

## **COUNCIL**

### **Minutes of a remote meeting of South Norfolk District Council held on Monday 21 September 2020 at 7.00pm**

<b>Members Present:</b>	Councillors: Minshull (Chairman), Amis, Bendle, Bills (part of the meeting), Brown, Burrill, Clifford-Jackson, Dewsbury, Duffin, Easter, Edney (for part of the meeting), Elliott, Ellis, Fuller, Glover, Halls, Hardy, Holden, Hudson, Hurn, Kemp, Knight, Laidlaw, Legg, Mason Billig, Neal, Overton, Ridley, Rowe, J Savage, R Savage, Thomson (for part of the meeting), J Wilby, M Wilby and Worley.
<b>Apologies:</b>	Councillors: Bernard, Blundell, Curson, Dearnley, Elmer, Hornby, Kiddie, Nuri-Nixon, Spruce and Thomas
<b>Officers in Attendance:</b>	The Managing Director (T Holden), the Director of People and Communities (J Sutterby), the Director of Place (P Courtier), the Director of Resources (D Lorimer) the Assistant Director, Governance and Business Support (E Hodds) and the Assistant Director of Finance (R Fincham)
<b>Also in Attendance:</b>	Cllr W Nunn (for part of the meeting)

### **3549 DECLARATIONS OF INTEREST**

Cllr V Clifford-Jackson declared an 'other' interest as a Trustee of Voluntary Norfolk.

Cllr J Knight declared an 'other' interest with regard to minute 3558, relating to the Broads Authority.

### **3550 MINUTES**

The minutes of the meetings held on 27 July 2020 were confirmed as a correct record and signed by the Chairman.

### **3551 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman referred Members to the list of civic engagements for the Chairman and Vice-Chairman, for the period 27 July to 20 September 2020.

He was sorry to inform members that former district councillor, Pauline Allen, was currently unwell. On behalf of the Council, he had sent flowers conveying his very best wishes to both Pauline and her partner, former Councillor, Murray Gray.

## **3552 NOTICE OF MOTIONS**

Cllr C Brown moved the following motion, seconded by Cllr D Burrill:

**“This Council notes:**

- **The publication by Government of the White Paper, ‘Planning for the Future’ on 6 August 2020, which set out proposals on reforms to the planning process for the future.**
- **That the vast majority of planning applications are given the go ahead by local authority planning committees, with permission granted to around 9 out of 10 applications.**
- **That research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.**

**This Council is concerned that the proposals seek to:**

- 1. Reduce or remove the right of residents to object to applications near them.**
- 2. Grant automatic rights for developers to build on land identified as ‘for growth’.**
- 3. Remove section 106 payments for infrastructure and their replacement with a national levy.**
- 4. Reduce the level of affordable housing delivered on many schemes.**

**This Council Further Notes:**

- 1. The Royal Institute for British Architects called the proposals ‘shameful and which will do almost nothing to guarantee delivery of affordable, well-designed and sustainable homes’. RIBA also said that proposals could lead to the next generation of slum housing.**
- 2. Shelter has raised concerns about the delivery of social housing without Section 106 agreements, stating “it makes no sense to remove this route to genuinely affordable homes without a guaranteed alternative.”**
- 3. The reforms are opposed by the all-party Local Government Association, currently led by Conservative Councillors.**

**This Council Believes:**

- 1. That existing planning procedures, as currently administered by our own team in South Norfolk, allow for local democratic control over future**

**development, and give local people a say in planning proposals that affect them.**

- 2. That proposals for automatic rights to build in ‘growth’ areas, and increased permitted development rights, risk unregulated growth and unsustainable communities.**
- 3. That local communities must be in the driving seat on shaping the future of their communities, and local determination of the planning framework and planning applications play an important part in this process.**
- 4. That delivering significant affordable housing is a vital part of ensuring that our planning system meets the needs of local communities.**

**This Council resolves to:**

- 1. Take part in the consultation in the planning proposals, and to make representations against the proposals as outlined in this motion.**
- 2. Write to and lobby our Members of Parliament, urging them to oppose these proposals and to circulate their replies to members.**
- 3. Highlight its concerns over these proposals with Town and Parish Councils and local residents.”**

Cllr Brown explained that the motion was in response to the publication of the Government White Paper, ‘Planning for the Future’ on 6 August 2020, which set out proposals on reforms to the planning process for the future.

Cllr Brown explained that many Members had already raised concerns regarding local consultation and how the proposals in the paper would reduce the ability of local residents to have their say on planning applications. He also expressed concerns regarding the proposals on affordable housing and the potential increase to the threshold to 40 or 50 houses, before affordable housing was required on a development. He felt that this would have a significant negative impact on the delivery of affordable housing in the District.

Cllr Brown reminded Council that Planning was one of the core functions of the Authority, and it impacted on all Members and all residents. He hoped that Members would support his motion to actively engage in the consultation and to raise concerns at the highest levels.

The Portfolio Holder, Cllr L Neal advised Members that the Government had recently issued two consultations; the White Paper: Planning for the Future (to which Cllr Brown’s motion referred), which was a fundamental review of the Planning system, and Changes to the current Planning System, which looked at more shorter term proposals for change. Members noted that proposed responses to both consultations had been considered at the meeting of the Regulation and Planning Policy Committee held 17 September, and this Committee had made recommendations to Cabinet, where the responses would be considered at its meeting on 28 September. With this in mind, Cllr Neal felt it

would be premature to debate the motion that evening and proposed that the matter be referred to the Cabinet to discuss, at its meeting on 28 September.

Cllr Fuller seconded this proposal, explaining that he felt Council was not the forum to have a detailed debate and suggested that all issues, including those not raised by Cllr Brown, could form part of a more holistic detailed discussion at Cabinet. He shared Cllr Brown's concerns and supported the sentiment of the motion, but stressed that some points in the consultation documents were positive and should be welcomed by Members.

After brief discussion, it was agreed that the matter be discussed in detail at the meeting of the Cabinet on 28 September, and members were invited to forward any comments to members of the Cabinet and / or officers, ahead of the meeting.

**RESOLVED:** That the matter be referred to Cabinet for consideration

### **3553 RECOMMENDATIONS FROM THE CABINET MEETING HELD ON 24 AUGUST**

#### **(i) Update to Local Development Scheme**

Cllr J Fuller introduced the recommendations from Cabinet, which sought amendments to the current May 2019 Local Development Scheme.

Cllr Fuller advised that it was no longer possible to keep to the previously published Local Plan timetable without running significant risks to the soundness of the document, and therefore a delay of approximately six months was inevitable. He felt it regrettable that the Local Plan could not be published until 2023, however, he drew attention to proposals in the Government's White Paper, "Planning for the Future", regarding a more accelerated and streamlined approach to the production of a Local Plan.

Voting was carried out by roll call and it was unanimously:

**RESOLVED:** To approve the proposed amendments to the current, May 2019, Local Development Scheme.

#### **(ii) Covid-19 Response – Norfolk-wide Fighting Fund**

Cllr J Fuller presented the recommendations from Cabinet regarding the allocation of funds to the Covid-19 Response Norfolk-wide Fighting Fund.

Cllr Fuller informed Council that since the Cabinet meeting held in August, £6.6m had been ringfenced to the fund, of which £2m had been ringfenced for tourism and hospitality. This had been divided between the participating councils on a formula devised by Norfolk County Council and South Norfolk had received £140,000. In addition to this, the Council had also secured a further £400,000 to support retailers and Cllr Fuller outlined plans to assist Harleston in upgrading its public realm and make it a more attractive place to shop.

Voting was carried out by roll call and it was unanimously

**RESOLVED:** To delegate authority to the Assistant Director of Finance, in consultation with the Leader of the Council, to allocate £150,000 to the Norfolk-wide Fighting Fund.

### **(iii) Risk Management Policy and Strategy**

Cllr P Hardy presented the recommendations from the Cabinet which sought approval for the Risk Management Policy and Strategy.

He was pleased that the Council was now in position to incorporate risk management as part of the terms of reference of the Finance, Resources, Audit and Governance (FRAG) Committee. This was, he informed Council, best practice and would allow the Committee to scrutinise both strategic and operational risks across the Council. He thanked the Assistant Director Governance and Business Support, and the Internal Audit Manager for their work and support on this matter.

The Portfolio Holder, Cllr J Worley, echoed Cllr Hardy's comments and commended the recommendations to Council. He thanked the members of the FRAG Committee for its valued work.

Cllr V Clifford-Jackson also expressed her support and thanked staff for their work in this area.

Voting was carried out by way of roll call and it was unanimously

**RESOLVED:** To approve the Risk Management Policy and Strategy, subject to an amendment at paragraph 14.2, to ensure that Cabinet receives quarterly updates on risks, with a separate review in quarter 1 to examine the previous year's outturn.

## **3554 MONITORING OFFICER REPORT**

Cllr J Fuller presented the report of the Monitoring Officer, which proposed an archive policy for the live streaming of Council meetings, a change to the speaking time allocation for District Members at the Development Management Committee, and also provided an update on the meeting arrangements for the Development Management Committee.

Cllr Fuller expressed his support for the archive policy, to ensure that the information presented to the public was relevant and up to date, and consistent with the retention of other records. He reminded Members that even when the meeting was recorded, it was the approved written minutes of a meeting that was deemed as the official record.

Moving on to the proposals regarding the Development Management Committee, he felt it sensible to amend the standing orders accordingly to bring in line the speaking time allocation for Local Members, to that of other parties (five minutes). This would, he informed Council, not prohibit the Chairman from allowing more speaking time in exceptional circumstances, to all parties. With regard to the arrangements for the Development Management Committee meetings, he felt that considering that the position concerning Covid-19 was no different to that back in March, he felt it wise to not change the current arrangements at present.

Referring to hybrid meetings, he advised Council that having participated in a few such meetings with officers, it was clear that to make these work and mix participants on screen and in a room, it was vitally important to ensure that the acoustics, lighting and background were right. Members noted that the Council had engaged, free of charge, the expertise of a television expert, to examine how best the Council could make that work in the Council Chamber. Cllr Fuller reminded Members that the legislation to permit council meetings to happen virtually would expire in May 2021, and it was possible that new regulations might be issued before the Council met again in December.

Cllr V Thomson, the Chairman of the Development Management Committee explained that he had reviewed the current arrangements for the Development Management Committee meetings and was satisfied that status quo for now was the sensible option. He reminded Members that these committees attracted more residents than for any other committee, and he could not see how meetings could be held in any other way at present. He stressed that increasing the number of members on the Committee would mean longer roll calls, and that more members did not necessarily result in better decision making. In response to queries, he confirmed that the five minutes would need to be shared with fellow councillors in multiple member wards. He thanked officers and Members for ensuring that the virtual meetings ran as smoothly as possible, adding that they were always looking for ways in which to improve the running of meetings.

Cllr C Brown wished to thank staff for their valued input in Zoom meetings and was pleased to hear that both officers and Members were constantly reviewing better ways of working. He advised Council that he supported proposals for an archive policy for committee meeting recordings on YouTube, however, could not support the proposals to restrict a district member's speaking time at the Development Management Committee to five minutes. He felt that Council should trust Members to use their time appropriately, and if they did ever exceed five minutes, he imagined that it would only be in exceptional circumstances for complex applications. He also expressed his disappointment that the membership of the Committee would not yet be increased back to nine, suggesting that a higher number of Members would demonstrate a broad range of views and that robust debates took place before decisions were made.

Cllr J Halls was also disappointed that the membership of the Committee would not be increased back up to nine, which he felt was entirely achievable via Zoom.

Cllr V Clifford-Jacksons supported the views expressed by Cllr Brown and Halls, explaining that often local members, after hearing the debate, wished to raise additional points at the meeting, without having to worry about time. She hoped

that the reduction in membership would not become permanent, and she hoped to see a further review of the arrangements shortly.

Cllr T Laidlaw expressed concern regarding the current quorum of the Committee, which at three, he considered to be very low when considering contentious items. He reminded Members that applications were often contentious to somebody if they had reached Committee, and he suggested that often agendas were reasonably light, which allowed more time for debate.

Cllr K Mason Billig expressed her support for the Chairman of the Development Management Committee. She stressed that the Council was having to operate during difficult times, and she believed that the arrangements in the current circumstances, to be fair and reasonable.

Summing up, the Chairman stressed the need for equality and consistency of approach. He congratulated the Chairman of Development Management Committee on the efficiency of the meetings held on Zoom, and he reminded Members that the Committee was now having to meet more frequently, so that meetings did not go on too long. He felt all the proposals to be sensible and proportionate.

Voting was carried out by way of a roll call and it was unanimously

**RESOLVED:** To approve the archive policy for live streaming of Council meetings.

With 27 votes for, 5 against, and 1 abstention, it was

**RESOLVED:** To approve the change to the speaking allocation for District Members at the Development Management Committee, as outlined in the report.

It was also

**RESOLVED:** To note the update on the arrangements for Development Management Committee.

### **3555 UPDATE TO THE COUNCIL'S STATEMENT OF COMMUNITY INVOLVEMENT**

Cllr J Fuller introduced the report of the Place Shaping Manager, which sought the approval of minor amendments to the Council's Statement of Community Involvement.

Cllr Fuller explained that following the issuing of Government guidance on local authority plan-making and related consultations during the Covid-19 pandemic, officers had reviewed the Council's Statement of Community Involvement and consulted on minor amendments relating to the availability of hard copy consultation documents from the Council offices. Following this consultation, it was proposed that the Council made a number of minor amendments, the most significant being the shift in focus to on-line communication.

In response to queries, Cllr Fuller explained that the natural review point would be in May 2021, when the current provisions would expire, or be extended. However he stressed the need to ensure that the Council learnt from any successes and was able to adopt new ways of working on a permanent basis, if appropriate.

During discussion, some concerns were conveyed regarding those who were unable to access IT and one member queried whether a register of such people had been collated and whether these people could be visited by volunteers to explain consultations.

Cllr Fuller explained that many areas, not just Planning, were having to shift focus to on-line communications. He referred to the Government White Paper on Planning which proposed a further and faster digital approach by default for the Planning System, and he felt it would be impractical for individuals without access to IT to be visited on every occasion. However, he understood the need for equality, and he pointed to other support mechanisms such as the local parish clerk, and parish and district members. The Managing Director referred Members to the Equalities Statement included in the report and stressed that officers would ensure that the Council met its obligations under the Equalities Act. He encouraged Members to contact officers after the meeting if they had further additions or queries in relation to this. The Director Place explained that the Statement did outline the multiple ways in which the Council could communicate with residents and he concurred with Cllr Fuller's point that there was a clear shift and emphasis on a more digital approach to Planning, outlined in the recent Government White Paper, "Planning for the Future".

Voting was carried out by way of a roll call and it was unanimously

**RESOLVED:** To:

1. Note the responses to the public and stakeholder consultation on the proposed, minor amendment to the Council's Statement of Community Involvement, as set out in Appendix
2. Approve the proposed minor amendments to the Statement of Community Involvement, as highlighted in Appendix 2.

## **3556 QUESTIONS TO CHAIRMEN AND PORTFOLIO HOLDERS**

### **(a) Cabinet**

Cllr J Overton queried with Cllr J Fuller, what the current status of the relationship was between the Council and Broadland District Council, making particular reference to the recent decision by Broadland not to pursue a joint waste service via a Local Authority Trading Company (LATC).

Cllr Fuller explained that like many Members, he had felt disappointed with Broadland's decision, made very late in the day, to pursue a different path. A joint LATC would have resulted in a strengthening of service provision in addition to approximately £1m savings between both councils. Unfortunately this change in



path came after each council had spent a six figure sum in commissioning consultants and working up a business case, and it seemed that when coming to its decision, no consideration was given to the adverse impact on South Norfolk Council. In response to this, Cllr Fuller had asked to invoke review clauses in the section 133 agreement between both councils. He recognised that both councils were still two separate sovereign bodies but felt there was an expectation for alignment where possible, to avoid duplication and to work efficiently, delivering best value for residents in both districts. He advised Members that he had written to the Leader of Broadland Council, Cllr S Vincent, to make these points and to stress that the Council would not wish to find itself in a similar position following other joint projects, such as those in IT and Housing. He hoped that Broadland would engage positively and constructively to these points.

Cllr K Mason Billig added that a joint informal Cabinet meeting had been scheduled, where both Councils could discuss in more detail the section 133 agreement.

Cllr F Ellis asked Cllr J Fuller what arrangements were in place to allow democratic oversight of the Local Resilience Forum and the arrangements for any future lockdown in South Norfolk.

In response, Cllr Fuller reminded Council that although there had been a low number of cases in Norfolk, when compared with the rest of the country, outbreaks could happen, and he praised the way in which the infection outbreak at Banham Poultry had been successfully addressed by Public Health. He explained that the Covid-19 Engagement Board, which was made up of Norfolk Leaders, had been set up to lead on communications with the public, in relation to local outbreaks and was required to endorse any decisions relating to local small scale lockdowns. Cllr Fuller did think that there might be an opportunity to extend the terms of reference of this Group further, to develop a more coordinated approach going forward, and so that elected representatives and residents across Norfolk had some insight and scrutiny of the decisions made, to ensure that decisions were well evidenced and proportionate. He hoped to discuss this matter later in the week with other Norfolk Leaders.

The Managing Director advised Council that the Local Resilience Forum was officer led and brought together all the various agencies working on the pandemic. The political oversight was an area for progression but he wished to stress that the work of the various agencies and decisions made were constantly under review.

Cllr C Brown referred to the work in Harleston to ensure that the town was Covid-19 secure, and Cllr Fuller's earlier remarks regarding the proposed works there to improve the shopping environment. There had been some disquiet amongst businesses, partly due to the changes having to happen quickly without time to fully consult, and he wondered if there was now an opportunity to work more closely with the Town Council and local businesses on the way forward. He knew that many small businesses in Harleston were struggling, and with the recent appointment of the new Assistant Director Economic Growth, he wondered what plans were in place to assist these businesses grow and move forward.

Cllr Fuller reminded Council that back in June, the Council was tasked with ensuring clean, safe and secure shopping spaces to encourage people back in the market towns. This had to be done swiftly, and due to the peculiar figuration of Harleston, which did not lend itself to social distancing, the Council had needed to be creative in its approach. He acknowledged that these changes had not been universally welcomed by everyone, but he understood that footfall was up and that four businesses had opened in the town during the last 3 weeks. He referred to a recent and ongoing consultation, which included local businesses, the outcomes of which would help to shape proposals to improve the town further with a £400k capital investment. He understood that pedestrian prioritisation, which still allowed traffic through, was a popular option.

Cllr Fuller advised Members that the Council was responsible for distributing the Covid-19 Support Payments for those people in receipt of in-work benefits, and forced to self-isolate. He was confident that the Council would be able to provide payments promptly and efficiently.

Cllr Brown referred to a Council press release back in November 2018, regarding South Norfolk being the first to achieve 100% Broadband coverage. Cllr Brown was disappointed that some residents and businesses were still unable to receive fast Broadband allowing them to, for example, hold meetings online, and he was aware that residents had been advised by Better Broadband for Norfolk, that the areas in which they were living would not be upgraded. He asked how the Council was working to address this issue.

Cllr Fuller explained that the Better Broadband Programme was working with Open Reach, and it was true that some areas would never be covered by this provider. However, the Council had invested a six-figure sum to work with In Touch systems to provide strategically placed transmitters across the District which would allow high speed broadband through a radio receiver. He was also aware of alternative fibre-based systems across the District.

#### **(b) Scrutiny Committee**

There were no questions to the Chairman of the Scrutiny Committee.

#### **(c) Licensing Committee**

There were no questions to the Chairman of the Licensing Committee.

#### **(d) Development Management Committee**

There were no questions to the Chairman of the Licensing Committee.

### **3557 EXCLUSION OF THE PRESS AND PUBLIC**

After brief discussion, and having followed the advice provided by the Managing Director, it was

**RESOLVED:** To exclude the public and press from the meeting under Section 100A of the Local Government Act 1972 for the following item of business on the grounds that it involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended)

### **3558 BROADS AUTHORITY FOLLOW UP REPORT**

Members considered the exempt report, which updated Members on matters concerning the Broads Authority

**RESOLVED:** To note the recommendations of the report.

(The meeting concluded at 9.45 pm)

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Chairman