

Minutes of a meeting of the **Council** held at County Hall, Martineau Lane, Norwich, NR1 2DH on **Thursday 12 July 2018** at **8.15 pm** when there were present:

Mrs J Leggett – Chairman

Mr A D Adams	Mr R F Grady	Mr S Riley
Mrs C H Bannock	Mrs S C Gurney	Mrs B H Rix
Mr D Buck	Mr D G Harrison	Mr D Roper
Mr P H Carrick	Mr R J Knowles	Mr N C Shaw
Ms S J Catchpole	Miss S Lawn	Mr M D Snowling MBE
Mr S M Clancy	Mr K G Leggett MBE	Mr V B Tapp
Mrs J K Copplestone	Mrs T M Mancini-Boyle	Mrs K A Vincent
Mr S Dunn	Mr I N Moncur	Mr S A Vincent
Mr J J Emsell	Mr G K Nurden	Mr D C Ward
Mr G Everett	Mr G Peck	Mr J M Ward
Mr J F Fisher	Mr A J Proctor	Mr F Whymark
Mr R R Foulger	Mr V Ray-Mortlock	

Mr D Poole-Gotto of UNISON – Broadland Branch attended the meeting for its duration.

Also in attendance were the Chief Executive, the Deputy Chief Executive, the Head of Democratic Services & Monitoring Officer, the Head of Finance and Revenue Services, the Head of Corporate Resources and the Committee Officer (DM).

The formal meeting of the Council was preceded by a joint briefing session for all Members of Broadland and South Norfolk Councils on collaborative working.

24 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8

Member/Officer	Minute No & Heading	Nature of Interest
The Head of Democratic Services and Monitoring Officer (on behalf of all staff present)	34 Broadland and South Norfolk Feasibility Study	Personal interest on behalf of all staff present as potentially affected by the proposals

25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs L H Hemsall, Mr T W Landamore, Mr I J Mackie and Mr D B Willmott.

26 BY ELECTION – AYLSHAM WARD – 24 MAY 2018

Members received the results of the Aylsham Ward By Election and the Chairman welcomed Ms Catchpole to the Council.

27 MINUTES

The Minutes of the meeting held on 15 May 2018 were confirmed as a correct record and signed by the Chairman.

28 ELECTION OF LEADER

Following the appointment of Mr Proctor as Leader of Norfolk County Council and his subsequent resignation as Leader of Broadland District Council, the Chairman invited nominations for a new Leader for the remainder of the current municipal year. It was proposed, seconded and

RESOLVED

to appoint Mr S Vincent as the Leader of the Council for the remainder of the current municipal year.

The Leader stated he was proud and privileged to be elected Leader and to accept this responsibility. He thanked Mr Proctor for his commitment to leading Broadland forward as an exemplar Council and that he hoped to continue with this work. He cared about Broadland residents and the prosperity of Broadland. In his various roles, particularly on the Greater Norwich Development Partnership, he had been able to build relationships with senior officials of other authorities and organisations and wanted to continue to do this to enhance further partnership working. Broadland was a caring, listening Council and he assured Members this would continue. The Council valued and appreciated its staff and these were its key asset. The Council would be faced with some big decisions ahead and needed strong, ambitious leadership. The Leader wished Mr Proctor well in his new role as Leader of Norfolk County Council and stated that Broadland's loss was the County's gain.

The Leader advised the Council of his Cabinet appointments for the remainder of the current municipal year as follows:

Mrs T Mancini-Boyle	Finance & Deputy Leader
Mr R Foulger	Communities & Housing
Mr J Fisher	Environmental Excellence
Mrs J Copplestone	Economic Development
Mr S Vincent	Policy
Mr I Moncur	Planning
Mr G Peck	Transformation

RESOLVED

to note the appointments.

29 ANNOUNCEMENTS

Members noted the civic engagements undertaken by the Chairman and Vice-Chairman of the Council since the last meeting.

The Leader drew Members' attention to two matters on which the Council was likely to be consulted in the near future: the Government's 25 year Environment Plan and the Coastal Partnership's proposals to improve coastal resilience.

30 QUESTIONS FROM THE PUBLIC

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

31 PUBLIC SPEAKING

The following representation was made:

Mr D Poole-Gotto – UNISON (Broadland Branch)

"I refer you to UNISON's three written submissions regarding the Feasibility Report and thank the Overview & Scrutiny Committee and Cabinet for their consideration of the substantive requests for: A no compulsory redundancy policy, no reduction of terms and conditions and consideration of the needs of staff who are requested to work at a new site. UNISON reiterates these requests. Much has been said about how important the staff are to successful collaboration, and how there needs to be a buy-in from staff. Staff are inevitably concerned about potential change and uncertainty that it brings. Some have mentioned that, what started as an exercise to investigate in which areas it was feasible to work collaboratively, has gathered pace and scope, and quickly evolved to a position where the interim report stated there was no real serious obstacle to collaboration.

There is a lot of interest in what the culture of a new collaboration would be. It does not help encourage staff buy-in to hear at presentations that differences in culture will not be a big issue. UNISON is of the opinion that there are big cultural differences, and how any new joint culture is developed will be a significant issue. UNISON is pleased to see the LGA joint culture sessions are planned for senior staff and councillors but would like to see frontline staff and UNISON representatives also have an opportunity to contribute. UNISON questions the timing of the sessions, as we believe the new MD should be involved and have a key role in shaping and developing the new culture. UNISON also has some concern about how the Joint Senior Management Team can be in place when Joint T&Cs are aligned in Sept/Oct 2019.

It has been suggested that collaboration would benefit staff, in terms of career opportunities, and that the collaborating organisations will become the employer of choice. We believe Broadland is already the employer of choice in the area. Staff enjoy working for Broadland. There is something special about working for Broadland and elements of this could be put at risk by entering into this arrangement. If it goes ahead, how the authority deals with organisational change and how it treats its staff in this early implementation phase, will define what the new culture of the organisation will become.

UNISON acknowledges that an enormous amount of work has been carried out for the study, but appreciates that the report includes many estimated predictions. The devil as always, will be in the detail. I am sure you will only vote in favour of the recommendations, if the report convinces you that the collaboration will result in benefits to: Broadland residents, Broadland businesses and Broadland staff. Whatever the outcome, UNISON will continue to feedback UNISON members' views and positively engage in consultations and negotiations with the organisation.

32 OVERVIEW AND SCRUTINY COMMITTEE

The Minutes of the Overview and Scrutiny Committee meetings held on 22 May, 29 May and 26 June 2018 were received.

26 June 2018

Minute no 15 - Broadland and South Norfolk Feasibility Study

The Leader of the Opposition (Mr Riley) referred to the recommendation to Cabinet arising from consideration of this matter by the Overview and Scrutiny Committee which had not been supported by Cabinet. He felt the recommendation reflected what was best for the Council in terms of managing change. A no compulsory redundancy policy would enable staff to feel secure in the evolutionary process of collaboration where the end was rather unknown and avoid issues of losing valuable staff. He proposed, duly seconded, that the Council support the recommendation of the Overview and Scrutiny Committee as follows:

“That a no compulsory redundancy agreement be included in the proposals included in the Feasibility Study. The agreement to be limited to redundancies arising as a result of collaboration, but excluding those resulting from external factors beyond the control of the two autonomous councils.”

Concerns were raised that it would not be practical to guarantee no compulsory redundancies. As stated in the Feasibility Study and at Cabinet and Overview and Scrutiny Committee, there was no ambition to seek compulsory redundancies but the new Joint Managing Director would need to

be in place, together with other arrangements, before these matters were considered. On being put to the vote, with 5 members voting for, 30 against and 1 abstention, the proposal was LOST.

33 CABINET REPORTS

The Minutes of the Cabinet meetings held on 5 June and 2 July 2018 were received.

5 June 2018

Minute no 9 – Non-Domestic Rate Business Growth Discount Policy

The Portfolio Holder for Finance invited Members to support the proposal to allow business rates to be reduced in full or in part for a period of 12 months to encourage new businesses to the district. The practice was in line with schemes operated by South Norfolk and Waveney Councils.

RESOLVED

to

- (1) adopt the Policy (attached at Appendix 1 to the signed copy of these Minutes) to implement a Non-Domestic Rate Business Growth Discount Scheme. The scheme would delegate authority to make decisions in individual cases to the Head of Finance and Revenue Services and the Head of Economic Development in consultation with the relevant Portfolio Holders and
- (2) require that any appeal decision be made by the Chief Executive in consultation with the Leader (Policy).

2 July 2018

Minute no 19 (agenda Item no: 11) – Broadland and South Norfolk Feasibility Study

This matter was considered at Minute no 34 below.

34 BROADLAND AND SOUTH NORFOLK FEASIBILITY STUDY

The Chairman of the Council stated that, prior to the meeting, Members had received a joint presentation with South Norfolk Council Members on the collaboration feasibility study. The feasibility study had also been considered

by the Overview and Scrutiny Committee and the Cabinet and various opportunities given to all Members to raise any questions or concerns about the feasibility study. In response to her invitation to raise any further issues for clarification, no further matters were raised.

The Council had received a Motion under Procedural Rule 13 from Cllr S Riley, seconded by Cllr D Roper, and Cllr Riley had confirmed he wished the Motion to be considered in its entirety with no amendments. The Chairman then invited Council to debate the Motion before them.

Cllr Riley presented his motion to Council:

“The Council, in examining the Broadland & South Norfolk Feasibility Report, recognises in principle the potential benefits of collaborative working. Further, the Council understands the indicative points and nature of future savings re cost reductions. The indicative aspirations to benefit our residents, local businesses and our staff working to a larger strategic scale.

The Council recognises that the report points to risk due to the indicative nature of the report at this feasibility stage and points to the need for an exit strategy should either council step- back from collaborative working. The Council further recognises that in the event of withdrawal at any stage over the next 5-year period there could be adverse consequences in terms of staff posts, departments that had been aligned and therefore service to residents. This may also result in any saving to that date being undermined in terms of budget to run the Council resulting in adverse costs to the Council. At this stage of the feasibility report it is not possible to fully quantify or mitigate for such an outcome over the next 5 years. In positive support of the Study Report, the Council recognises the need to better support the case for future collaborative working.

Therefore, the Council resolves in support of the Feasibility Study Report and collaborative working.

(a) To commission a further robust and prudent stage, by conducting a business case study.

(b) To enable a comprehensive report of departments and staff requirements with a view of reducing risk and to minimise possible adverse effects on staff, the running of the Council, adverse costs and service to residents in the event of a withdrawal and to better support the case for the possibility of collaborative working with South Norfolk District Council.

(c) To complete the business case study and report within a 12 month period.

(d) To not implement at this stage the recruitment of a Managing Director or

heads of department teams.

(e) To maintain current arrangements re planning interim position until the business case study is complete for further review and final member deliberation and resolve.”

In seconding the motion, Mr Roper stated the Motion was not one of being against collaboration and contained no negative proposals or comments about the work undertaken on collaboration. He alluded to the ongoing work by the Police and Crime Commissioner in relation to the Police and Fire Services which had started with a feasibility study and had now led to the commissioning of a business case to provide an informed document with full implications. The Broadland and South Norfolk feasibility report was not a full business case. It included some facts, some opinions and some indicative information. Other collaboration arrangements referred to did not reflect the South Norfolk / Broadland situation. He felt there was a need to move to the development of a business case and to listen to staff, as over a quarter of Broadland staff had not expressed a positive view of the proposals in the recent staff survey. Reference in the feasibility study to the risks, the exit strategy and costs was very minimal with little detail and implications.

A number of Members then expressed the view that the Motion was ill timed and that there were sufficient safeguards in place to mitigate risks. A considerable amount of work had been undertaken to reach the point where an informed decision could be made by Members. Opportunities had been available to raise questions as the study progressed and there was sufficient buy-in to move forward with the proposals. If serious about collaborative working and the benefits for residents, businesses and staff, there was a need for an element of trust in working together. It would be difficult to produce a business case in the 12 months proposed and the added delay would generate more uncertainty for staff.

In reply, the Leader of the Opposition stated that the feasibility study was part of an evolutionary process and that the production of the final report was the opportunity to examine the proposals and comment on the facts accordingly. With regard to the reference to trust, he commented that the process should be dependent on a business case as there were a number of factors, which could happen, and a more scientific approach was needed.

On being put to the vote, with 5 Members voting for, 31 against, the Motion was LOST.

It was then proposed, duly seconded that Council support the recommendations contained in the report.

In supporting the recommendations, a Member thanked all staff and Councillors for the considerable amount of time and effort given to the

preparation of the feasibility study. Collaborative working was not a new concept and existed in many different models. There were benefits for residents / businesses and staff together with potential financial benefits although this was not the main driver. The Councils and Members were in control of the evolutionary journey with a clear direction to the next steps which was the appointment of the Joint Managing Director, followed by the senior management team and a joint officer team.

On being put to the vote, with 31 Members voting for, 5 against, it was

RESOLVED

- (1) that Broadland and South Norfolk Councils to agree the proposals set out in the feasibility report for collaborative working, forming One Joint Officer Team across the two autonomous Councils. The required interdependent elements to deliver this are set out below:
 - (a) the route map for delivery of the collaborative working. (Sections 9 to 19 of the report)
 - (b) the deletion of both councils' current Chief Executive roles and that a new post of Joint Managing Director (Head of Paid Service) be created. Details of the proposed appointment to this post will be provided to the Councils in line with the timeline outlined in the report. (Sections 10.4 to 10.8)
 - (c) subsequent to the appointment of a Joint Managing Director, the establishment of a joint senior management team and one joint officer team across the two autonomous councils. (Sections 10.10 to 10.12)
 - (d) that the current joint management arrangements in planning continue in line with the existing 12 months interim arrangements until January 2019 and that work commences on the development of a joint planning team in accordance with the timeline as set out in the report. (Section 10.13)
 - (e) the establishment of a growth delivery team to accelerate and promote quality development in the delivery of the districts' strategic sites as set out in Appendix 4 of the report and for a report to be brought to Cabinet to establish the most appropriate operational approach and resource to establish the growth delivery team within an agreed budget.
 - (f) the budget for the one joint officer team transition costs, and the other identified implementation costs. (Sections 20.33 to 20.37)

- (g) the provisional costs/savings split as set out in section 20 of the report and its accompanying principles and that responsibility to refine this cost/savings split be delegated to the S151 officers of both Councils, in consultation with the Leaders of each Council, as part of the development of budgets for 2019/20. The final decision by Members on the cost/saving split between the two councils will be made as part of the budget setting process for 2019/20. (Sections 20.16 to 20.25)
- (2) to note that South Norfolk Council would be required to approve the ceasing of employment of the Chief Executive with the delegation of the exit arrangements, including the effective date and terms to the South Norfolk Section 151 Officer and the lead HR Business Partner, the details of which would be shared with the South Norfolk Leader and the Deputy Leader. This was in line with South Norfolk Council's Constitution and the Local Authorities (Standing Orders) (England) Regulations 2001. This decision was subject to a five-day objection period. (Sections 10.4 to 10.9)

35 APPOINTMENT OF JOINT MANAGING DIRECTOR

Following the earlier decision to approve the feasibility study and proceed with the collaborative arrangement with South Norfolk Council, the Portfolio Holder for Transformation invited Members to support the recommendations contained in the report of the Monitoring Officers from South Norfolk and Broadland Councils, requested by the respective Council Cabinets, regarding the process for recruiting a Joint Managing Director.

RESOLVED

to

- (1) agree the setting up of the Joint Appointment Panel for the recruitment of the Joint Managing Director post as follows, with the membership of the Panel delegated to the respective Group Leaders of Broadland District Council and South Norfolk Council:
 - (a) A Panel, to be known as the Joint Appointment Panel, is formally established and takes ownership of the recruitment process for the Joint Managing Director.
 - (b) Attendance at meetings held by the Panel are an approved duty for the purposes of the respective Council's Members' Allowances Scheme.

- (c) Broadland District Council shall appoint four Members to the Panel, with political representation applied 3 Conservatives: 1 Liberal Democrat (with substitutes).
 - (d) South Norfolk Council shall appoint four Members to the Panel, with political representation applied 3 Conservatives: 1 Liberal Democrat (with substitutes).
 - (e) The meeting will appoint its own Chairman, who will not have a casting vote and who shall not be either Council's Leader
 - (f) Any recommendation by the Panel for the appointment of the Joint Managing Director requires a clear majority from each Council.
 - (g) In the event that any decisions are required outside of the remit of the Joint Appointment Panel, then any such matters be delegated to the respective Chief Executives in consultation with the respective Group Leaders.
 - (h) The Panel will be authorised to agree statements specifying the job description and person specification of the Joint Managing Director post (Head of Paid Service for both Councils) and be responsible for all matters relating to the recruitment process.
 - (i) Both Councils are requested to approve the appointment of the East of England Local Government Association (EELGA) as recruitment advisor role for the process.
 - (j) Wider Members will also have the opportunity to meet candidates as part of the selection process and an informal social opportunity will be held for Members and stakeholders to meet candidates.
- (2) agree to the appointment of EELGA as recruitment advisor for the process.

36 PLANNING COMMITTEE

The decisions of the Planning Committee meetings held on 6 June and 4 July 2018 were received.

37 LICENSING AND REGULATORY COMMITTEE

The non-exempt Minutes of the Licensing and Regulatory Committee meetings held on 2 May, 15 May and 30 May 2018 were received. The Chairman of the Committee thanked staff involved in the cases presented to the Committee which had been challenging to determine.

38 AUDIT COMMITTEE

The Minutes of the Audit Committee meeting held on 28 June 2018 were received. The Chairman commented that no concerns had been raised from the internal audits carried out for 2017/18 and in the Annual Governance statement for 2017/18. Members welcomed the outcomes and congratulated officers on the achievement.

39 ADOPTION OF HORSFORD NEIGHBOURHOOD PLAN

The outcome of the referendum held on 5 July 2018 had been to support the use of the Plan and the Portfolio Holder for Planning invited Members to adopt the Plan.

RESOLVED

to adopt the Horsford Neighbourhood Plan.

40 BROADLAND GROWTH LIMITED

Having regard to the timing of the work being undertaken and the need to maintain consistency in the work of the Company, the Leader invited Members to consider amending the criteria for the appointment of the Council's three Directors of Broadland Growth Limited from the Chief Executive, the Leader and the Portfolio Holder for Planning to, instead, the Chief Executive, the Leader and one other Member to be determined by Council. Members supported the proposal and it was

RESOLVED

to

- (1) amend the criteria for the appointment of the Council's three directors of Broadland Growth Limited from the Chief Executive, the Leader and the Portfolio Holder for Planning to, instead, the Chief Executive, the Leader and one other Member to be determined by Council;

- (2) appoint the Chief Executive, the Leader and Cllr A Proctor as Directors of Broadland Growth.

41 CHANGES TO COMMITTEES AND APPOINTMENTS

Members were advised of changes to committees and appointments.

RESOLVED

to note and endorse the following changes:

Post / Committee	Add	Remove
Leader of the Council	Mr Vincent	Mr Proctor
Deputy Leader of the Council	Mrs Mancini-Boyle	Mr Clancy
Conservative Group Leader	Mr Vincent	Mr Proctor
Conservative Deputy Group Leader	Mrs Mancini-Boyle	Mr Clancy
Liberal Democrat Group Leader	Mr Riley	Mr D Harrison
Portfolio Holder for Policy	Mr Vincent	Mr Proctor
Portfolio Holder for Economic Development	Mrs Copplestone	Mr Clancy
Portfolio Holder for Planning	Mr Moncur	Mr Vincent
Portfolio Holder for Transformation	Mr Peck – new Portfolio	
Appeals Panel	Ms Catchpole Mr Everett	Mr D Harrison Mrs Hemsall
Appointments and Pay Panel	Mr Riley Ms Catchpole (sub)	Mr D Harrison Mr Riley (sub)
Awards Panel	Ms Catchpole (sub)	Mr D Harrison (sub)
Economic Success Panel	Mrs Bannock	Mrs Hemsall
Environmental Excellence Panel	Mr D Roper	Mrs B Rix
Licensing and Regulatory	Mrs Bannock	Mrs Hemsall
Overview and Scrutiny Committee	Ms Catchpole Mr Riley Mr O'Neill Mr G Everett	To fill vacancy To fill vacancy Mrs Copplestone Mrs Hemsall
Place Shaping Panel	Miss Lawn Mr Willmott	Mr Vincent Mrs Hemsall
Planning Committee	Mr Moncur (sub) Mr Grady Mr Willmott	Mr D Harrison (sub) Mrs Hemsall Mr Moncur Mr Grady (sub) Mr Willmott (sub)

Wellbeing Panel	Ms Catchpole Mr Foulger	Mr Roper Mr Proctor
Joint Scrutiny Group	Mr Nurden	Mrs Hemsall

It was further

RESOLVED

to agree the following changes to the appointment of Chairmen and Vice-Chairmen for the remainder of the current municipal year.

Appeals Panel	Mr Adams to replace Mrs Hemsall as Vice-Chairman
Appointments and Pay Panel	Mr Clancy to replace Mr Vincent as Chairman
Economic Success Panel	Mrs Copplestone to replace Mr Clancy as Chairman
Place Shaping Panel	Mr Moncur to replace Mr Vincent as Chairman
Planning Committee	Miss Lawn to replace Mr Moncur as Chairman Mr Willmott to replace Miss Lawn as Vice Chairman
Wellbeing Panel	Mr Foulger to replace Mr Proctor as Chairman

42 CHANGES TO APPOINTMENTS TO OUTSIDE ORGANISATIONS

Members received and noted the changes proposed as set out below:

changes to appointments to outside bodies:	
Aylsham Cittaslow Committee (Must have resided in Aylsham, or within 3 miles, for the last 12 months; or occupied as owner or tenant any land or premises therein or had their principal place of work there.)	Mr D Harrison
HMP Bure Liaison Committee (2 must be Members of Wards adjoining the prison (Buxton/ Coltishall) and 1 of the council's own choice – current reps are Mrs Copplestone and Mrs Rix)	Mr Whymark
Norfolk Health Overview Scrutiny Cttee (Must be on BDC O&S Cttee)	Mr F O'Neill

changes to appointments to outside bodies which are automatic appointments by virtue of position held :	
Greater Norwich Development Partnership Board	Leader – Mr Vincent Planning Portfolio Holder - Mr Moncur Chair of Planning Cttee – Miss Lawn (subs: Portfolio Holders for Economic Development – Mrs Copplestone Communities & Housing - as current VC of Planning Cttee – Mr Willmott)
Greater Norwich Growth Board	Leader – Mr Vincent (sub Deputy Leader) Mrs Mancini Boyle

Norfolk Strategic Planning Group	Portfolio Holder for Planning – Mr Moncur (sub Portfolio Holder for Communities and Housing – as current)
----------------------------------	--

changes to appointments to outside bodies which are usually appointments by virtue of position held :
--

Rackheath Masterplanning Board (currently Mr S Vincent – sub Mr R Foulger)	No Appointment – no longer meets
Scotow Enterprise Park Partnership Board (currently Mr A Proctor and Mr S Clancy)	Mr Vincent and Mrs Copplestone

43 QUESTIONS FROM MEMBERS

It was noted that no questions had been received from Members in accordance with Procedural Rule 12.4.

The meeting closed at 9:15 pm