



## COUNCIL

### Minutes of a meeting of the Council of Broadland District Council, held on Thursday 28 July 2022 at 7pm at the Council Offices

**Members Present:** Councillors: A D Adams, S C Beadle, N J Brennan, D J Britcher, P E Bulman, S J Catchpole, S M Clancy, B Cook, J K Copplestone, A D Crotch, J Davis, J J Emsell, J F Fisher, R R Foulger, N J Harpley, S I Holland, N C Karimi-Ghovanlou, K S Kelly, D King, E C Laming, K E Lawrence, J Leggett, K G Leggett, T M Mancini-Boyle, J A Neesam, G K Nurden, R E Potter, S M Prutton, S Riley, D M Thomas, S A Vincent, F Whymark

**Officers in Attendance:** The Director of Resources, the Director of People & Communities, the Chief of Staff (Monitoring Officer), the Assistant Director Finance (Section 151 Officer), the Assistant Director Planning and the Committee Officer (DM).

Council stood for a minutes silence in tribute to former Councillor Thomas Humphrey Gasson. Thomas was first elected in 1994 for the Hellesdon Ward and served until 2011. During that time he sat on and chaired a variety of committees and was Chairman of the Council in 2010. He also represented the Council on various outside bodies. A personal tribute was made to former Cllr Gasson.

#### 117 DECLARATIONS OF INTEREST

No declarations were made

#### 118 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S C Gurney, D Harrison, L H Hemsall, S Lawn, I J Mackie, I N Moncur, M L Murrell, G Peck, D Roper, L A Starling, J L Thomas, K A Vincent and J M Ward.

#### 119 MINUTES

The minutes of the meetings held on 12 May and 26 May 2022 were agreed as a correct record and signed by the Chairman.

**120 MATTERS ARISING**

No matters were raised.

**121 ANNOUNCEMENTS**

Members noted the civic engagements undertaken by the Chairman and Vice Chairman of the Council since the last meeting. The Chairman reminded members of his chosen charity for the year, Nelson's Journey, and that a donations page would be available soon together with details of events being organised to raise funds for the charity.

The Leader of the Council announced that the Broadland and South Norfolk Peer Review had now concluded and he thanked the peer review team for their time and commitment to the review. The team had focused its review on the following core components considered by all peer review teams namely: local priorities and outcomes, organisational and place leadership, governance and culture, financial planning and management and capacity for improvement. They had also been asked to review the joint partnership between the two councils. The final report was still awaited but the initial thoughts of the Review Team had been shared.

The team had identified strengths and weaknesses for consideration by the Council. They had been impressed with collaboration and its achievements and direction of travel but felt there was a need to check timescales and deliverables to make sure these were realistic and that ambitions were tempered by capacity to deliver. They commended the huge ambition for Place, working with partners to deliver economic growth, the Council being a partner of choice and being a place leader across the greater Norwich area. They were also very impressed with the Help Hub leading in the delivery of services for residents across multiagency providers. They acknowledged the Council was in a healthy financial position with manageable budget gaps, it generated a healthy level of commercial income and had reasonable levels of reserves – noting that many were however earmarked for future projects.

The Leader then highlighted two of the areas identified by the team for further consideration. The need to address poor member behavior had been raised which had been disappointing. The Leader referred to the code of conduct and stated that, going forward, he would be inviting all Chairmen of committees to deal with any issues of poor behaviour immediately at meetings with the Councillors concerned. The other area related to the streamlining of processes and procedures around governance, including the Panels and Policy committees and improvement of the Scrutiny function to improve officer capacity, resilience and accountability.

Following receipt of the final report, the next steps would include the formulation of an action plan leading to a review in 6 months' time by the Review Team.

The Portfolio Holder for Environmental Excellence reported on the recent litter pick project and stated that all community groups entered would receive a prize

of £200. She reminded members that the food waste collection service would be starting on 3 October throughout district. Publicity would begin by the end August and delivery of caddies and publicity material to household would commence on 5 September.

The Portfolio Holder for Housing and Wellbeing congratulated the rough sleeping team for work over the last week to overcome a difficult homelessness situation by supporting the residents and working with partners to resolve the situation.

The Portfolio Holder for Finance made reference to the national statistics for the collection of business rates / council tax and that the two councils were positioned 5<sup>th</sup> and 8<sup>th</sup> of the 300 districts in the Country for their collection rates. She thanked the team for their excellent work with residents and businesses to achieve such good collection rates.

The Portfolio Holder for Transformation and Organisational Development reported that, in relation to the accommodation project, progress was being made on marketing Thorpe Lodge and that a report on any decisions needed would be brought before members in due course.

### **122 QUESTIONS FROM THE PUBLIC**

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

### **123 PUBLIC SPEAKING**

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

### **124 OVERVIEW AND SCRUTINY COMMITTEE**

The minutes of the Overview and Scrutiny Committee meetings held on 7 June, 28 June and 12 July 2022 were received.

### **125 CABINET - 14 JUNE 2022**

The minutes of the meeting on 14 June 2022 were received. The following matter needed consideration by Council:

#### **Minute no: 6 - Strategic Performance and Finance Report for Quarter 4 2021/22**

The Portfolio Holder for Finance invited Council to support the recommendation.

It was then proposed, seconded, and on being put to the vote,

**RESOLVED**

To agree the slippage requests for capital as set out in para 3.16 of the Cabinet report.

**126 CABINET - 19 JULY 2022**

The decisions and minutes of the Cabinet meeting held on 19 July 2022 were received. The following matters were considered by Council:

**Item no: 12 – Minute no: 24 - City Deal Borrowing and the establishment of the Greater Norwich Strategic Investment Fund**

The Leader invited Council to endorse the recommendations.

It was then proposed, seconded, and on being put to the vote,

**RESOLVED:**

1. To give authority to Norfolk County Council, as the Greater Norwich Growth Board's Accountable Body, to drawdown up to £20m from the Public Work Loans Board to create a recyclable fund to support local infrastructure projects as agreed in the Greater Norwich City Deal, subject to the following conditions:
  - The loan is used to create a fund, which will accelerate the delivery of infrastructure projects within the parameters defined within Community Infrastructure Levy legislation.
  - Repayment to be made from the Infrastructure Investment Fund pooled CIL.
  - The fund will be available to any of the Greater Norwich partners acting as lead authority and secured in a borrowing agreement with Norfolk County Council, which will include an agreed repayment schedule and back stop date.
  - Repayments from the lead authority would be made into a new recyclable Strategic Investment Fund.
  - Due diligence and legal arrangements regarding the beneficiary project will be the responsibility of the lead authority.
2. To agree the draft legal agreement that will commit future pooled Community Infrastructure Levy income as repayment against the drawdown of up to £20m through the Greater Norwich City Deal (amounts will be drawn in stages see Appendix D and E).
3. Subject to recommendation 2, upon each staged draw down totalling no more than £20m, the GNGB to be granted delegated authority to sign the legal agreement together with their s151 officers, under the direction of Norfolk County Council as the Accountable Body and in accordance with their signed Joint Working Agreement.
4. Agree that the GNGB be given delegated authority to manage the allocation of the City Deal borrowing and later, governance of the Strategic Investment Fund in line with the draft Terms of Reference - Appendix A and B of the report.

**Item no: 13 – Minute no: 25 - Enforcement Policy**

The Portfolio Holder for Environmental Excellence invited Council to support the recommendations.

It was then proposed, seconded and on being put to the vote,

**RESOLVED**

To agree the adoption of the proposed over-arching Enforcement Policy at Appendix 2 of the report to replace the existing overarching enforcement policy, retaining as separate documents its other existing thematic enforcement policies and to delegate authority to the Assistant Director for Regulatory in consultation with the Portfolio Holder for Environmental Excellence to enact any amendments advised by the legal team following the completion of their review.

**Item no: 14 – Minute no: 26 - Economic Growth Strategic Plan**

The Portfolio Holder for Economic Development invited Council to support the recommendations.

A concern was raised that the Strategic Plan, in its current form, did not sufficiently address climate smart issues given the context of current extreme weather events and water quality/availability. They wanted to see the Plan reviewed to be more climate smart with additional measures to help businesses build climate resilience.

Other members supported this view. It was stated that concerns had been raised at the Economic Success Policy Development Panel that the Plan needed to look forward in terms of the future issues of climate change mindful that the government had recently been successfully challenged on its net zero strategy as not including actions to support its aims.

The Portfolio Holder for Economic Development explained that it was not possible to update the Plan at this late stage as the Plan was needed to form the basis for the application of significant funding from the UK Shared Prosperity Fund which had an imminent deadline. She further explained that going forward, the Plan was an organic document which could be updated if required.

Following further calls for reassurance that the Plan would be updated to reflect the concerns raised, the Portfolio Holder stated she would be happy for members to share their concerns with her in writing and that she welcomed the feedback and would take on board the concerns raised and ensure these were considered by the Economic Success Policy Development Panel with a view to getting the document strengthened to reflect climate concerns raised. The Leader reminded members that the focus of the document was economic growth but that the document could be strengthened to address the concerns raised. The matters referred to were very much linked to the environmental strategy which

was currently under review and would be considered soon by the Environmental Excellence Panel to which members could put forward their comments.

It was then proposed, seconded, and on being put to the vote,

**RESOLVED**

To approve and adopt the Economic Growth Strategic Plan 2022 – 2027 and use of the Broadland Summary as an externally facing document.

**127 PLANNING COMMITTEE**

The decisions of the Planning Committee meetings held on 18 May, 15 June and 13 July 2022; were received.

Arising from receipt of these minutes, a member raised a concern about the deferment at the last meeting of the three applications relating to Reepham. The Chairman advised that a response would be provided to the member.

**128 LICENSING AND REGULATORY COMMITTEE**

The non-exempt minutes of the meeting on 25 May 2022 were received.

**129 OUTSIDE ORGANISATIONS**

Members received and noted the feedback from members appointed to represent the Council on Outside Organisations.

**130 REPORT OF THE MONITORING OFFICER**

The Leader introduced the report of the Monitoring Officer which sought agreement from Council on proposed changes to the Committee structure, including the Cabinet Portfolios, and amendments to the Policy Development Panel arrangements. The report also included changes to Outside Organisation appointments and amendments to the appointments to Norfolk Rivers Internal Drainage Board (NRIDB), as this had been reconstituted, and the Norfolk Parking Partnership.

The Leader advised Council that he had reviewed the allocation of responsibilities at Cabinet and was proposing that the planning portfolio responsibilities be redistributed with these moving to the newly named Communities, Housing and Planning portfolio, led by Cllr Whymark, reducing the number of portfolio holders from 7 to 6.

He advised that as a result it would be sensible to review the delegations for Portfolio Holders in the constitution to ensure the right, up to date, delegations were aligned to the correct portfolio holder and respective senior officer. This would be undertaken in line with the service areas specified in appendix A of the report and he would be working to complete this with the Monitoring Officer.

In order to align the Policy Development Panels with the portfolio holders, the Place Shaping Panel and Wellbeing Panel would be replaced by one panel: the Communities, Housing and Planning Policy Development Panel to be chaired by Cllr Prutton, with Cllr Ward as Vice-Chairman. The number of members on the Panel would remain the same as all other panels currently.

The Leader stated that the report confirmed the consequential changes to appointments to outside organisations due to the Portfolio Holder change as outlined at 2.7 of the report.

As previously reported to Council, the Norfolk Rivers Internal Drainage Board had been reconstituted following consultation. The members on the Board had now reduced to two and he advised the Council's representatives would be Cllrs Brennan and Kelly. Finally, the substitute member for the Norfolk Parking Partnership needed to be a Cabinet member and the Leader confirmed this would be Cllr Emsell.

The Leader invited Council to support the recommendations in the report.

The Leader was asked why he was making the change and he responded that he had reviewed the process and it made sense to make the changes proposed at the current time.

A number of members raised concerns about the proposals.

The Leader of the opposition made reference to current difficulties in the Planning department and the time taken to determine planning applications and that the proposed changes would not help the current situation. There had been four different portfolio holders for planning since 2019, the last one being only 2 months ago and this was not a stable situation to address the current challenges. The current structure had been endorsed at the AGM and it appeared rash to be changing the structure so soon. With regard to the proposed delegations outlined in the report, she was of the view that significant changes to the constitution should be ratified by full Council. The Leader stated it made sense to align the housing and planning functions hence the proposal and that the changes to the constitution were laid out in the report with any remaining changes to align responsibilities and delegations as a result of the changes being delegated to himself and the Monitoring Officer.

Further reference was made to issues being faced by the planning service and the recent Planning white paper and, mindful of the demands on the wellbeing

function with the cost of living crisis and mental health concerns, it was felt this was this was not the time to dilute the support given to these important areas.

Reference was made to the inconsistencies in approach in dealing with planning applications and the need for stability and consistency in determining applications. A question was also raised about a conflict of interests with the private consultancy work undertaken by the Leader and the proposal to transfer responsibility for strategic elements of planning to the Leader, and the need for any interest to be declared.

A concern was raised that matters relating to equalities, which included, diversity and inclusivity, were not referred to a Panel as set out in the appendix to the report and it was suggested these issues should form part of the remit of the Wellbeing Panel or the proposed Communities Housing and Planning Panel if the proposals were adopted.

The Portfolio Holder for Wellbeing responded that he was aware of the scale of the challenges and there was a lot of work to do but that he would continue to meet the challenges and was happy to receive any concerns from members. With regard to the issue of equalities, he commented that he would ensure that this continued to be at the heart of all the work of the new Panel.

The Leader then responded to some of the concerns raised. He commented that the Planning white paper had not as yet progressed to the stage of new policy and no changes had as yet taken place. He informed Council that the current Planning Portfolio Holder was no longer able to fulfil the duties of the role and he thanked him for his contribution to date. With regard to references to poor performance for the time taken to process planning applications, the Leader stated that the performance targets for some area of planning service were showing red, but that this was an internal target and was set at a much tighter level than the external target. If the external target was used, the performance would be green. With regard to comments about the inconsistency in determining planning applications, the Leader reminded members that each application was dealt with on its merits and if elements of particular applications warranted a different assessment that was not unacceptable. There was no inconsistency in this. With regard to the question raised about equalities matters, he explained that this related to internal staffing matters and therefore was not aligned to a Policy Development Panel but instead was the responsibility of the Portfolio Holder for Transformation and Organisational Development. Finally, the Leader confirmed that he had no conflict of interest with regard to the transfer of strategic planning matters to his responsibility and if any declaration of interests were needed he would have made them.

It was proposed and agreed that, when voting on the recommendations in the report, two separate votes be taken, one on recommendations 6.1 to 6.6 and one on recommendations 6.7 to 6.9.



It was then proposed, duly seconded, that the recommendations in the report be supported.

Members then voted as follows:

Recommendation 6.1 to 6.6 – 17 members for, 13 against, no abstention.

Recommendations 6.7 to 6.9 – unanimous vote for, none against and no abstention.

### **RESOLVED to approve**

1. The redistribution of the Planning Portfolio Holder responsibilities as indicated by the Leader and outlined in section 2.1 and 2.2 of the report.
2. The delegation to the Leader in consultation with the Monitoring Officer to update the scheme of delegation for each Portfolio Holder, in particular Part 3 -Responsibility for functions (16.1 the scheme of delegation - sections 19.9 –19.34) of the Constitution to reflect the service area responsibilities as outlined in Appendix A of the report.
3. The Communities, Housing and Planning Policy Development Panel to replace the Place Shaping Policy Development Panel and the Wellbeing Policy Development Panel.
4. The appointment of Cllr Prutton as Chairman and Cllr Ward as Vice Chairman to the newly named Communities, Housing and Planning Policy Development Panel.
5. That Group Leaders confirm the allocation of seats on the new Policy Development Panel to the Monitoring Officer.
6. That the Monitoring Officer makes any consequential changes to the Constitution as a result of the approval of the aforementioned changes.
7. The changes to appointments to Outside Bodies, as listed in section 2.7 of the report.
8. The appointment of Councillors Brennan and Kelly as the two Broadland Council representatives to the Norfolk Rivers Internal Drainage Board (NRIDB).
9. The appointment of Councillor Emsell as the Council's substitute representative on the Norfolk Parking Partnership.

## **131 QUESTIONS FROM MEMBERS**

The following questions had been received in accordance with Procedural Rule 12.4:

### **1. Question from Cllr Laming**

The rising cost of living is a real worry for a number of residents. How can BDC assist people in low income households to access fair and reliable lower cost credit and to obtain advice on financial health?

### **Response from Cllr Whymark**

The Portfolio Holder, Cllr Whymark, responded that Broadland Council had a substantial offer through its help hub supporting debt and welfare issues. In place were a Welfare Rights Officer, two Debt and Welfare Officers and two Financial Wellbeing Coordinators located within the Help Hub and funded by Broadland and South Norfolk. Across the district there were a network of Community Connectors who were trained in giving budgeting advice.

With regard the point about accessing fairer credit, the Council was working hard with the scams partnership to reduce scamming, and pointing people in the direction of support from reputable sources rather than high interest loan suppliers. The reality was, however, that those in the worst situations had fewer options for lower cost credit and therefore the Council would be promoting the Help Hub and early intervention model to encourage people to ask for help sooner.

The Council was also working with Citizens Advice to understand how the two organisations could support each other more. A change of leadership had taken place at Citizens Advice and they were keen to work with the Council to share information and apply for joint funding bids, something the Council was keen to do. As well as volunteers, the Citizens Advice also had access to specialist advice which complemented the Council's offer.

The Council also had hardship fund and the availability of discretionary grants which could support residents.

Through the emerging health and wellbeing partnerships, the Council had a work stream dedicated to the cost of living and would be working with County and with colleagues in the Health Service, as well as Citizens Advice to further understand how all parties could join up as a partnership. The Council was also investigating ideas about how it could support people through the cost of living crisis, within a framework of crisis minimisation for those that had reached breaking point, recovery, for those who could be helped out of debt and prevention, based on two streams of reducing household bills and increasing income. A report would be going to the Policy Development Panel in September.

### **Supplementary Question from Cllr Laming**

Cllr Laming welcomed the response and the work carried out by the Help Hub and asked if the Council worked with or collaborated with any credit unions.

### **Response from Cllr Whymark.**

The Portfolio Holder stated that the debt advice service was aware of the support of credit unions and other options for resolving issues and were always open to explore all options.

### **2 Question from Cllr C Karimi-Ghovanlou**

Could the Finance Portfolio Holder confirm the cost for the 7 wicker corgis made for the Queens Platinum Jubilee please?

Following on from my first question, could the Finance Portfolio Holder confirm the final cost for the 'prestigious' party in the park at Blickling Hall, and how many residents and councillors attended this please?

### **Response from Cllr Mancini-Boyle**

The Portfolio Holder, Cllr Mancini-Boyle reported that the services of a local artist had been engaged to design and supply the corgis. The cost, including all elements from design to locating was £20,631.41. At the end of the current display, a decision would be taken to retain or auction the corgis. A great deal of interest was being received in both visiting the corgis and purchasing the sculptures. The proceeds from any auction could then be returned to the Council to offset the costs or could be donated to charity. The siting of the corgis on the Broadland's Traveller's Charm Trail to celebrate the Platinum Jubilee, had increased visitor numbers to the trail and businesses had benefitted from an increase in trade.

With regard to the Broadland Party at the Park, the total cost was £11,635.80. Almost 75% of the cost was associated with the provision of the big screen, sound and lighting, supplied by a local firm. The screen had been on site for much of the bank holiday weekend and this had allowed arrangements to be made to offer a screening of Disney's Encanto on the Friday which had been attended by hundreds of people and raised money to support Ukrainian refugees.

Nine Council staff worked on the evening, 13 Councillors attended with their own guests and two officers attended. A total of 697 tickets were requested and issued to residents with 360 people actually attending on the evening. The cooler weather on the Saturday afternoon/evening compared to the previous days was the main reason for the reduction in numbers attending.

### **Supplementary Question from Cllr C Karimi-Ghovanlou**

Cllr Karimi-Ghovanlou stated that with 360 attendees this equated to a cost per head of £31. The total cost of the 2 events was approximately £32k. Her previous suggestion to award grants of £200 to parish and town councils would have resulted in a total cost of £10,200. She asked if spending £32k on 360 residents when there were 125,000 residents in the district was good use of taxpayers' money.

### **Response from Cllr Mancini-Boyle**

The Portfolio Holder responded that the Council had decided it was important to recognise the significance of the Platinum Jubilee with a major Broadland Council event and she was confident it was the right thing to do. Town and

parish councils had organised and financed their own events and a £200 grant would not have made significant difference to their events. The costs of the event would reduce if the Council decided to auction the corgis and return the receipts to the Council.

### **3 Question from Cllr D Roper**

Since the change of Chair of O&S at the AGM in May has the Leader been happier with the way the Committee has operated?

*This question was withdrawn at the meeting.*

### **4. Question from Cllr K Lawrence**

Nutrient Neutrality Update: Could we have a status update on what actions have been taken by BDC to address the Nutrient Neutrality requirements in terms of:

1. Collaborative actions with other organisations, e.g. Anglia water
2. In cooperation with NCC and other affected district councils
3. Planning policy initiatives e.g. SUDs, assessment procedures for BDC

What aspects in the long term strategic direction are being considered (including key expected outcomes) and the process of councillors' input into that strategy development and expected timeframe.

### **Response from Cllr Whymark**

The Portfolio Holder stated that Phil Courtier, Director of Place, had taken a lead role in Norfolk and had chaired the Norfolk Directors Steering Group overseeing the response to Nutrient Neutrality to date. Other officers had led and supported county-wide work to consider the planning response to this issue. The Director of Place continued to meet with Directors and Anglia Water and the Chief Executive of Water Resources East on a weekly basis in order to try to establish a collaborative mitigation strategy and portfolio of mitigation solutions for the entire catchment. Collectively, officers had met and engaged with multiple stakeholders including leading developer forums, Norfolk Rivers Trust, Wensum Farmers and Natural England. The Director of Place had also liaised with lead civil servants at the Department for Levelling Up, Housing and Communities (DHLUC) and Defra and had recently offered the Norfolk catchment area as a pilot moving forward.

With regard to the strategic direction, this had been significantly influenced by the recent Ministerial announcement and subsequent correspondence from the Government's Chief Planner received at the latter end of last week. This would reduce the mitigation burden on developers, with the emphasis on Natural England to establish a Nutrient Mitigation Scheme. However, officers would work with Natural England to develop this scheme. Members of the Place Shaping Committee had been briefed at previous meetings and these briefings would continue in forthcoming months including updating on timelines.

**Supplementary Question from Cllr Lawrence**

With regard to the strategic direction, Cllr Lawrence stated she was concerned about pushing back onto Natural England and wanted to see and understand what the planning policies might likely be that the Council was considering within the strategic framework. She felt it would be helpful to have an understanding of the strategic direction. Norfolk held 12 chalk streams and the district was very fortunate to hold 2 and it had a responsibility to ensure water quality was not being adversely affected by planning decisions. She acknowledged that this was an evolving matter and that a response might not be available immediately.

**Response from the Leader**

On behalf of the Portfolio Holder, the Leader reaffirmed that this was a changing situation. The recent communication from the Government set out its latest proposals, it was not the Council who was pushing back on Natural England. The Government were planning to make an amendment to the Levelling Up Regulations Bill in the Autumn and this was likely to create a new statutory duty on water and sewage companies in England to upgrade waste water treatment works to the highest, technically achievable limits by 2030 in Nutrient Neutrality areas including Norfolk; this would fall to Anglian Water as the provider of these services in this area. There was also a drive for Natural England to step up and help define the work to be done. Policies were still being developed and the Council remained at the forefront of driving forward the development of these. The Leader undertook to share the letter from the Government with all members

**132 MOTIONS**

No motions had been received.

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Chairman

(Meeting closed at 8:25 pm)