

Minutes of a meeting of the **Council** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Tuesday 17 December 2019** at **7.00pm** when there were present:

Mrs K A Vincent – Chairman

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

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

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

No declarations were made.

## **87 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Ms S J Catchpole, Mr A D Crotch, Mr J F Fisher, Ms N J Harpley, Mr D Harrison, Mr D King, Miss S Lawn, Mr I Mackie, Mrs S M Prutton and Mr M D Snowling.

## **88 MINUTES**

The minutes of the meeting held on 7 November 2019 were confirmed as a correct record and signed by the Chairman subject to the following amendments:

Minute no: 73 – Announcements

Addition of the following paragraph – “In response to a question, the Portfolio Holder for Environmental Excellence confirmed that she was happy to ensure

that a further exhibition during the consultation period was arranged on the proposed recycling facility associated with the NDR.

Minute no: 76 – Overview and Scrutiny Committee

Addition of the following paragraph after the reference to the Eco Cube in the second paragraph – “and the recommendations drawn up by the Committee for adoption by Council” .....

## **89 ANNOUNCEMENTS**

Members noted the civic engagements undertaken by the Chairman and Vice-Chairman of the Council since the last meeting. The Chairman drew attention to some of the events she had attended.

The Vice-Chairman advised Members that he had attended a recent Board meeting of Community Rail Norfolk at which representatives of Greater Anglia had been asked to report on current problems on branch lines. They had apologised for the recent issues with signalling, leaf debris on tracks and the operation of the new trains. Currently, 21 of the new trains were in service on branch lines. An assurance was given that efforts were continuing to overcome current issues and, at the current time, normal service had virtually been resumed. An assurance was also given that the new trains had been fully tested in the event of snowy conditions and that it was hoped there would be no issues with services in the event of such conditions.

The Leader of the Council (Mr Vincent) expressed his thanks and appreciation to all staff involved in the recent Parliamentary Election for delivering an excellent election.

The Portfolio Holder for Finance (Mrs T Mancini-Boyle) reported that the NHS Trust business rate challenge had recently been dismissed by the Courts. The decision could however be the subject of appeal.

The Portfolio Holder for Environmental Excellence (Mrs Leggett) advised Members that the cups used in the water coolers in the council offices were made of a vegetable wax plant material and were fully compostable.

The Portfolio Holder for Planning (Mrs Hempsall) advised Members that the Greater Norwich Local Plan papers for the Place Shaping Panel meeting on 6 January were now available. She invited all Members to attend the meeting to contribute to the Local Plan process and that the public consultation would start on 29 January and last for 6 weeks. It was noted that the Greater Norwich Development Partnership was also meeting at the Council offices on 6 January and Members were welcome to attend.

The Head of Paid Service reiterated the Leader's appreciation to all involved in the organisation of the recent Parliamentary Election and added that, over the course of polling day and the overnight count, around 900 people had been involved. The combined count held at the Norfolk Showground for the three constituencies, Broadland, Norwich North and South Norfolk had been very successful and he welcomed any feedback from Members.

**90 QUESTIONS FROM THE PUBLIC**

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

**91 PUBLIC SPEAKING**

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

**92 OVERVIEW AND SCRUTINY COMMITTEE**

The minutes of the Overview and Scrutiny Committee meeting held on 19 November 2019 were received.

**93 CABINET**

The Minutes of the Cabinet meeting held on 26 November 2019 were received.

**Minute no: 55 – Health and Wellbeing Framework**

The Portfolio Holder for Housing and Wellbeing (Mr F Whymark) advised Members that Cabinet had supported the proposed framework subject to the inclusion of reference to costings. He therefore proposed the following additional wording be added to the framework:

“Improving health and wellbeing requires a system-wide approach. Working towards these resources will either be a) embedded within day-to-day working e.g. health policy in planning or falls assessments whilst undertaking home visits or b) work with partners to identify external resource for inward investment or collaborative initiatives that meet the proposed four health and wellbeing themes e.g. District Direct, resourced through adult social care and clinical commissioning groups or mental health support through public health funding. This framework of itself does not incur any costs to the Council. Any changes to resource allocation would be tested with Members and decided in accordance with correct governance procedure”.

In response to a comment that the Council's work in relation to dementia was not captured in the framework, the Portfolio Holder commented that the framework did not capture in detail all areas of Council activity associated with Health and Wellbeing as it was a framework and, as such, these activities would be bedded within it.

Attention was drawn to the reference to South Norfolk Council on page 46 of the Framework – “How we support our residents” and the need to include reference to Broadland District Council.

A concern was raised about the effectiveness of the performance indicator measuring the success of “the reduction in the number of people receiving incapacity benefit payment for mental health reasons” and the potential impact of this and if there was scope to word the indicator in a more positive way. The Portfolio Holder stressed that the overriding aim was to support people with mental health issues and aid their return to work. The framework and indicators would evolve as the framework progressed. In the absence of any suggested rewording, there was no proposal to alter the indicator at the present time.

Members then voted on the recommendation from Cabinet and it was

### **RESOLVED**

to adopt the Health and Wellbeing Framework subject to inclusion of reference to costings as detailed above and subject to inclusion of reference to Broadland District Council on page 46 of the Framework (copy attached at appendix 1 to the signed copy of these minutes).

### **Minute no: 57 – Review of Discretionary Rate Relief**

The Portfolio Holder for Finance invited Council to support the proposals which would see the alignment of 17 of the 20 discretionary rate relief policies across Broadland and South Norfolk Councils. The hardship fund would continue to operate and individual cases would continue to be dealt with on a case-by-case basis.

It was noted that a duplicated paragraph needed to be removed from the Discretionary Hardship Relief section of the Policy, relating to the test of hardship.

Reference was made to a historical decision of the Council not to grant relief to “secret societies” and if this was still applicable as reference to it was not included in the current review. Members were advised that the new policy, if adopted, would supersede any previous arrangements. The Review had been considered by the Overview and Scrutiny Committee and Cabinet prior to its

consideration by Council and this issue had not been raised. The Portfolio Holder reiterated that, any applications for hardship relief would be considered on a case-by-case basis by the Assistant Director of Finance in accordance with the framework and in consultation with the Portfolio Holder for Finance. On being put to the vote, it was

**RESOLVED:**

subject to removal of the duplicated paragraph, to adopt the revised Discretionary Rate Relief Policy and delegate authority to the Assistant Director of Finance to make decisions related to all individual awards within the policy framework in consultation with the Portfolio Holder for Finance (copy of the policy attached at appendix 2 to the signed copy of these minutes.

**Minute no: 58 – Norfolk Strategic Planning Framework 2020/21**

The Portfolio Holder for Planning reported that the work programme had been developed by the Norfolk Strategic Planning Group which was made up of all planning authorities across Norfolk. The work programme included the commissioning of work on climate change and the accommodation needs of older people – two matters raised in the past at Council meetings. In response to a request that representation from the County Council was included in the accommodation needs work, the Portfolio Holder acknowledged this, stating that the meetings of the Group were held at County Hall, were open to all Members to attend and were supported by officers of the County Council.

In supporting the proposed work programme, a concern was raised that Members could not access the Greater Norwich Local Plan documents on the Greater Norwich Development Board web site as restrictions on Members' Ipad's prevented access to this site. Officers undertook to address this issue.

On being put to the vote, it was

**RESOLVED:**

to approve the proposed NSPF work-plan for 2020/21 and the contribution of £10,000 to the work on the NSPF for 2020/21 (copy of the work programme attached at appendix 3 to the signed copy of these minutes.)

**Minute no: 59 - Joint Domain Name – see Minute 97 below**

**94 PLANNING COMMITTEE**

The decisions of the Planning Committee meeting held on 27 November 2019 were received.

**95 AUDIT COMMITTEE**

The minutes of the Audit Committee meeting held on 14 November 2019 were received.

**Minute no: 21 – Contract Standing Orders – see Minute 99 below**

**96 LICENSING AND REGULATORY COMMITTEE**

The minutes of the Licensing and Regulatory Committee meeting held on 20 November 2019 were received.

The Chairman commended the Committee Officer on the quality of the exempt minutes produced.

**97 JOINT DOMAIN NAME**

Members considered the report setting out an overview of the work undertaken towards selecting and agreeing a single domain name for Broadland and South Norfolk Councils.

A number of questions and concerns were raised about the proposed domain name including, detailed costings for the proposed new domain name, clarity as to the impact of the proposals on members' email addresses, concern about the length of the proposed domain name and that it was not geographically clear.

In response, Members were advised that the cost of the change would be minimal and would be factored in as part of phased ongoing updates as and when necessary. The combined domain name and resultant combined website would remove the need to maintain two domain names/websites and reduce costs. The proposal would also facilitate more efficient working for staff. Where possible, a number of dedicated links would be provided to avoid the need to type the longer domain name.

It was confirmed that Members email addresses would change to the new combined domain name over the next 12 months. The move to a new domain name, if approved by Central Government, would result in the requirement to close down the old domain names. In response to a Member's concern that

business cards already printed at their expense would now be invalid, the Leader confirmed that the Council would arrange for replacement business cards if requested.

Some Members continued to have concerns that the combined domain name would be confusing for residents, as it did not reflect the geography of the area, diminishing their connection to Broadland. It also gave the impression the Councils were one Council which was not the case. A number of Members also expressed surprise that the proposals now extended to include Members' email addresses and were reassured that this had been discussed at the Joint Lead Members' Group and at early workshops regarding the development of a new domain name and should not therefore be a surprise to Members.

In response to a question as to why the Government might still as yet not approve the preferred domain name, the Leader outlined the criteria set out in the report for local authorities to successfully obtain domain names for website and email addresses which essentially were that the proposed name had to be available, descriptive, not include an ampersand, unique and not confusing. Should the Government not accept the suggested domain name, work would commence on finding an alternative suggestion.

In response to a question, officers assured Members that steps would be taken to market and publicise the new name.

On being put to the vote, it was

### **RESOLVED**

to agree to submit South Norfolk and Broadland as the preferred choice to Central Government for the single domain name for Broadland and South Norfolk.

## **98 UPDATE ON PROGRESS WITH TWO COUNCILS ONE TEAM**

Members considered the report setting out progress on the ambitions contained in the feasibility study agreed by Council in July 2018, a general update on the wider collaboration programme of work, the review of structures, the final terms and conditions for all staff, associated policies and the updated Section 113 Agreement. The Leader highlighted the key stages of the process which had included liaison and negotiation with Unison, informal consultations with staff including one to one meetings, a formal staff consultation and collectively agreed terms and conditions. The formal consultation had resulted in over 320 responses from staff. A ballot of Unison members had returned a 73% acceptance of the proposals and a ballot of all staff had seen a return of a 75% acceptance.

A concern was raised regarding the level of turnout for the staff surveys. The turnout for one of the surveys had been 34% and this had been interpreted as a favourable response – there was no understanding of the views of the staff who had not responded and there was a concern about staff morale. The Leader confirmed that the survey had been sent to all staff and of those that replied, 75% accepted the proposals. It was assumed those who had not responded were happy with the proposals. The Managing Director acknowledged the concerns raised and re-emphasised the extensive negotiations which had been undertaken with Unison as part of a vigorous collective bargaining process, with give and take on both sides, which had culminated in the new terms and conditions. In addition, a staff survey had been carried out to capture those staff who were not members of Unison. A presentation on the new terms and conditions had been delivered to staff jointly by the Union and management. It was proposed to undertake a base line survey of all staff in the New Year following the restructuring which would provide a benchmark to track progress. Members asked that they be given the turnout figure of the Survey when undertaken, in addition to the result.

A Member raised concerns regarding the implications of the one team programme referred to in the report in relation to the development of the medium term financial plan for both Councils as it was felt this would lead to identical policies across both Councils and similar outcomes and undermine the autonomy of each Council.

The Leader and the Portfolio Holder for Finance reassured Members that this was not the case and, indeed, the proposals would allow for each Council to develop its own autonomous plans but on the same base assumptions. The development of the Capital Programme would demonstrate the different autonomous approaches of each Council and their different appetite for risk. On being put to the vote, it was

### **RESOLVED**

to

- (1) note the final structures for the two Councils, one team (copy attached at appendix 4 to the signed copy of these minutes);
- (2) ratify the terms and conditions for all staff employed with effect from 1st January 2020 (copy attached at appendix 5 to the signed copy of these minutes);
- (3) delegate to the Assistant Director Governance and Business Support, in consultation with the Staff Consultation Forum, finalisation of all those policies that are impacted on by the new terms and conditions outlined in Section 3.8 of the report;



- (4) note the updated Section 113 Agreement (copy attached at appendix 6 to the signed copy of these minutes).

## **99 CONTRACT STANDING ORDERS**

Members considered the report on work undertaken to align the framework within which both South Norfolk and Broadland Councils operated in terms of spending on works, services and supplies. The Portfolio Holder for Finance drew Members' attention to the fact that consistent thresholds across a wide range of other Suffolk and Norfolk authorities would enable shared procurement to be carried out more easily and would make procurement much easier for small and medium enterprises (SMEs).

The new framework provided for a clear audit trail and for full accountability. Following consideration by the Audit Committee, additional adjustments had been made to strengthen accountability even further in relation to the disposal of assets. The Chairman of the Audit Committee commended the new framework to Council subject to inclusion of the changes suggested by the Audit Committee.

The Chairman of the Overview and Scrutiny Committee also commended the new framework and the contribution of the Audit Committee and the Overview and Scrutiny Committee in their combined scrutiny of the framework.

### **RESOLVED**

to approve the Contract Standing Orders (attached at appendix 7 to the signed copy of these minutes).

## **100 MONITORING OFFICER REPORT**

Members considered the report of the Monitoring Officer inviting Council to appoint a new Section 151 Officer, adopt the terms of reference for the Joint Informal Cabinet and Joint Lead Member Group and to approve the amendments to the constitution as recommended by the Place Shaping Panel.

### **Section 151 Officer**

The Leader welcomed Mr Rodney Fincham to the Council.

### **RESOLVED:**

to appoint Rodney Fincham as the Council's Chief Financial Officer (Section 151 Officer), with immediate effect.

### **Joint Informal Cabinet and Joint Lead Member Group**

The Leader outlined the role of the two informal groups: the Joint Informal Cabinet had played an important role in developing and promoting the Council's strategic approach to collaboration. The Joint Lead Member Group had been pivotal in the progression of the collaboration journey. To assist with the continued progress of the work of both Groups and, having regard to openness and transparency, it was proposed that both Groups be recognised in the two Councils' constitutions. Neither Groups were decision-making bodies and any recommendations arising would be subject to determination by Cabinet / Council following consideration by the Overview and Scrutiny Committee.

With regard to the issue of openness and transparency, a concern was raised that attendance at meetings of the Groups by Members of either Council was subject to the agreement of the respective Chairman of each Group at the time of the meeting. It was felt that, in the interests of openness and transparency, meetings of both Groups should be open to the public.

The Leader commented that he would not have an issue with any Member, be it a South Norfolk or Broadland Member, attending a meeting of either Group held at Broadland when he would be chairing the meeting but could not speak for the Leader of South Norfolk who would be chairing meetings of the Groups held at South Norfolk. He added that there was also the option for Members to make representations to Portfolio Holders if they wished to make representations at one of the Group meetings.

Whilst accepting this, some Members were still concerned there was a need to make provision in the constitution for openness at meetings of the two Groups and not just rely on the willingness of the Chairman as this could change in the future depending in circumstances.

In answer to a question, the Managing Director confirmed that this matter had been received very differently at the meeting of South Norfolk Council the previous evening when the same report had been considered. It had been acknowledged that the Groups offered a forum for informal discussion and the matter had not raised any concerns.

An amendment was proposed that, in the same way that other committees were open to the public, meetings of the Joint Informal Cabinet and the Joint Lead Member Group be open to the public. In accordance with paragraph 17.4 of the constitution, a request was made that a recorded vote be taken to determine this matter and, with one-sixth of the Members present indicating support for it, a recorded vote was taken as follows:

**FOR THE AMENDMENT – 11**

Mr S C Beadle	Mrs N C Karimi-Ghovanlou	Mr D Roper
Mr D J Britcher	Dr K E Lawrence	Mrs L A Starling
Mrs B Cook	Ms J A Neesam	Mr D M Thomas
Ms S I Holland	Mr S Riley	

**AGAINST THE AMENDMENT – 22**

Mr A D Adams	Mr K S Kelly	Mr N C Shaw
Mr N J Brennan	Mrs J Leggett	Miss J L Thomas
Mr P E Bulman	Mr K G Leggett	Mrs K A Vincent
Mrs J K Copplestone	Mrs T M Mancini-Boyle	Mr S A Vincent
Mr J J Emsell	Mr M L Murrell	Mr S C Walker
Mr R R Foulger	Mr G Peck	Mr J M Ward
Ms R M Grattan	Ms C E Ryman-Tubb	Mr F Whymark
Mrs L H Hemsall		

**ABSTAIN – 2**

Mrs S C Gurney	Mr G K Nurden
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The amendment was therefore lost.

Members then voted on the recommendations contained in the report and it was

**RESOLVED**

to

- (1) establish a Joint Informal Cabinet with South Norfolk Council including:
  - (a) adopt the Terms of Reference for the Joint Informal Cabinet (copy attached at appendix 8 to the signed copy of these minutes);
  - (b) agree the membership to be the Council's Cabinet;
  - (c) agree that meetings be included as an approved duty in line with the Members' Allowances Scheme;
  - (d) authorise the Monitoring Officer to make the consequential changes to the constitution;
- (2) formalise the Joint Lead Member Group with South Norfolk Council including:
  - (a) adopt the Terms of Reference for the Joint Lead Member Group, (copy attached at appendix 9 to the signed copy of these minutes);

- (b) agree the membership;
  - (c) agree that meetings be included as an approved duty in line with the Members' Allowances Scheme;
  - (d) authorise the Monitoring Officer to make the consequential changes to the constitution;
- (3) approve the amendments to the constitution as proposed by the Place Shaping Panel.

## **101 OUTSIDE ORGANISATIONS – FEEDBACK FROM REPRESENTATIVES**

Members received and noted the feedback from Members on Outside Bodies.

## **102 QUESTIONS FROM MEMBERS**

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

## **103 MOTIONS**

It was noted that there had been no Motions received in accordance with Procedural Rule 13.

## **104 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.

## **105 NORTH-WEST WOODLANDS – LAND ACQUISITION**

Members considered the exempt report providing an update on the land acquisition.

### **RESOLVED**

to progress with the purchase of the site and to provide the additional front funding required in order to secure the acquisition of the Land.

*The meeting closed at 9:00pm*