs in 2021/22 would be higher due to a requirement for rabbit control fencing.

Cabinet was also informed that the Managing Director and the Director of Place had had a very productive meeting with the Chief Executive of BVR Ltd, to discuss the ongoing relationship and to brief him on the contents of the Cabinet report.

The Portfolio Holder for Economic Development advised the meeting that Bure Valley Railway was celebrating its 30th anniversary this year and suggested that the Council should mark this milestone and acknowledge its social benefits.

It was confirmed that a visit for Members was being arranged to the Bure Valley Railway to give them greater insight and understanding into the tourist attraction.

It was requested that recommendation four be amended to include consultation with the Portfolio Holder for Finance.

## **RESOLVED**

- (1) To agree to separate budgets for the BVR/BVP and Marriott's Way and to increase the annual budget allowance for the BVR/BVP to £29,000 per annum, as contained within 4.6 of this report;
- (2) To agree to a separate budget and allowance of £9,000 per annum for the Marriott's Way, as contained within section 4.7 of this report;



- (3) To reallocate the £30,000 per annum rental income from the BVR Ltd into the asset to cover all annual maintenance costs for the site. Under this proposal any under spends could also be allocated into the reserve for 'large-capital' items;
- (4) To approve the additional funding required to make good the outer-fence along the Bure Valley Railway line and to delegate the procurement strategy for these works to the Director of Place in consultation with the Portfolio Holder for Economic Development and the Portfolio Holder for Finance;
- (5) To approve the annual overspend, as outlined in 4.19 of this report, incurred in the period 2019-2020 on the combined BVR/BVP and Marriott's Way budget.

#### **Reasons for decision**

To approve ongoing budgets for the retention of the BVR/BVP.

### **95 EXCLUSION OF THE PRESS AND PUBLIC**

#### **RESOLVED**

to exclude the press and public from the meeting for the remaining business because otherwise, information which was exempt information by virtue of Paragraph 3 of Part I of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 would be disclosed to them.

### **96 INSURANCE PROCUREMENT**

The report explored the options available to the Council for procuring insurance cover, which expires on 31 May 2020.

Following discussion it was:

#### **RESOLVED**

- (1) To agree the terms of the Local Government Mutual's offer to the Council; and
- (2) To delegate to the Director of Resources in consultation with the Portfolio Holder for Finance authority to enter into all necessary legal agreements and applications necessary to give effect to this decision.

**Reasons for decision**

To procure insurance cover for the Council.

*The meeting closed at 6.59pm*

DRAFT

## **Pre application fees**

The following sets out the details that you need to submit for us to be able to answer your enquiry and identifies the information which is essential and additional information which will help us to give a fuller response.

The tables set out the fee (which include VAT) for each of the 6 pre application categories.

### **Exemptions**

- Adaptations for disabled people = free
- Enquiry relating to a refused or withdrawn planning application
- follow up enquiry within 6 months of the original = free

### **Reductions**

- Parish Councils, Charities, Voluntary Groups, exception affordable housing sites = 50% of the pre application fee

\* Where it is not possible to secure a comment from external consultees within the above timescales, the Council will respond and forward the consultee comments separately

### **1) Works to an existing dwelling (extensions or outbuildings)**

To formally establish whether the proposed can be undertaken without the need to submit an application for planning permission you should submit an application for a Certificate of Lawfulness – Proposed. Fee £103

For an informal officers opinion on the need for planning permission and / or the likely outcome of such a planning application you can use the following service :

Information we need from you	
Essential	<ul style="list-style-type: none"> <li>• Location plan showing where the site is</li> <li>• Plan showing the position of the proposal in the site</li> </ul>
Desirable	<ul style="list-style-type: none"> <li>• Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions</li> <li>• Photographs of the site and its surroundings</li> </ul>

Information we'll provide in our reply	
<ul style="list-style-type: none"> <li>• Any relevant previous planning decisions</li> <li>• Summary of the main planning considerations and objectives of relevant policies</li> <li>• Comments on the design and relationship to neighbouring uses</li> <li>• Any restrictions which should be considered (Tree preservation Order etc)</li> </ul>	

Costs and time taken for reply		
	Cost	Final response
Written reply	FREE	Within 15 working days or an agreed extension of time

## 2) Flat rate fee

- Adverts
- Change of use
- Advice relating to trees
- Advice relating to listed building considerations
- Prior notifications :
  - Telecommunications,
  - Agricultural buildings / works
  - All Part 3 prior notifications (Class C, J, M, N, O, P, Q, R, S, T)

Information we need from you	
Essential	<ul style="list-style-type: none"><li>• Location plan showing where the site is</li><li>• Plan showing the position of the proposal in the site</li></ul>
Desirable	<ul style="list-style-type: none"><li>• Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions</li><li>• Photographs of the site and its surroundings</li></ul>

Information we'll provide in our reply	
<ul style="list-style-type: none"><li>• Any relevant previous planning decisions</li><li>• Summary of the main planning considerations and objectives of relevant policies</li><li>• Comments on the design and relationship to neighbouring uses</li><li>• Any restrictions which should be considered (Tree preservation Order etc)</li></ul>	

Costs and time taken for reply		
	Cost	Final response
Written reply	FREE	Within 15 working days or an agreed extension of time

### 3) Small Scale Minor Development.

- Residential development of between 1 or 2 dwellings or less than 0.2 Hectare
- Non residential development of less than 250 sq m floorspace or 0.5 Hectare

Information we need from you	
Essential	<ul style="list-style-type: none"> <li>• Location plan showing where the site is</li> <li>• Plan showing the position of the proposal in the site</li> </ul>
Desirable	<ul style="list-style-type: none"> <li>• Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions</li> <li>• Photographs of the site and its surroundings</li> <li>• Project brief / Design and Access Statement</li> </ul>

Information we'll provide in our reply
<ul style="list-style-type: none"> <li>• Any relevant previous planning decisions</li> <li>• Summary of the main planning considerations and objectives of relevant policies</li> <li>• Comments on the mix of development and need for affordable housing</li> <li>• Transport and highway issues *</li> <li>• Comments on the design and relationship to neighbouring uses</li> <li>• Any restrictions which should be considered (Tree preservation Order etc)</li> <li>• Financial contributions – CIL</li> <li>• Additional bodies you may wish to consult before submitting an application</li> </ul>

Costs and time taken for reply				
	Cost	Initial contact	meeting	Final response
Written reply	FREE			Within 20 working days or an agreed extension of time
Meeting in office and written reply	FREE	Within 5 working days	Within 15 working days	Within 10 working days of meeting or an agreed extension of time

#### 4) Minor Development.

- Residential development of between 3 and 9 dwellings or less than 1 Hectare
- Non residential development of 251 to 1275 sq m floorspace or 1 Hectare

Information we need from you	
Essential	<ul style="list-style-type: none"><li>• Location plan showing where the site is</li><li>• Plan showing the position of the proposal in the site</li></ul>
Desirable	<ul style="list-style-type: none"><li>• Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions</li><li>• Photographs of the site and its surroundings</li><li>• Project brief / Design and Access Statement</li></ul>

Information we'll provide in our reply	
<ul style="list-style-type: none"><li>• Any relevant previous planning decisions</li><li>• Summary of the main planning considerations and objectives of relevant policies</li><li>• Comments on the mix of development and need for affordable housing</li><li>• Transport and highway issues *</li><li>• Comments on the design and relationship to neighbouring uses</li><li>• Any restrictions which should be considered (Tree preservation Order etc)</li><li>• Financial contributions – CIL</li><li>• Additional bodies you may wish to consult before submitting an application</li></ul>	

Costs and time taken for reply				
	Cost	Initial contact	meeting	Final response
Written reply	£200			Within 20 working days or an agreed extension of time
Meeting in office and written reply	£300	Within 5 working days	Within 15 working days	Within 10 working days of meeting or an agreed extension of time
Meeting on site and written reply	£400	Within 5 working days	Within 15 working days	Within 10 working days of meeting or an agreed extension of time

## 5) Medium development

- Residential development of between 10 and 50 dwellings or between 1 and 2 Hectare
- Non residential development of between 1275 and 9,999 sq m floorspace or between 1 and 2 Hectares

Information we need from you	
Essential	<ul style="list-style-type: none"> <li>• Location plan showing where the site is</li> <li>• Plan showing the position of the proposal in the site</li> <li>• Project brief / Design and Access Statement</li> </ul>
Desirable	<ul style="list-style-type: none"> <li>• Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions</li> <li>• Photographs of the site and its surroundings</li> </ul>

Information we'll provide in our reply
<ul style="list-style-type: none"> <li>• Any relevant previous planning decisions</li> <li>• Summary of the main planning considerations and objectives of relevant policies</li> <li>• Comments on the mix of development and need for affordable housing</li> <li>• Comments on sustainability</li> <li>• Comments on Building for Life</li> <li>• Transport and highway issues *</li> <li>• Comments on the design and relationship to neighbouring uses</li> <li>• Any restrictions which should be considered (Tree preservation Order etc)</li> <li>• Financial contributions – CIL</li> <li>• Additional bodies you may wish to consult before submitting an application</li> </ul>

Costs and time taken for reply				
	Cost	Initial contact	meeting	Final response
Written reply	£900			Within 25 working days or an agreed extension of time
Meeting in office and written reply	£1,200	Within 5 working days	Within 20 working days	Within 15 working days of meeting or an agreed extension of time
Meeting on site and written reply	£1,500	Within 5 working days	Within 20 working days	Within 15 working days of meeting or an agreed extension of time

## 6) Major development

- Residential development of 51 dwellings or more
- Non residential development greater than 10,000 sq m floorspace
- Proposals requiring Environmental Impact

Information we need from you	
Essential	<ul style="list-style-type: none"> <li>• Location plan showing where the site is</li> <li>• Plan showing the position of the proposal in the site</li> <li>• Project brief / Design and Access Statement</li> </ul>
Desirable	<ul style="list-style-type: none"> <li>• Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions</li> <li>• Photographs of the site and its surroundings</li> </ul>

Information we'll provide in our reply
<ul style="list-style-type: none"> <li>• Any relevant previous planning decisions</li> <li>• Summary of the main planning considerations and objectives of relevant policies</li> <li>• Comments on the mix of development and need for affordable housing</li> <li>• Comments on sustainability</li> <li>• Comments on Building for Life</li> <li>• Transport and highway issues *</li> <li>• Comments on the design and relationship to neighbouring uses</li> <li>• Any restrictions which should be considered (Tree preservation Order etc)</li> <li>• Financial contributions – CIL</li> <li>• Additional bodies you may wish to consult before submitting an application</li> <li>• Information relating to Environmental Impact Assessment Regulations</li> </ul>

Costs and time taken for reply				
	Cost	Initial contact	meeting	Final response
Written reply	£3,500			Within 25 working days or an agreed extension of time
Meeting in office and written reply	£4,000	Within 5 working days	Within 20 working days	Within 15 working days of meeting or an agreed extension of time
Meeting on site and written reply	£4,300	Within 5 working days	Within 20 working days	Within 15 working days of meeting or an agreed extension of time



**DECISIONS ON APPLICATIONS – 4 MARCH 2020**

<b>App'n No</b>	<b>Location</b>	<b>Description of Development</b>	<b>Decision</b>
20191921	Builders Yard, Mill Lane, Felthorpe	Change of use of builders yard to HGV drivers' training centre	<b>REFUSED</b>
20191849	Weir Cottage, The Street, Buxton With Lamas	Demolish existing single storey rear wing; erect two storey side and rear extension and single storey rear and side extension	<b>APPROVED</b> subject to conditions
20191926	6 School Lane, Thorpe St Andrew, Norwich	First floor rear extension	<b>REFUSED</b>

**Licensing & Regulatory Committee**

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Minutes of a meeting of the **Licensing & Regulatory Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Wednesday 18 March 2020** at **9.30am** when there were present:

Mrs S C Gurney (Chairman) and Mr D King

The applicant attended the meeting for consideration of their application.

Also in attendance were Ms S Moss (the Committee's legal advisor), the Senior Environmental Health Officer (Health and Safety and Licensing), the Licensing and Enforcement Officer and the Committee Officer (DM).

**17 APOLOGIES FOR ABSENCE**

An apology for absence was received from Mr K Leggett.

**18 NON-EXEMPT MINUTES**

The non-exempt minutes of the meeting held on 20 November 2019 were confirmed and signed as a correct record.

**19 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 – PRIVATE HIRE VEHICLE LICENSING**

Mr John Walker was in attendance for this item.

The Committee considered an application to licence an electrically powered Tesla Model X vehicle to be operated by Enterprise Private Hire Ltd, a licenced private hire operator.

The application had been referred to the Committee for determination as officers had reservations about the emergency door opening mechanism from the rear passenger seats of the vehicle. The vehicle was equipped with gull or falcon wing doors which were hinged from the roof and opened by pressing a button on the interior column between the front and rear sections of the vehicle. The doors were ordinarily powered by the main vehicle battery and in the event that the main battery failed, it is understood that a 12 volt back-up battery would provide sufficient power to open the falcon wing doors. In the event of both batteries failing, there was an internal emergency door release, operated by removing the speaker cover, pulling a release cable and subsequently pushing the door open manually.

Having regard to Section 48 of the Local Government (Miscellaneous Provisions) Act 1976, the Council needed to be satisfied that the vehicle was suitable in type, size and design, and safe, for use as a private hire vehicle; before issuing a licence. The Committee needed to consider whether the escape mechanism was appropriate where the vehicle was being used for commercial purposes.

The Senior Environmental Health Officer presented his report in full. He stated that Members might wish to have regard to how likely it would be that both batteries would fail and how easy it would be to escape from the vehicle in the event of an emergency.

Mr Walker, in presenting his case, commented that the case was as presented by the Officer and he invited the Committee to view the car.

Members then viewed the car and observed the following:

- the gull/falcon wings of the rear passenger doors and how these opened;
- the size and mechanics of the door opening which would have to be manually opened in the event of failure of both batteries;
- the location of the door release mechanisms – on the front screen of the car and a button on the interior column between the front and rear section of the car;
- the location (bottom of the inside of the door near to the passenger foot well) and design of the speaker cover which housed an emergency release cable – a small wire located within the internal speaker compartment;
- The external door handles were recessed into the leading edge of the rear passenger doors and did not operate in the event of both batteries failing or an interruption to their electrical supply.

In summing up, the Senior Environmental Health Officer invited Members to focus on the issue relating to the escape mechanism from the rear seated area of the car and to consider:

- the likelihood of potential failure of the automated opening mechanism in the event of battery failure or an accident
- would passengers know how to operate the manual release
- the lack of ability to open the door externally.

Mr Walker had no further comments to add.

*Mr Walker, the Senior Environmental Health Officer (Health and Safety and Licensing) and the Licensing and Enforcement Officer then left the meeting whilst the Committee considered its decision.*

Members had a number of concerns about the suitability of the vehicle for use as a licensed vehicle and if it was safe for this purpose. Their concerns included:

- the difficulty in ensuring that fare paying passengers who were unfamiliar with the car would know how to use and be able to use the emergency fallback option for exiting the car;
- the fact that the emergency mechanism was hidden behind a speaker cover, located low down on the passenger door – near the footwell, was not signed or obvious in its colour or location and was quite difficult to locate amongst other materials within the speaker housing, especially in an emergency;
- the door could not be opened from the outside;
- the door would be heavy to manually push up;
- these issues would be even more difficult for people with disabilities to manage;
- in an accident involving fire underneath the vehicle, both batteries could be compromised leaving the internal manual door mechanism as the only means of egress from the vehicle.

### **DECISION**

Members considered all the information presented to them about the vehicle and carried out an inspection of the vehicle on the day of the meeting. They had regard to Section 48 of the Local Government (Miscellaneous Provisions) Act 1976, and section 4 of the Council's Private Hire Vehicle and Hackney Carriage Policy. They needed to be satisfied that the vehicle was suitable in type, size and design and was safe for use as a private hire vehicle, before issuing a licence. Taking all the information and evidence into account, in particular, the safety issues relating to the escape mechanism for inexperienced fee-paying passengers in an emergency situation when the vehicle was being used on a commercial basis, the Committee decided to not grant a licence as they were not satisfied that the vehicle was safe for use as a private hire vehicle.

### **RESOLVED**

to not grant the licence.

*Mr Walker, the Senior Environmental Health Officer (Health and Safety and Licensing) and the Licensing and Enforcement Officer were then re-admitted to the meeting and advised of the Committee's decision.*

The applicant was advised of the right of appeal to the Magistrates Court against the decision within 21 days of receipt of the written decision.

### **20 EXCLUSION OF THE PRESS AND PUBLIC**

#### **RESOLVED**

to exclude the Press and public from the meeting for the remaining business because otherwise, information which was exempt information by virtue of Paragraphs 1, 3 and 7 of Part I of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, would be disclosed to them.

### **21 EXEMPT MINUTES**

The exempt Minutes of the meeting held on 20 November 2019 were confirmed and signed as a correct record.

*The meeting closed at 11:15am*

Minutes of a meeting of the **Audit Committee** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Thursday 12 March 2020** at **10.00am** when there were present:

Mr G K Nurden – Chairman

Mr P E Bulman

Mr A D Crotch

Ms S I Holland

Mrs K A Vincent

In attendance were the Director of Resources, the Assistant Director of Finance (Section 151 Officer), the Internal Audit Manager and the Committee Officer (DM).

Also attending were Mr D Cook of Ernst & Young LLP and Mr M L Murrell

### **31 MINUTES**

The Minutes of the meeting held on 9 January 2020 were confirmed as a correct record and signed by the Chairman.

### **32 MATTERS ARISING**

In response to questions from the Chairman on matters referred to in the Minutes, Officers updated Members on the latest position regarding the following matters:

Broadland Growth Ltd briefing – a briefing had been arranged to follow the Committee's meeting that day and, if appropriate, would be offered to a wider audience of Members.

Risk Management Training – initial discussions had taken place regarding the development of training for staff and potentially Members of the Audit Committee and a wider audience of Members if appropriate. There was a need to ensure that an assessment of risk was an integral part of the culture of the organisation.

Purchase Orders – staff continued to be reminded of the need to raise purchase orders prior to making purchases and measures were being put into place to reinforce this. The situation had been complicated by staff currently having to learn two processes across two Councils. The Internal Audit Manager confirmed that this outstanding audit recommendation could be signed off once evidence of these measures was submitted. This area of activity was one which internal audit would continue to test and monitor. In response to a question, Officers confirmed that cases of repeated non-compliance would be managed on a case by case basis with particular areas of concern being raised with the Corporate Management Leadership Team and ultimately could be addressed by disciplinary action if appropriate.

Cyber-crime training – initial inquiries regarding rolling out cyber-crime training for Members had taken place.

### **33 STRATEGIC AND ANNUAL INTERNAL AUDIT PLANS 2020/21**

Members considered the report providing an overview of the stages followed prior to the formulation of the Strategic Internal Audit Plan for 2020/21 to 2022/23 and the Annual Internal Audit Plan for 2020/21. The report also provided the basis for the Annual Audit Opinion on the overall adequacy and effectiveness of Broadland District Council's framework of governance, risk management and control.

In response to a question, the Internal Audit Manager commented that, the Annual Internal Audit Plan for 2020/21 would seek to ensure that the majority of the internal audit reviews were carried out jointly across both councils allowing internal audit to provide assurance that people and processes were working together for the same goal and supporting collaboration. With regard to the reporting of findings, where appropriate the findings would be presented in a joint report but if appropriate, individual reports would be prepared.

The Internal Audit Manager then highlighted the areas of work included in the Audit Plan set out at Appendix 3 of the report. Particular areas of interest were economic development where some significant projects were being explored and an audit would provide assurance these were being well managed with appropriate governance arrangements. The audit of waste management would relate only to Broadland and would help provide assurances on the management of the contract which was due for renewal in the near future.

With regard to environmental health, this audit would include business continuity and emergency planning arrangements particularly in view of the recent events regarding Coronavirus. With regard to the recent flooding event at Thorpe Lodge, a review of the management of the emergency would take place to feed into existing continuity plans. With regard to current arrangements for home working, it was noted that current restrictions on IT capacity for home working were being examined with a view to ensuring the capacity available was used most effectively. As part of collaboration arrangements, work was ongoing to develop and enhance options for facilitating home working and remote access by staff and Members.

#### **RESOLVED**

to note and approve the Internal Audit Strategy for 2020/21, the Strategic Internal Audit Plans 2020/21 to 2022/23 and the Annual Internal Audit Plan 2020/21.

**34 EXTERNAL AUDIT PLAN YEAR ENDED 31 MARCH 2020**

Members considered the provisional Audit Plan from Ernst & Young LLP which summarised their initial assessment of the key risks driving the development of an effective audit for the Council and outlining the planned audit strategy in response to those risks. The Chairman reported that he had recently attended a presentation at Ernst Young Ltd with other Chairmen of Audit Committees and Finance Officers from the region about the current issues with the completion of public sector audits and he undertook to circulate a copy of a letter on this matter to Members/substitutes on the Audit Committee.

Mr D Cook, Audit Manager for Broadland and South Norfolk from Ernst & Young LLP then took Members through the Plan for 2019/20, highlighting the key areas of activity, drawing attention to two new area of focus: apportionment of recharged expenditure overheads between Broadland and South Norfolk and the implementation of two new auditing accounts standards.

With regard to the timeline for the work, Members noted the change in the date of reporting of the conclusions and judgement from July to October, resulting from the current national issues facing public sector audits and the pressure on all local authority auditors to undertake more robust audits of public services following major failings in the private sector with the audit of some national companies. The 31 July audit deadline was not a statutory requirement and would still allow for the publication of the Council's accounts by that date, including a statement that the accounts would not be audited until October. In response to concerns about the potential impact of the delay of the audit on issues such as government grants/funding, Members were reassured this was a national issue which the government was aware of and would continue to be monitored.

With regard to fees and charges, it was noted that the scale of fees would be impacted by additional work performed in relation to the new risk of incorrect apportionment of recharged expenditure overheads between the two councils. Any increase would be agreed with officers and Public Sector Audit Appointments Ltd (PSAA).

Audit fees were based on a number of assumptions which if not met could result in an increase in fees. Members were assured that the Council had always satisfied the assumptions and if it continued to provide the high levels of support to the audit work carried out, fees would not need to be increased for this reason.

Going forward, the public sector audit service was facing challenges because of the increasing complexity of public sector audits and the need for a higher level of audit. Fairer charging options were being explored nationally and with the PSAA.



**RESOLVED** to note and approve the Plan.

**35 ANNUAL REPORT OF THE AUDIT COMMITTEE**

Members considered the report which summarised the work of the Audit Committee during 2019/20, confirmed that it had operated in accordance with its Terms of Reference, complied with best practice and demonstrated effective challenge during its meetings. Subject to a few minor typographical changes, Members supported the Annual Report for presentation to Council.

In accordance with a suggestion arising from the Committee's self-assessment exercise (see minute 37 below) the Chairman would be seeking feedback from Members when presenting the Annual Report to Council.

**RESOLVED TO RECOMMEND COUNCIL**

to note and approve the content of the Annual Report of the Audit Committee.

**36 ANNUAL FRAUD UPDATE**

Members considered the report of the Director of Resources setting out the counter fraud activities of the Council during 2019/20. The Senior Investigations and Enforcement Officer outlined work being undertaken in relation to supporting the Department of Works and Pensions Fraud and Compliance Teams and also the National Fraud Hub formed and funded by the County Council as part of the National Fraud Initiative. It was noted that whilst there was no financial cost to the Council in supporting the work of the Fraud Hub, there was a cost in officer time. Available officer time was currently relatively limited and work was ongoing to identify where best to target resources.

With regard to internal fraud, and how this was investigated, it was noted that cases would only be investigated by the Senior Investigations and Enforcement Officer following a specific referral but that other measures were in place as part of the internal and external audit processes including policies such as whistle blowing.

Mindful of issues which had occurred nationally, and the increasingly sophisticated methods used by fraudsters, Members stressed the need more than ever to be mindful of the recommendations of the Auditors and ensure these were taken seriously and enforced.

**RESOLVED**

to note the Annual Fraud Update for 2019/20.

## **37 AUDIT COMMITTEE SELF ASSESSMENT**

Members considered the report setting out the results of the Committee's self- assessment exercise undertaken in January 2020. The exercise had highlighted the following areas of partial conformance with best practice.

- Question 4 – it was felt that more could be done to highlight the role and purpose of the Committee across the authority and it was suggested that this area could be improved by enhancing the executive summary section of the Annual Report presented to Council by going into more detail about what the Committee was responsible for and how their role supported the Council.
- Question 15 – Members of the Committee had not been provided with the CIPFA Audit Committee core knowledge and skills framework. This had now been circulated to all Members of the Committee and it was confirmed that there were currently no training gaps.
- Question 18 – It was felt that more could be done to seek feedback on the Committee's performance from those interacting with the Committee or relying on its work. It was suggested that, in future, when the Annual Report of the Committee was reported to Council, feedback from Members on performance would be requested.

### **RESOLVED**

to

- (1) agree that the self-assessment checklist was an accurate reflection of the self-assessment exercise undertaken by the Committee;
- (2) to note and approve the actions taken or to be taken in response to the areas of partial compliance in regards to questions 4, 15 and 18 above.

## **38 WORK PROGRAMME**

The Committee noted the work programme set out in the agenda as follows:

June 2020	<ul style="list-style-type: none"> <li>• Internal Audit Progress Report</li> <li>• Internal Audit Follow Up Report</li> <li>• Head of Internal Audit's Report and Opinion for 19/20</li> <li>• Annual Governance Statement</li> </ul>
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October 2020	<ul style="list-style-type: none"><li>• Draft Statement of Accounts</li><li>• External Audit Opinion</li></ul>
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*The meeting closed at 11.30am.*

*At the end of the meeting the Committee received a presentation on Broadland Growth Ltd.*

DRAFT



**Agenda Item:13**  
**Council**  
**21 May 2020**

## **GOVERNANCE ARRANGEMENTS – COVID-19**

**Report Author(s):** Emma Hodds  
Assistant Director Governance & Business Support –  
Monitoring Officer  
01508 533791  
ehodds@s-norfolk.gov.uk

**Portfolio:** Leader

**Ward(s) Affected:** All

### **Purpose of the Report:**

The report sets out the required interim changes to the Standing Orders of the Council.

### **Recommendations:**

1. To agree to the additional Standing Orders relating to virtual meetings during the COVID19 pandemic.

## **1 SUMMARY**

- 1.1 The report sets out the required interim changes to the Standing Orders of the Council.

## **2 BACKGROUND**

- 2.1 The regulations which enable meetings to be held virtually has been passed and is in force until 7 May 2021. The statutory instrument confirmed the following:

- The Local Authority can hold such meetings and at such hour and on such days; and alter the frequency, move or cancel such meetings, without requirement for further notice.
- When an appointment is required to be made at the Annual General Meeting (AGM) such appointments continue until the next AGM or until the Local Authority determines.
- Meetings are not limited to a place, can include; electronic, digital or virtual meetings i.e. internet locations, web address or conference calls.
- Attendance counts when:
  - a. Member can hear / see and be heard / be seen by other Members
  - b. Member can hear / see and be heard / by seen by entitled to attend to exercise the right to speak – where practicable
  - c. Member to be heard and where practicable be seen by the public attending
- Attendance includes by remote access.
- The Local Authority can make standing orders and rules about remote attendance at meetings including the provision for:
  - a. Voting
  - b. Member and public access to documents
  - c. Remote access of public and press
- Being present includes by remote access.
- Open to the public includes access to meeting through remote means including but not limited to video conference, live webcast or live streaming.
- Documentation “open to inspection” includes being published on the website.
- Publication, posting or making available of a document at council offices includes on the website.
- Decisions and background papers made available to the public includes through the website or any other such means as is considered appropriate.

## **3 CURRENT POSITION**

### Annual General Meeting

- 3.1 As already notified to Members, the May 2020 Annual General Meeting (AGM) items have been postponed in line with the legislation and the date upon which the AGM will be held will be kept under continual review by the Monitoring Officer. To confirm all current appointments will continue until such time as the AGM is held.

- 3.2 Going forward, an Annual Meeting of Council may only take place and be convened:
- a. where called by the Chairman of the Council; or
  - b. following a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of Council.

### Standing Orders

- 3.3 The Constitution sets out the arrangements that are to be followed at Committee meetings in terms of holding meetings.
- 3.4 In light of the statutory instrument indicating that the Local Authority can make rules about remote attendance Appendix A confirms the addition that is needed to the Council Constitution.
- 3.5 In order to ensure the ability for the public and press to participate in meetings the appropriate notice will always be given for all meetings with the agenda available on the website five clear working days ahead of the meeting.
- 3.6 The ability to dial into the meeting will be afforded to the public (public speaking), as long as two full working days' notice is provided to Democratic Services, via email with exact dates and times confirmed on each agenda.
- 3.7 The ability to live stream the meetings will also be afforded to members of public wishing to observe the meeting and likewise the press.
- 3.8 For confirmation, in line with the legislation, voting at each meeting will be by roll call.

## **4 PROPOSED ACTION**

- 4.1 Based on the current position above, these governance arrangements are required to enable decision making to continue in these unprecedented times.

## **5 OTHER OPTIONS**

- 5.1 Not applicable to this report.

## **6 ISSUES AND RISKS**

- 6.1 **Resource Implications** – the proposed standing orders have taken account of the resources needed to manage the virtual meetings for Committee purposes.
- 6.2 **Legal Implications** – the report has taken account of the Coronavirus Act and the corresponding statutory instruments.
- 6.3 **Equality Implications** – not applicable to this report at this time.
- 6.4 **Environmental Impact** – not applicable to this report at this time.
- 6.5 **Crime and Disorder** – not applicable to this report at this time.

- 6.6 **Risks** – risks and issues are being monitored and managed on a daily basis and this will continue as the current situation evolves.

## **7 CONCLUSION**

- 7.1 The steps outlined in the report enable the Council to progress forward in an efficient way, whilst ensuring the correct legal steps are taken.

## **8 RECOMMENDATIONS**

- 8.1 To agree to the additional Standing Orders relating to virtual meetings during the COVID19 pandemic.

## **Appendix A**

### **Standing Orders: Meetings held in accordance with section 78 of the Coronavirus Act 2020**

These Standing Orders should be read in conjunction with the Authority's Standing Orders and Procedure Rules within the Constitution. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and **remain valid until 7th May 2021**. This means that, wherever there is a conflict, the Virtual meeting Standing Orders take precedence in relation to any remote meeting.

#### **1. No Requirement to Hold an Annual Meeting**

The requirement to hold an Annual Meeting is to be disregarded and, prior to 7th May 2021, an Annual Meeting of Council may only take place:

- (a) where called by the Chairman of the Council; or
- (b) following a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of Council.

#### **2. Access to Information**

For all purposes of the Constitution, the terms "notice", "summons", "agenda", "report", "written record" and "background papers" when referred to as being a document that is:

- (a) "open to inspection" shall include for these and all other purposes as being published on the website of the council; and
- (b) to be published, posted or made available at offices of the Authority shall include publication on the website of the Authority.

#### **3. Remote Access to Meetings**

- (a) For all purposes of the Constitution, the term "meeting" is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place, for which purposes any reference to:

- (i) "place" is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers; and

- (ii) "open to the public" includes access to the meeting being through remote means including (but not limited to): video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person; and



- (b) If the Chairman is made aware that a public meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chairman shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business will be considered at a time and date fixed by the Chairman. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

#### **4. Members in Remote Attendance**

(a) A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.
- (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

(b) A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in (a) above are not met. In such circumstance the Chairman may, as they deem appropriate;

- (i) adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in (a) above to be re-established;
- (ii) count the number of Members in attendance for the purposes of the quorum; or
- (iii) continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.

#### **5. Remote Attendance by Members of the Public**

(a) A member of the public entitled to attend the meeting in order to exercise a right to speak at the meeting is in remote attendance at any time if all three of the following conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, Members in attendance;
- (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

(b) A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in Standing Order 5(a) above are not met. In such circumstance the Chairman may, as he or she deems appropriate:

- (i) adjourn the meeting for a short period to permit the conditions for remote attendance contained in Standing Order 5A(a) above to be re-established;
- (ii) suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest; or
- (iii) continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.

## **6. Remote Voting**

Unless a recorded vote is demanded, [which may be confirmed by the requisite number of Members confirming the demand verbally when requested by the Chairman,] the Chairman will take the vote by roll-call and the number of votes for or against the motion or amendment or abstaining from voting will be recorded.

## **7. Members excluded from the meeting**

Where a Member is required to leave the meeting, the means of remote attendance and access is to be severed whilst any discussion or vote takes place in respect of the item or items of business which the member or co-opted member may not participate.

## **8. Exclusion of Press and Public**

Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) and/or recording the proceedings during consideration of items that are "exempt" (as defined in Schedule 12A of the Local Government Act 1972).

## **FINANCIAL IMPLICATIONS OF COVID 19**

**Report Author(s):** Rodney Fincham, Assistant Director - Finance

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**Portfolio Holder:** Finance

**Ward(s) Affected:** All wards

**Purpose of the Report:** This report provides information on the financial implications of Covid 19 on Broadland District Council.

### **Recommendations:**

That Council:

- 1) Ratifies the decision to incur any additional expenditure necessary (up to £100,000 a month) to deal with the Covid 19 pandemic. Details of this expenditure to be reported to the Finance Portfolio Holder monthly.
- 2) Notes this report.

## **1 EMERGENCY FUNDING FOR LOCAL GOVERNMENT**

- 1.1 On 20 March, the Government announced £1.6bn of additional funding to support local authorities in responding to the Covid-19 pandemic. The majority of this funding was directed to authorities with social care responsibilities. BDC received £50,643.
- 1.2 On 28 April, the Government announced a further £1.6bn of funding to support local authorities in responding to the Covid-19 pandemic. This time funding is being distributed on a per capita basis, with a 65:35 split between county and district authorities. BDC will receive £1,300,935.
- 1.3 This funding is intended to help local authorities address the pressures being facing in response to the Covid-19 pandemic across all service areas.
- 1.4 So far, this Council has identified the need to spend approximately £151,000 in response to the Covid 19 pandemic. Primarily on:
  - A County Wide mailshot (£28k being the BDC share of the cost).
  - Potential additional costs of ensuring all homeless persons are provided with safe accommodation (£50k).

- Additional IT costs to enable effective homeworking and video conferencing, and offsite telephony capacity (£30k).
  - Additional capacity for the help hub (£35k).
- 1.5 Each month the lockdown continues is likely to result in additional operational costs of up to £100k.
- 1.6 This expenditure is outside the Council's approved budget and thus needs to be reported to Council for ratification in line with Budget and Policy Framework Procedure Rules

## 2 GRANTS TO BUSINESSES

- 2.1 On 25 March the Minister of State for Business, Energy and Industrial Strategy (BEIS) established:

- The Small Business Grant Fund (SBGF), and
- The Retail, Hospitality and Leisure Grant Fund (RHLGF).

To provide grants of either £10,000 or £25,000 to eligible businesses.

- 2.2 On 1 April, BDC received £26,242,000 as an on account payment to facilitate the award of these grant in our area.

- 2.3 As at close of play on Friday 8<sup>th</sup> May, BDC has made the following grant awards.

	Value	No of Grant Payments
<b>Total Processed</b>		
Small Business Rate Relief £10k Grants	16,200,000	1,620
Retail, Hospitality and Leisure £10k Grants	2,280,000	228
Retail, Hospitality and Leisure £25k Grants	4,125,000	165
	<b>22,605,000</b>	<b>2,013</b>

<b>Estimate of Total Potential Claims (this number changes as properties are identified as eligible)</b>		
Small Business Rate Relief £10k Grants	18,190,000	1,819
Retail, Hospitality and Leisure £10k Grants	2,360,000	236
Retail, Hospitality and Leisure £25k Grants	4,200,000	168
	<b>24,750,000</b>	<b>2,223</b>

<b>Percentage Paid</b>		
Small Business Rate Relief £10k Grants	89%	89%
Retail, Hospitality and Leisure £10k Grants	97%	97%
Retail, Hospitality and Leisure £25k Grants	98%	98%
	<b>91%</b>	<b>91%</b>

- 2.4 These figures are increasing on a daily basis as officers are contacting those businesses that have not yet applied for a grant, to help facilitate the payment of the remaining grants.

### **3 DISCRETIONARY FUND FOR BUSINESS GRANTS**

- 3.1 On 1<sup>st</sup> May the Government announced a new Discretionary Fund for Business Grants.
- 3.2 This will help businesses which are unable to access the current grant pot because they are not currently subject to Business Rates. This might cover for example serviced or shared offices where there is one ratepayer for the whole property but within it there are perhaps 10 units each with a business that cannot get the grant because they are not liable for rates. Another potential example is B&Bs that are too small to be subject to Business Rates.
- 3.3 The size of the pot will be approx. 5% of the £12.6bn currently allocated to the Grant scheme – so approximately £600m nationally.
- 3.4 Businesses will need to demonstrate significant loss in income to qualify.
- 3.5 At the time of writing this report, we are still awaiting further detail about this scheme.

### **4 HARSHIP FUND**

- 4.1 On 30 March, the Minister of State for Regional Growth and Local Government provided details about the Council Tax Hardship Fund grant.
- 4.2 The purpose of the grant is to compensate billing authorities in England for the council tax foregone in 2020/21 due to additional council tax reliefs that may be provided to recipients of working age local council tax support schemes during the Covid-19 emergency. Note: There is no provision at the moment for discretionary discounts for non Council Tax Support customers.
- 4.3 On 3 April, BDC received £637,216 under this scheme, based on the 2019/20 Q3 caseload of 2,950. This is a fixed award – ie will not increase even if our caseload increases.
- 4.4 Allocating the mandated £150 reduction to current working age claimants accounts for £442k of this funding. This leaves approximately £195k to provide additional funding for new council tax reduction claimants and discretionary funding for those in need.
- 4.5 We are currently working with our council tax system supplier to administer the £150 reduction in council tax. System suppliers have experiencing challenges in administering this change, mainly due to changes being made by MHCLG to the requirement. This is impacting the timeliness of implementing the reduction on bills.
- 4.6 We will write to those who get the £150 reduction and, to make sure that those who may be struggling financially do not face unnecessary pressure, we are not collecting Direct Debits payments from those who will have no further liability. We have also currently suspended enforcement action against those who are facing difficulties paying their Council tax and asking people to contact us so we can take appropriate action on their Council Tax payments.
- 4.7 In addition, the recently agreed changes made to the Council Tax Assistance schemes came into effect in April. These have made sure that everyone claiming

Universal Credit, or whereby they have a significant change within their Universal Credit award are automatically assessed whether eligible and awarded where appropriate. This makes sure that our residents only pay what they can afford.

## 5 ADDITIONAL BUSINESS RATES (NDR) RELIEFS

5.1 On the 19 March Government announced that

- Businesses currently receiving 50% retail NDR discounts would get 100% relief.
- Businesses in the leisure / hospitality sectors or occupying a retail sector property with a rateable value of less than £51,000 would get 100% NDR relief.
- Nurseries would get 100% NDR relief.

5.2 Eligible properties have been awarded these reliefs and revised bills sent out. In total these additional reliefs have reduced NDR bills by nearly £13m.

5.3 The Government will be compensating local authorities for this reduction in income receivable.

## 6 ONGOING FINANCIAL PRESSURES

6.1 Not only do we need to consider the immediate financial issues, this pandemic will also have significant long term financial impacts on the Council.

6.2 An initial rough estimate indicates that if the lockdown lasts until the end of July the full financial impact on this Council could be close to £2m. If the impacts last until the end of November, the impact could be closer to £4m.

6.3 The key financial impacts are shown in the table below.

Issue	Impact	Impact Mar – End July 4 1/2 Mths £'000	Impact Mar – End Nov 8 1/2 Mths £'000
<b>Additional Spending Pressures</b> Including homelessness costs, additional comms to residents, increased working costs etc	Up to £100k a month	450	850
<b>Hardship Payments</b> At present the Council has allowed £100k to cover hardship payments. There are real concerns that this may not be sufficient.	Difficult to quantify		
<b>Recycling Gate Fee</b> If the recycling market collapses it will cost more to dispose of our recycle.	An increase in gate fee of £30 per tonne would cost £30k a month	135	255
<b>Additional Council Tax Support</b> The cost to BDC of providing Council Tax support is £668k a year.	A 50% increase in caseload would cost £28k a month	126	238

Issue	Impact	Impact Mar – End July 4 1/2 Mths £'000	Impact Mar – End Nov 8 1/2 Mths £'000
<b>Business Rates Growth</b> The Council currently benefits from business rates growth. If this stalls, then this income will no longer be earned.	The council gains over £1m from growth each year. Reduction could be 25%-50%.	250	500
<b>Default in Council Tax Payments</b> Each year the Council collects £6.0m in Council Tax. In the medium term we may face significant challenges in recouping uncollected debt	A 1% cut in collection rates costs £60k A 5% cut costs £300k.	60	300
<b>New Home Bonus</b> The Council currently benefits from new homes bonus. If this stalls, then this income will no longer be earned.	The council gains about £1m in NHB each year. Reduction could be 25%-50%.	250	500
<b>Lost income</b> Potential falls in planning and other income.	Up to £154k a month in lost income.	693	1,309
<b>Tax Base</b> Our Medium Term Financial Plan assumes property numbers grow by approximately 550 a year.	If growth slows to only 200. This reduces the tax collection by $350 \times £128.55 = £45,000$	45	45
Total		2,009	3,997

- 6.4 Given the scale of these numbers, it might be prudent to review the Council's budgets in a few weeks' time to ascertain whether to look for compensating savings, or to draw additional sums from reserves, or a combination of both. The Council currently has General Reserves of over £14m and Earmarked Reserves of £8m, so is able to fund short term cost pressures.
- 6.5 It will also be important to review the capital programme in order to review and rephrase schemes as appropriate. For instance, some schemes may have to be delayed, whereas other may be brought forward to help stimulate the economy.

## 7 ISSUES AND RISKS

- 7.1 Resource Implications – This paper assesses the financial implications of Covid 19 on the Council. We are still at an early stage, and the numbers in this report are therefore subject to significant variation.
- 7.2 Legal Implications – The Council has a legal duty to ensure its financial position remains robust.

## 8 RECOMMENDATION

- 8.1 That Council:
- 1) Ratifies the decision to incur any additional expenditure necessary (up to £100,000 a month) to deal with the Covid 19 pandemic. Details of this expenditure to be reported to the Finance Portfolio Holder monthly.
  - 2) Notes this report.

## **WATER DAMAGE AT THORPE LODGE**

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**Portfolio Holder:** Finance

**Ward(s) Affected:** All wards

**Purpose of the Report:** This report considers issues arising from the recent water damage at Thorpe Lodge.

### **Recommendation:**

- 1 That Council note:
  - The effective response to the water leak at Thorpe Lodge, and
  - The decision, taken under the urgency provisions, to incur expenditure to deal with the water damage.

## **1 SUMMARY OF INCIDENT**

- 1.1 At some point over the weekend of 22<sup>nd</sup> - 23<sup>rd</sup> February, a water leak occurred on the second floor North of Thorpe Lodge.
- 1.2 The cause of the leak is believed to be a faulty vending machine. However, this is still being forensically investigated by our insurers.
- 1.3 The water leak damaged carpets, ceiling tiles, electrics, and equipment on both the second floor, first floor and to a more minor extent the ground floor. The extent of the damage is shown by the area surrounded by the dotted red line on the diagram below.





- 1.4 On the Monday morning, the first caretaker on site spotted the leak and immediately turned off the electricity to that part of the building, dealt with the leak, and cordoned off the area.
- 1.5 The emergency protocols were then invoked and:
  - Staff who normally work in the affected area, were advised to either work from home, work from South Norfolk House, work in alternative areas of the Thorpe Lodge building, or if necessary, stay at home until further advised.
  - Action was taken to ensure phone numbers and email addresses used by the public were still able to be answered.
  - An emergency response group was established to co-ordinate the response consisting of a Director, Reps from Facilities, IT and Finance, and our emergency planning officers. This group meet regularly on the Monday and subsequent days to co-ordinate the response.
  - Our insurers were notified, and provided advice as to what action we should take.
  - An electrician attended site to ensure it was completely safe, and begin to assess the damage.
- 1.6 Thanks to the work undertaken by the Facilities and IT teams, by the Tuesday morning, the BDC Council chamber had been set up to provide replacement workspaces. This allowed all affected staff to be back working effectively.
- 1.7 The loss adjusted appointed by our insurers assessed the damage on the morning of Wednesday 26<sup>th</sup> February.
- 1.8 By the end of the week quotes had been obtained to repair the damage and work had started to recover the area.

## 2 EXPENDITURE INCURRED UNDER URGENCY PROVISIONS

- 2.1 The water leak at Thorpe Lodge required officers to commission work to deal with the damage.
- 2.2 As the work to repair the damage is technically outside the approved budget, then under normal circumstances this would require full council approval.
- 2.3 However, section 4 of the constitution provides for the following.
4. **Urgent decisions outside the budget or policy framework**
- 4.1 The cabinet, a committee of the cabinet, portfolio holders or officers, or joint arrangements discharging executive functions, may take a decision which is contrary to the council's policy framework or contrary to or not wholly in accordance with the budget approved by full council if the decision is a matter of urgency. However, the decision may only be taken:
- (1) if it is not practical to convene a quorate meeting of the full council and
- (2) if the chairman of the overview and scrutiny committee agrees that the decision is a matter of urgency.
- 2.4 As such the Chair of the Overview & Scrutiny Committee was approached on Monday 24<sup>th</sup> February, and gave his approval for the necessary works to go ahead.
- 2.5 The constitution also states
- 4.3 Following the decision, the decision taker will provide a full report to the next available council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.
- 2.6 This report fulfils this requirement.

## 3 RESOURCE IMPLICATIONS

- 3.1 At present the cost of dealing with the water damage is estimated to be as follows.

	£
Replacing floor and ceiling tiles	8,000
Electrical work	TBC
Replacing printer copier	1,700

- 3.2 These costs are anticipated to be fully covered under our insurance, subject to our excess of £100.

## **4 RECOMMENDATION**

### **4.1 That Council note:**

- The effective response to the water leak at Thorpe Lodge, and
- The decision, taken under the urgency provisions, to incur expenditure to deal with the water damage.

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<b>Background Papers</b>	None
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## **PAY POLICY STATEMENT 2020/21**

**Report Author(s):** Serena Bremner  
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**Portfolio:** Transformation and Organisational Development

**Ward(s) Affected:** All

### **Purpose of the Report:**

Section 38 of the Localism Act introduced in 2012 requires all Local Authorities to produce an annual Pay Policy Statement, which must be approved by Council and made available to the public. Broadland District Council's Pay Policy Statement 2020/21 is to be approved by Council in advance of its publication on the Council's website.

### **Recommendations:**

1. That Council approves the content of Broadland District Council's 2019/20 Pay Policy statement as attached in advance of its publication on the Council's website by 31 March 2020.

## **1 SUMMARY**

- 1.1 Section 38 of the Localism Act introduced in 2012 requires all Local Authorities to produce an annual Pay Policy Statement, which must be approved by Council and made available to the public. Broadland District Council's Pay Policy Statement 2020/21 is to be approved by Council in advance of its publication on the Council's website.

## **2 BACKGROUND**

- 2.1 The Localism Act requires Pay Policy Statements to cover disparate aspects of remuneration policy, specifically those relating to its highest and lowest paid members of staff. The statement must include:
- The Local Authority's policy in the level and elements of remuneration for its Chief Officers.
  - The Local Authority's policy on the remuneration of its lowest paid employees, (together with its definition of 'lowest paid employees').
  - The Local Authority's policy on the relationship between the remuneration of its Chief Officers and other officers.
  - The Local Authority's policy on other specific aspects of Chief Officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance related pay and bonuses, termination payments and transparency.
- 2.2 The Act defines remuneration widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases in/enhancements of pension entitlements and termination payments and:
- Must be approved formally by Council.
  - Must be approved by the end of March each year.
  - Can be amended in year.
  - Must be published on the Authority's website (and in any other ways the Authority chooses).
  - Must be complied with when the Authority sets the Terms and Conditions for its officers.

## **3 CURRENT POSITION/FINDINGS**

- 3.1 Broadland District Council's Pay Policy Statement for 2020/21 is attached with tracked changes shown thereon.
- 3.2 The key changes from last year excluding expected updates for job titles, employee numbers, pay scales, dates etc. are as set out below:-
- Paragraph 29 covers the move to a single officer team and joint terms and conditions, following the agreed collaboration between South Norfolk and Broadland District Councils.

## **4 PROPOSED ACTION**

- 4.1 The proposal is for the approval of the 2020/21 Pay Policy Statement.

## **5 OTHER OPTIONS**

- 5.1 Not applicable to this report.

## **6 ISSUES AND RISKS**

- 6.1 **Resource Implications** – Budgets for locally agreed pay increases and any nationally agreed awards form part of the annual budget setting process.
- 6.2 **Legal Implications** – The Council is obliged through the Localism Act to produce an annual Pay Policy Statement and so would not be meeting its statutory obligations if it failed to do so.

## **7 CONCLUSION**

- 7.1 The Council is required to publish the Pay Policy Statement on an annual basis and approval is sought prior to this publication.

## **8 RECOMMENDATIONS**

- 8.1 That Council approves the content of Broadland District Council's 2019/20 Pay Policy statement as attached in advance of its publication on the Council's website by 31 March 2020.

### **Background Papers**

#### **Appendix A – Pay Policy Statement 2020/21**

## **Pay Policy Statement 2020-21**

### **1. Status of this Policy Statement**

This policy sets out Broadland and South Norfolk Council's approach to the pay of their workforce, including Chief Officers, in accordance with Section 38 of the Localism Act.

Any decision under powers delegated in the Councils' Constitutions with regard to remuneration to be taken during 2020/21 will be bound by and must comply with this Statement.

The Section 151 Officer must be consulted prior to any decision impacting on remuneration where there is any question regarding compliance with the Statement.

In the proceeding year a full consultation process with all staff has been undertaken to harmonise and align the Councils' terms and conditions of service. From 1<sup>st</sup> January 2020 these terms and conditions became effective for all staff thus creating a One officer team serving both Councils.

### **2. Scope**

This statement sets out the Councils' policy with regard to:

- the remuneration of Chief Officers
- the remuneration of the lowest paid employees
- the relationship between Chief Officers' remuneration and that of other officers

"Remuneration" for the purpose of this Statement includes four elements:

- basic salary
- performance related pay
- pension
- all other allowances arising from employment

### **3. Objectives of the Policy Statement**

(a) To ensure a capable and high performing workforce.

The Councils' policy is to set remuneration sufficient to attract and retain sufficiently experienced and qualified individuals to deliver the Councils' priorities.

(b) Simplicity, clarity and fairness between employees and between the Councils and their communities.

The Councils aim to be transparent on pay related matters to their staff, prospective staff and their wider communities. This Policy Statement contains information relating to pay, grading and associated benefits applicable to all employees across both Councils. The Statement, once approved by each of the respective Councils, is published on each Council website.

Any remuneration package proposed for an employee which exceeds £100,000 (calculated by the value of total remuneration to be paid in the first year) must be approved in advance by both full Councils, and any package with a value of below £100,000 is approved by the Managing Director under delegated responsibility and in line with this Policy Statement.

- (c) To differentiate between remuneration and other employment related expenses.

The Councils make one-off payments to compensate an employee who has temporarily stepped up into a more senior post, or where an employee has made an exceptional business contribution to the Councils. This is remuneration

The Councils reimburse employees for expenses incurred during the course of their employment in line with the Councils' published rates. The Councils will meet or reimburse authorised travel, accommodation and subsistence costs for attendance at approved business meetings and training events. The Councils do not regard such costs as remuneration but as non-pay operational costs.

This policy is applied consistently to the Managing Director, Chief Officers, Deputy Chief Officers and other employees.

#### **4. Chief Officers**

For the purpose of this Policy Statement, Chief Officers are defined as:

- Managing Director (and Returning Officer)
- Directors (statutory or non-statutory)
- Assistant Directors (Deputy Chief Officers)

#### **5. Job Evaluation**

The pay range for each post is set using a recognised analytical job evaluation scheme (Inbucon). A points based scheme assesses each job against a number of factors. The process involves:

- The employee and manager agreeing a role profile
- Evaluation of the job data by trained analysts in partnership with the recognised Trade Union(s)
- The evaluation score determining the salary range for the job



Together HR, Business Improvement and Trade Union representatives evaluate all new posts as part of a panel approach. Where substantial change occurs to an existing job the employee and the manager are responsible for providing a revised, and agreed, role profile for re-evaluation.

## **6. Pay Bandings**

The Councils are adopting a 2% cost of living increase for all staff effective from April 2020. This is a one-year local agreement whilst the Councils work with UNISON to review the pay award for future years. (For bands see section 8 below.)

The pay bands for both Councils have been adjusted to provide one agreed pay spine for all staff, these are also aligned to agreed job families. These will be periodically adjusted to reflect the appropriate market rate for the job using regional comparative data as it is the Councils' policy to be competitive in both the public and private sector markets. Chief Officers are on a separate salary structure.

To provide the opportunity for the Councils to fully consider a suitable salary progression scheme against the new pay spine the current performance related pay schemes have been ceased.

While the new scheme is in development an interim one-off, non-consolidated, pro rata payment of £250 will be implemented for 2020 and paid in January in replacement of the 2020 PRP scheme.

A new scheme will be developed and consulted on for 2021.

Although individual establishments are maintained, staff costs are shared across the Councils on a percentage split for joint services.

The Managing Director also receives Returning Officer fees. Nominated Assistant Returning Officers also receive fees relating to duties undertaken during an election. The fees in respect of County, District and Parish Council Elections are set by the Chairpersons of the Norfolk Authorities' Member Remuneration Panels and the fees for conducting European, Parliamentary and Policy & Crime Commissioner elections are set by the Home Office and Ministry of Justice.

## **7. Pay Review**

As stated above, pay levels are reviewed each year with a 2% rise being agreed effective from April 2020.

It is the policy of the Councils to pay a minimum of the National Living Wage for all posts.

## **8. Pay Range**

The Councils operates a pay structure for Chief Officers and a pay structure for all other officers. The spread of posts across each of the bands (as at 1<sup>st</sup> January 2020) is shown in the tables below, with a 2% cost of living rise being applied from 1<sup>st</sup> April 2020.

<b>Generic Role</b>	<b>Salary Scale</b>	<b>No. Employees</b>
Managing Director	£140,000 - £160,000	1
Director	£80,000 - £100,000	3
Assistant Director	£60,000 - £80,000	8

<b>Generic Role</b>	<b>Salary Scale</b>	<b>No. Employees</b>
Senior Manager/Senior Specialist	H - J	29
Manager/Specialist	G - F	115
Senior Administrator/Senior Case/Operations Worker/Senior Technical Advisor	D - E	193
Administrator/Case/Operations worker/Technical Advisor	A - C	371
Apprentice	Apprentice	8

### **Chief Officer**

<b>Band Name</b>	<b>Minimum Salary Scale</b>	<b>Maximum Salary Scale</b>
Managing Director	£140,000	£160,000
Director	£80,000	£100,000
Assistant Director	£60,000	£80,000

**All staff below Chief Officer**

Band Name	Minimum Salary Scale	Maximum Salary Scale
<b>Apprentice</b>	<b>£11,833</b>	<b>£16,981</b>
<b>A</b>	<b>£17,588</b>	<b>£18,800</b>
<b>B</b>	<b>£18,801</b>	<b>£22,127</b>
<b>C</b>	<b>£22,128</b>	<b>£25,972</b>
<b>D</b>	<b>£25,973</b>	<b>£30,508</b>
<b>E</b>	<b>£30,509</b>	<b>£34,788</b>
<b>F</b>	<b>£34,789</b>	<b>£39,970</b>

<b>G</b>	<b>£39,971</b>	<b>£44,820</b>
<b>H</b>	<b>£44,821</b>	<b>£49,929</b>
<b>I</b>	<b>£49,930</b>	<b>53,958</b>
<b>J</b>	<b>£53,959</b>	<b>£58,690</b>

This is a new pay spine so there are no comparators available.

The mean of the two Councils salaries paid as at 1<sup>st</sup> January 2020 is £24,137 and the median is £22,127. Excluding apprentices (who are paid in line with the National Living Wage), the lowest paid employees are on Band A - these constitute a variety of staff including both administrative and operational.

The principles that guide the relationship between pay levels e.g. Job Evaluation, Pay Bandings are described in this Policy Statement.

## **9. Pay Multiples**

The Councils do not explicitly set the remuneration of any individual or group of posts by reference to a simple multiple of another post or group of posts. The use of multiples cannot capture the complexities of a dynamic and highly varied workforce in terms of job content and skills required.

In terms of overall remuneration packages, the Councils' policy is to differentiate by setting different levels of basic pay to reflect differences in responsibilities, but not to differentiate on other allowances, benefits and payments it makes

The Councils do not expect the remuneration of its highest paid employee to exceed ten times that of the lowest group of employees.

## **10. Salary Progression**

Salary on appointment is usually at the entry level of the band. Although the entry level can be varied by the skills and experience of the successful candidate, a higher point can only be agreed following a pay comparison. This would entail

being able to justify the reason for giving the individual a higher salary than others. All salary amendments will be subject to the prior approval of the Senior HR Lead.

Salary progression through the new scale is under review and therefore a 2% cost of living award has been agreed for all staff effective from 1<sup>st</sup> April 2020 thus enabling a new approach to be developed. This is in addition to the £250 interim payment referred to in Section 6.

## **11. Honoraria**

The Councils retain an Honoraria Policy to provide financial recognition for (for example) additional responsibilities undertaken by employees throughout the year.

## **12. Market Supplements**

Due to changing labour market pressures and following the agreement of the Managing Director market supplements were introduced within CNC Building Control in December 2018. These will be reviewed on an annual basis. If the supplement is no longer relevant or appropriate, this will be ceased and the post holder will automatically revert back to their original grade. Data may be obtained from Councils and other employers in the local geographical area for salary comparison purposes. Should it become necessary to pay supplements in other areas of the Councils then these will be assessed against the current market conditions and will require approval of the Managing Director.

## **13. Travel Rates**

In addition to pay, the Councils pay travel rates for the use of private vehicles on essential and reasonable Council business. The Councils pay such allowances in accordance with HMRC rates; these are the same for Chief Officers and other employees.

The current rates are:

First 10,000 miles per year: 45 pence per mile

Beyond 10,000 miles per year: 25 pence per mile

5p per mile is paid for a maximum of 4 passengers therefore the maximum claimable amount is 65p per mile

These rates are set at the maximum tax-free level approved by the HMRC.

## **14. Car Loan/Cycle Scheme**

The Councils currently operate a car loan and cycle to work scheme which is available to all permanent staff, subject to meeting terms and conditions. From April 2020 no new car loans will be agreed, as the Councils will be offering employees a new car leasing option. This option which will be paid for by the employee, enables employees to take advantage of a competitive car leasing package.

## **15. Termination Payments**

The Councils have a single redundancy scheme which applies to all employees without differentiation. The Councils do not provide any further payment to employees leaving the Councils employment other than in respect of accrued leave which by agreement is untaken at the date of leaving. In exceptional circumstances the Council will make a payment in lieu of notice.

On leaving the Authority due to redundancy the agreed Redundancy Policy will apply. The amount of compensation will be up to a maximum of 1.6 times actual weekly pay but will not exceed 104 weeks' pay. This will be payable in the form of a lump sum, with any statutory redundancy payment offset against the discretionary award.

From January 2022 the designated redundancy multiplier will move to 1.4 for all staff.

If an employee is made redundant and is over the age of 55 their pension will be payable as per the Local Government Pension Scheme; there could be a pension strain cost associated with this.

Any severance payment made outside the scope of this Policy will reasonably comply with Councils' policy at any given time and be agreed with the Managing Director and Section 151 Officer. Any such agreement will remain confidential.

## **16. Re-employment**

Any individual who has been previously employed by either Council will need to compete for the position in accordance with the agreed Recruitment and Selection Policy. If the individual is successful and has previously been in receipt of severance benefits from either of the Councils this must be referred to the Managing Director and Section 151 Officer before appointment is confirmed.

## **17. Professional Fees Subscriptions and Unison costs**

Reimbursement of professional memberships will be paid by the Councils if it is a mandatory requirement to enable the individual to carry out their statutory role.

All other professional memberships will be considered at the discretion of the Director/Assistant Director in liaison with the Senior HR Lead and will be determined based on service specific requirements

The Councils do not make direct payment to UNISON officials for trade union duties, however there is a Facilities Agreement in place to cover these duties.

## **18. Relocation Expenses**

The offer of relocation assistance will be agreed and offered to a successful candidate at the time of confirming appointment, subject to the agreement of the Section 151 Officer.

### Eligibility

The full package applies to newly appointed officers who have accepted a permanent post and who are genuinely required to move. Part-time employees can claim the same entitlements as full-time employees.

The decision of whether relocation applies to specific roles is made at the recruitment approval stage.

#### Limit

The overall maximum amount that can be claimed is £8,000.

### **19. Overtime**

All overtime worked in excess of normal hours of work must be authorised by a designated Senior Officer in advance. Overtime from Monday to Saturday, Sundays and Public Holidays is paid in accordance with the employee's contract of employment.

Eligibility for overtime payments is usually restricted to employees on salary band C and below. Unless contractually agreed or an exceptional circumstance all overtime is at plain time rates.

Employees who work less than 37 hours will be paid at plain time until they have worked over the full-time equivalent.

### **20. Sickness Benefit**

Employees are entitled to a sliding scale of sickness benefit according to their length of recognised continuous service, as follows:

Less than 4 months service – Statutory sick pay only (occupational sick pay will not normally be paid)

4 months up to 2 years – 1 month's full pay plus 2 months half pay

On or after 2 years – 2 months full pay plus 2 months half pay

On or after 3 years – 4 months full pay and 4 months half pay

On or after 4 years – 5 months full pay and 5 months half pay

On or after 5 years service – 6 months full pay and 6 months half pay

### **21. Annual leave**

The standard annual leave entitlement is 25 days (pro rata for staff working less than the standard working week) rising to 28 days after 5 years continuous service. Chief Officer entitlement is 30 days. In addition, the Councils recognise 8 public holidays, which are fixed throughout the year.

All employees are encouraged to take their full holiday entitlement each year. Employees will be able to purchase additional holiday with agreement from their line manager, provided there is organisational cover in place.

Employees will also be able to sell purchased leave back to the Councils, however will not be able to sell leave that is part of their contractual entitlement.

All staff are encouraged to work flexibly according to the needs of the service and their own personal work life balance requirements.

## **22. Recovery of Overpayments**

If an overpayment of salary or expenses occurs the HR Team will notify the member of staff concerned and agree how the monies will be repaid within a six-month timescale.

## **23. Pension Provision**

All employees may join the Local Government Pension Scheme. The scheme is a statutory scheme with a sliding scale of contributions from employees and the employer, based on annual salary. For more comprehensive details of the Local Government Pension Scheme see

[www.norfolkpensionfund.org](http://www.norfolkpensionfund.org) or [www.lgps.org.uk](http://www.lgps.org.uk)

Neither the Scheme nor the Councils adopt different policies with regard to pension benefits for any category of employee; the same terms apply to Chief Officers and all other employees.

The Scheme provides for the exercise of discretion that allows for retirement benefits to be enhanced. The Councils will consider each case on its merits but has determined that its usual policy is not to enhance benefits for any of its employees. This Policy Statement reaffirms this in respect of Chief Officers and all other employees.

The Pension Scheme provides for flexible retirement. In applying the flexible retirement provision no distinction is made between Chief Officers and other employees. The scheme requires that a minimum reduction in working hours of 20% is made and/or there is a reduction in grade and that any consequential payments to the pension fund are recoverable.

## **24. Auto Enrolment**

In complying with Government legislation to auto enroll workers into a workplace pension scheme, with effect from 1 November 2013 the Councils auto enroll all workers into the Local Government Pension Scheme if they meet the following criteria:

- earn over £10,000 per year
- are aged 22 or over
- are under State Pension Age
- are not already in a pension scheme



The re-enrollment date for the Councils was 1<sup>st</sup> November 2019

## **25. Non-Pay Benefits**

The Councils also have a number of non-pay related benefits such as occupational maternity/ paternity/shared parental/adoption leave, flexible working, staff restaurants (one of which is subsidised) and employee recognition awards. These are not part of the Councils' Pay Policy Statement, but are referred to here for completeness.

## **26. Review of the Pay Policy Statement**

This Statement will be kept under review and is subject to annual approval by both full Councils. Changes will be agreed through appropriate consultation with the recognised Trade Union(s) and will be considered with regard to external good practice, legislation, recruitment and retention data and external pay information. Any potential departure from this Policy Statement during the course of the year requires the approval of the Managing Director and Leader of each Councils.

## **27. Gender Pay Reporting**

New regulations took effect from 1 April 2017 requiring Gender Pay Reporting for all organisations with 250+ employees. The Councils will report annually on these six calculations;

1. Average gender pay gap as a mean average
2. Average gender pay gap as a median average
3. Average bonus gender pay gap as a mean average
4. Average bonus gender pay gap as a median average
5. Proportion of males receiving a bonus payment and proportion of females receiving a bonus payment
6. Proportion of males and females when divided into four quartiles ordered from lowest to highest pay.

Alongside the calculations a narrative can be added to explain the reasons for the results and follow up actions taking place.

## **28. Publication of Data, Access to Information and Transparency**

The code of recommended practice for local authorities on data transparency requires that the Councils should publish public data that includes Senior Officer

salaries, names (discretionary), job descriptions, responsibilities, budgets and numbers of staff (with “Senior Officer” employees defined as those earning greater than £58,690). This information will be published on the Councils website by 1 April of each year and included, as required, within the Statement of Accounts which are subject to audit inspection.

## **29. Changes to Terms and Conditions**

From 2<sup>nd</sup> January 2019 Broadland and South Norfolk Councils appointed a Managing Director who will undertake to bring the two Councils together under one team. This means from 1<sup>st</sup> January 2020 there is a single officer team serving both independent Councils.

23rd January 2020

## **NORFOLK POLICE AND CRIME PANEL**

**Report Author(s):** Linda Mockford, Governance Manager  
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**Portfolio Holder:** Policy

**Ward(s) Affected:** None

**Purpose of the Report:** To agree an amendment to the Norfolk Police and Crime Panel Arrangements and to allow Air Commodore Kevin Pellatt to continue in the role of co-opted independent member on the Panel.

### **Recommendations:**

That Council agree to:

- a) an amendment to the Norfolk Police and Crime Panel Arrangements, which would allow the Panel to re-appoint a co-opted independent member without open recruitment.
- b) Air Commodore Kevin Pellatt continues in the role of co-opted independent member, beyond his appointed term of office, should the Panel be unable to meet (and consider his re-appointment) before the end of June 2020.

## **1 SUMMARY**

- 1.1 Under the current exceptional circumstances due to the Coronavirus Pandemic, the Norfolk Leaders have considered a report from the Chair of the Norfolk Police and Crime Panel (PCP) requesting to change the Panel arrangements. Such changes would allow the Panel to re-appoint a co-opted independent member without open recruitment.
- 1.2 This would allow Air Commodore Kevin Pellatt to continue in the role of co-opted independent member beyond the appointed term of office should the Panel be unable to meet before the end of June 2020.
- 1.3 In principle, this request was agreed by all Norfolk Leaders but they would each seek their Council's agreement to the points above.

## **1 BACKGROUND**

- 2.1 The Police Reform and Social Responsibility Act 2011 (the Act) requires each police area in England, other than the metropolitan police district, to have a Police and Crime Panel (PCP) established and maintained. PCPs scrutinise the Police and Crime Commissioners (PCC) who themselves will hold the Chief Constable of their force to account for the full range of their responsibilities.
- 2.2 The Act requires the functions and procedural rules for the operation of the PCP to be set out in 'Panel Arrangements' and 'Rules of Procedure'. The Panel Arrangements (and any changes) must be agreed collectively by the local authorities but the Rules of Procedure are for the PCP to approve once it has been established.
- 2.3 It is the Panel Arrangements which must make provision about the co-option of, and holding of office by, the independent members.
- 2.4 Currently, this document defines a specific term of office (4 years). In addition, it says that there shall be no restriction on the overall time period that an independent member may serve on the PCP. The expectation, and previous practice, has been that an independent member seeking re-appointment could re-apply through the relevant open recruitment process.

## **2 CURRENT POSITION**

- 3.1 Norfolk PCP has two co-opted independent members. They are each appointed for 4 years, but the appointments are staggered to maximise consistency of membership, skills and experience.
- 3.2 The term of office of Air Commodore Kevin Pellatt, currently the Panel's Vice-Chairman, is due to come to end in July 2020.

- 3.3 The Panel was due to consider a draft advertisement, application pack, timetable and appoint a selection panel at its 24 March 2020 meeting, with a view to carrying out an open recruitment exercise in the usual way during the spring. The recommended candidate's appointment was due to be endorsed at the Panel's meeting on 30 June 2020.
- 3.4 Owing to pressures on public services as a result of coronavirus -COVID-19, the Panel's 24 March 2020 meeting was cancelled.
- 3.5 Given the fast moving and uncertain situation relating to coronavirus, the Panel's Chairman (County Councillor William Richmond) is keen to ensure the Panel maintains the much-valued skills and experience of current members and to prevent a vacancy from arising. In order to do so, he has asked Norfolk Leaders to seek their Council's support for an amendment to the Panel Arrangements, which would allow the Panel to re-appoint a co-opted independent member without open recruitment.
- 3.6 All Norfolk Leaders agreed to seek their Council's approval to amend the Panel Arrangements.
- 3.7 It should be noted that the Panel Arrangements also require the appointment of elected members to the PCP to be made by each local authority at its annual general meeting. The Council's AGM has been cancelled, however, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, allow that such appointments continue until the next AGM.

#### **4. PROPOSED ACTION**

- 4.1 Add the following new paragraphs to the Panel Arrangements:
  - 6.7 A co-opted independent member may be re-appointed for a further period, without open recruitment, if the majority of Panel Members agree. This could only be done once, for a maximum period of four years, having considered whether the re-appointment would allow the Panel to meet its Balanced Appointment Objective.
  - 6.8 At the end of the re-appointment period, should an individual still wish to continue in the role, they would need to re-apply through open recruitment.
- 4.2 It should be noted that the Panel Arrangements require independent member appointments to be endorsed annually, at the Panel's AGM. In addition, they include provision for removal of Independent Members (paragraph 11).
- 4.3 Paragraphs 6 and 11 of the existing Panel Arrangements are attached at appendix 1.

## **5 ISSUES AND RISKS**

- 5.1 **Resource implications** – there are no resource implications
- 5.2 **Legal implications** – The Act requires the relevant local authorities in each police force area to establish and maintain a PCP for its police force area and it is the responsibility of the local authorities to agree the Panel Arrangements.
- 5.3 **Equality implications** – none identified.
- 5.4 **Environmental impact** – no impact identified.
- 5.5 **Crime and disorder** – no impact identified.
- 5.6 **Risks** – no other risks identified.

## **6 RECOMMENDATIONS**

- 6.1 That Council agree to:-
  - a) an amendment to the Panel Arrangements, which would allow the Panel to re-appoint a co-opted independent member without open recruitment (at paragraph 4.1 of this report).
  - b) Air Commodore Kevin Pellatt continuing in the role of co-opted independent member, beyond his appointed term of office, should the Panel be unable to meet (and consider his re-appointment) before the end of June 2020.

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### **Background Papers**

The Police Reform and Social Responsibility Act 2011

PCC Panel Arrangements and Rules of Procedure

Report to Norfolk Leaders by County Councillor William Richmond, Chair of Norfolk Police Crime Panel

**Norfolk PCP - Panel Arrangements – paragraph 6**

**6. Membership – Independent Members**

- 6.1 The PCP shall co-opt two independent members onto the PCP. For the first two co-options, one shall be appointed for a term of four years and one for a term of three years. Thereafter the appointments will be for four-year terms. There shall be no restriction on the overall time period that an independent member may serve on the PCP. A member of any of the relevant local authorities may not be a co-opted member of the PCP where the number of co-opted members is two.
- 6.2 The following may not be co-opted Members of the PCP:
- a) the PCC for the Police Area.
  - b) a member of staff of the Police and Crime Commissioner for the area.
  - c) a member of the civilian staff of the Police Force for the area.
  - d) a Member of Parliament.
  - e) a Member of the National Assembly for Wales.
  - f) a Member of the Scottish Parliament.
  - g) a Member of the European Parliament.
- 6.3 The recruitment process for co-opting independent members should include a reasonable period of open and public advertising for the positions. The closing date for the receipt of applications should be at least two weeks from the date the advertisement is first placed. The PCP shall also invite relevant organisations, as it considers appropriate, to nominate candidates for consideration as part of the recruitment process.
- 6.4 The recruitment process will be carried out in accordance with the following principles:-
- (i) Appointments will be made on merit of candidates whose skills, experience and qualities are considered best to secure the effective functioning of the PCP
  - (ii) The selection process will be fair, objective and impartial and consistently applied to all candidates who will be assessed against the same pre-determined criteria
  - (iii) The selection process will be conducted transparently with information about the requirements for the appointments and the process being publicly advertised and made available
- 6.5 Information packs shall be prepared and sent to those requesting them. The PCP shall appoint a selection panel to consider applications and interview candidates.

- 6.6 Following the interviews, the selection panel will make recommendations to the PCP about the appointment of the independent members and the PCP will make a decision as to which candidates to co-opt. In order to be co-opted, each candidate shall require the support of a majority of the appointed members of the PCP present at the meeting at which the decision is made. Independent member co-options shall be subject to annual endorsement at the PCP's AGM. If a majority of appointed members present at the AGM vote against endorsing an independent member's co-option, the independent member's co-option shall be terminated.

### **Norfolk PCP - Panel arrangements – paragraph 11**

#### **11. Removal of Independent Members**

Other than at the PCP's AGM, an independent member may only be removed from office if an appointed member has given notice to the PCP secretary at least 10 working days prior to an ordinary meeting of the PCP, of his or her intention to propose a motion that an independent member's co-option be terminated. At the subsequent meeting, termination will only be confirmed if at least two-thirds of the persons who are members of the PCP at the time when the decision is made vote in favour of termination.

The full Panel Arrangements document can be viewed via the following link:

<https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/partnerships/crime-and-disorder-partnerships/police-and-crime-panel>



## **OUTSIDE ORGANISATIONS - FEEDBACK FROM REPRESENTATIVES**

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**Portfolio:** Leader (Policy)

**Wards Affected:** All

### **Purpose of the Report:**

The purpose of this report is to receive feedback from members on their representation on outside bodies.

### **Recommendation:**

To note the report

## **Cllr S Prutton - NHOSC REPORT ON MEETING HELD ON 13 FEBRUARY 2020**

There has been no meeting of NHOSC since October 2019 as 'Purdah' rules coming into force prior to the General Election forced the postponement of the planned November meeting.

The February meeting was devoted to the West of the county:

### **1 Queen Elizabeth Hospital NHS Foundation Trust**

This was an update on progress made since the publication of the Care Quality Commission report following its inspection in Spring 2019. We were told in some detail of the progress that has been made in the following areas:

- Leadership and management
- Safe and compassionate care
- Culture and engagement
- Governance
- Recruitment and retention
- Emergency department
- Closer working with external partners
- Medical education

Prior to this meeting I had joined five other Committee members to visit the QEH in January 2020. We were able to see at first hand several of the areas that featured in the comprehensive report and those who had visited on previous occasions were able to note the apparent improvements that had been made.

It is to be hoped that when CQC re-visit (Spring / early Summer 2020) they will be able to replace their "inadequate" rating with something more encouraging for all concerned.

The team will be returning in September / October 2020 to give a progress report to the committee.

### **2 Future of primary care (GP) services for residents of Fairstead, King's Lynn**

The Committee considered the West Norfolk Primary Care Commissioning Group's decision following their public consultation on the proposed closure of the Fairstead branch surgery, their decision being **not** to agree with the closure. Rather, they have elected to work towards restoration of a full GP service provision for those residents who did not wish to relocate to the two nominated alternative surgeries.

An extensive programme of work on the existing accommodation will need to be undertaken starting with the appointment of a project leader in March 2020. This programme should ensure that the accommodation will eventually be deemed fit for purpose.

NHOSC was assured that funding will be available in order for the necessary work to be undertaken.

Regular progress updates will be made available to the Committee and the Group will be invited back for scrutiny whenever any appropriate point has been reached.

### **Cllr L Hemsall – Broads Authority – 6 December 2019**

At the BA planning committee meeting on 6th December members considered an application in Reedham for redevelopment of Sanderson's boatyard. The boatyard had fallen behind with investment in infrastructure, so the new owners had decided to develop part of the site for housing to enable redevelopment of the yard itself. The plans look excellent and I'm pleased members were able to support the application which will provide security for several jobs and a valuable boatyard service on the Broads. [Planning Committee Agenda 6 December 2019](#)

### **Cllr L Hemsall – Broads Authority – 10 January 2020**

I attended the meeting of the BA planning committee on 10th January and although there were no applications for determination with the Broadland area, members might like to note the Flood Risk Supplementary Planning Document which forms part of the agenda bundle. The Broads, as we know are very sensitive to rising water levels so particular care has to be applied when considering development in these sensitive areas. [Broads Authority Planning Committee Agenda and Reports 100120](#)

### **Cllr L Hemsall – Broads Authority – 31 January 2020**

Please find below attached link to the agenda for the BA meeting on 31st January, unfortunately I was unable to attend due to a clash with a Broadland Growth Limited meeting, however members might appreciate the link [Broads Authority – 31 January 2020](#)

### **Cllr L Hemsall – Broads Authority – 7 February 2020**

I attended the meeting of the BA planning committee on 7th February. There were no application for determination in the Broadland area, however members might like to note the Marketing and Viability Supplementary Planning Document which is within the agenda bundle as this is likely to relate to businesses considering a change of use within the Broads Executive area. [Planning Committee Agenda – 7 February 2020](#)

### **Cllr L Hemsall – Transforming Cities Joint Committee – 19 February 2020**

At this meeting members received a briefing on the new bike hire scheme which will be launched in Norwich in March this year and approved some slight changes to the bus lane arrangements on the approach to Castle Meadow. At the meeting I again highlighted the importance of making improvements to the Bracondale approach to the city centre as traffic is often backed up right on to the A47.

### **Cllr L Hemsall - Norfolk Strategic Planning Forum 14th Jan 2020**

I attended the above meeting as the PH for Planning and am pleased to report that the work programme as agreed by BDC is going well. We received a very informative presentation by the NHS who are working hard on a developer tariff that can in due course be applied to new development in order to meet the need for primary health care as new housing comes forward.

## **Cllr J Ward - Norfolk Arts Forum Executive Committee 27 February 2020**

We had a presentation by Arts Council England setting out their 10 Year Strategy which is about Everyday Creativity instead of funding single prestige events. Their investment principles are Ambition, Quality, Inclusivity and Relevance and they will be doing some small scale seed funding for local groups. The overall aim is to make England a country in which the creativity in each of us is valued and given the chance to flourish.

We heard from Helen Stock on the Film Hub South East which funds Film Festivals and assists Independent Cinemas.

Mary Muir, Norfolk County Council's Arts Development Manager explained "Celebrating Culture", a 32month high profile PR and Marketing Campaign to develop culture across Norfolk and Suffolk. There are seven priorities : 1. The Coastal Path; 2. Dippy, diippodocus; 3. The Hold, Ipswich; 4. 50th Anniversary of the UEA; 5. 1000th Anniversary of Bury St. Edmunds Abbey; 6. The Friendly Invasion; 7. Norwich Castle Keep Project.

The National Writing Centre is running a Change Leadership Programme using the CLORE LEADERSHIP programme to develop leaders for tomorrow in Museums, Libraries and the Arts.