

Minutes of a meeting of the **Council** held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on **Thursday 24 January 2013** at **7:00 pm** when there were present:

	Mrs S C Gurney – Chairman	
Mr A D Adams	Mr A P Findlay	Mr B A McGilvray
Mr P Balcombe	Mr J F Fisher	Mr J N Pettman
Mrs C H Bannock	Mr R R Foulger	Mr A J Proctor
Mr J W Bracey	Mr P N Green	Mr D Roper
Mrs M Bradley	Mr D G Harrison	Mr N C Shaw
Mr D Buck	Mrs L H Hemsall (7 to 7.30 pm)	Mr M D Snowling MBE
Mr S R Buckle	Mr J M Joyce	Mr J P Starling
Mr P H Carrick	Miss J R Keeler	Mr N E Starling
Mr J A Carswell	Mr R J Knowles	Mr S A Vincent
Mr S M Clancy	Mr B S Kular	Mrs C Ward
Mrs J C Cottingham	Mr K G Leggett MBE	Mr D C Ward
Mr W F Couzens	Mr I J Mackie	
Mr S Dunn	Mr A S Mallett	
Mr J J Emsell	Mrs T M Mancini-Boyle	

Mr J Sadler, Member of the Standards Committee, attended the meeting for its duration.

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

**135 DECLARATIONS OF INTEREST UNDER PROCEDURAL RULE NO 8**

Member	Minute No & Heading	Nature of Interest
Mr Adams, Mr Carswell, Mr Clancy, Mrs Gurney, Mr Harrison Mr Joyce, Mr Mackie, Mr Proctor, Mr Shaw	Any matter relating to Norfolk County Council	Disclosable, non-Pecuniary Interest – Norfolk County Councillor
Mr Balcombe, Mr Bracey, Mr Buck, Mr Couzens, Mr Emsall, Mrs Gurney, Mr Harrison, Mr Joyce, Mr Knowles, Mr Mackie, Mrs Mancini-Boyle, Mr Roper, Mr J P Starling	Any Matter relating to Parish Councils	Disclosable, non-Pecuniary Interest – Parish Councillor

Mrs Cottingham	142 - Cabinet Reports - Minute No: 112 – Strategy, Community and Housing Department Restructuring – Supplementary Appraisal	Non-disclosable interest – involved in an ongoing investigation – left the meeting for consideration and determination of the matter
Liz Mowl	142 - Cabinet Reports - Minute No: 112 – Strategy, Community and Housing Department Restructuring – Supplementary Appraisal	Personal Interest, on behalf of all staff in the Strategy, Community and Housing Service in attendance affected by the restructure proposals.

In response to a question, the Head of Democratic Services & Monitoring Officer confirmed that the Standards Committee had granted a dispensation under section 33 of the Localism Act 2011 in respect of any matter relating to another local authority which the Member may be elected to unless the matter related to requesting financial assistance but this did not preclude Members from declaring their interest at a meeting.

**136 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mrs K Davis-Claydon, Mr I G Graham, Mr R R Nash, Mrs B H Rix, Mr D W Thompson, Mr C J Wheeler, Mr S D Woodbridge.

**137 MINUTES**

The Minutes of the meeting held on 13 December 2012 were confirmed and signed by the Chairman as a correct record.

Minute 122 – Minutes

The Portfolio Holder for Finance referred to Minute 111 - Cabinet Reports – Localisation of Council Tax Support and stated further information had now been received by way of the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 which came into force on 18 December 2012. The reference to “hardship” in the resolution contained in Minute 122 was no longer appropriate and the Resolution agreed needed to be updated to reflect this latest position. He emphasised that the scheme would have a negative impact on customers who could be placed in hardship and have less money available to them than the Government stated they needed to live on. This would include vulnerable customers. He proposed, and it was

**RESOLVED**

to add the following addendum to the resolution contained in Minute 122 of the Council Minutes of 13 December 2012:

“having regard to the latest legislation, that from 1 April 2013, the Local Council Tax Reduction Scheme for Broadland be the same as the Council Tax Reduction Scheme (Default Scheme) (England) Regulations 2012 as amended except:

- (1) benefit for all working age customers be assessed based on a reduced council tax liability figure. This reduction to be 8.5% of their council tax liability for all working age claimants;
- (2) as with the current council tax benefit scheme, income from War Disablement Pensions and War Widows Pensions etc be disregarded in full. (This provision would continue under the scheme to be introduced from 1 April 2013)

#### Minute 131 – Broadland Futures – New Committee Responsibilities

The Leader advised Council that, following the establishment of the Service Improvement and Efficiency Committee at the last meeting, Council now needed to appoint a Chairman for the Committee. It was, with 27 Members voting for, 11 against,

#### **RESOLVED**

to appoint Mr I Graham as Chairman of the Service Improvement and Efficiency Committee for the remainder of the municipal year.

#### **138 ANNOUNCEMENTS**

The Chairman informed Members of the recent death of Mrs Mary Ann Riches who was a former District Councillor for the Catton Ward from 1990 to 1998. The funeral would take place at St Faiths Crematorium on 4 February 2013 at 11.00am. Members stood in silence in tribute to Mrs Riches.

Members received a copy of the list of civic engagements undertaken by the Chairman and Vice-Chairman since the last meeting and they highlighted some of the events.

On behalf of the Council, the Leader expressed thanks and appreciation to staff for their efforts in getting to work during the recent spell of inclement weather and for their efforts in clearing the car park area.

The Vice Chairman of the Council updated Members on transport

infrastructure matters. With regard to the A47 Alliance, he stated that the prospect of dualling the A47 between Great Yarmouth and Peterborough had moved higher up the Government agenda as it was now recognised that the route, whilst not being a core route in European terms, was nevertheless an important connecting route to major centres of industry and as such had a vital impact on the economy. Apart from the A14, it was the sole link from East Anglia to the Midlands. With regard to Rail Improvements 2014 – 2019, the major projects announced by Government related to Network Rail's capital programme to improve infrastructure in the region which when completed would facilitate more frequent services on some major routes and shorter journey times particularly between Norwich and London. Among the projects were improvements to Ely North junction and the line out of Ely station which would facilitate a more frequent service from Norwich to Cambridge and improve the freight route from Felixstowe to Nuneaton, the introduction of a third main track in the Chelmsford area and building a new station north of Chelmsford and remodelling of Bow junction. Clearly improvements to train rolling stock were a matter for the train operators and much depended on the allocation of franchises from 2014 and the duration thereof. At present refurbishments were being carried out on quite old stock and the provision of new trains would not be implemented until longer franchise durations were available allowing the appropriate investment. In response to a question about plans for fast trains from London to Norwich and the issue of improvements to the infrastructure leaving Norwich train station, the Vice-Chairman stated that, whilst easier entry into Liverpool Street Station was being progressed, the issue of faster trains and infrastructure leaving Norwich had not as yet been progressed.

The Portfolio Holder for Environmental Excellence made reference to the excellent work undertaken by the Council's refuse collectors during the recent spell of inclement weather and that by 16 January, the backlog of collections would be cleared. Other Members expressed their appreciation of the work undertaken, stating that the operatives were a credit to their employer and to the Council, not only for their hard work in difficult conditions but for their cheery demeanour and willingness to be helpful.

It was proposed and unanimously

**RESOLVED**

that a vote of thanks be recorded to the Council's refuse collectors for the excellent work undertaken by them particularly in the recent inclement weather and for their cheery demeanour and willingness to be helpful.

The Portfolio Holder for Environmental Excellence went on to state that the Council's Climate Change officers had been successful in securing £337,900 from the European Regional Development Fund to deliver demonstrator projects covering 8 properties in Rackheath and Salhouse owned by Wherry Housing. Renewable materials and technologies would be used to achieve

reductions in energy use and carbon emissions of up to 90% per property. The project would be a trial to discover the best ways to increase energy efficiency of older properties and identify best practices which could then be used on other hard to heat properties in the UK. The project, which was due to start imminently, would not only support the Council's objective in relation to environmental excellence but also that of achieving economic success by involving local businesses.

The Portfolio Holder for Environmental Excellence stated that the Council's Climate Change officers had also successfully secured Government funding of £269,500 from the Department of Energy and Climate Change for a vanguard project to help people to keep their homes warm and energy bills low. The funding included £232,000 of Green Deal Pioneer Places Funding which would be used for a range of projects to spread awareness of the green technologies available under the Government's Green Deal. Planned projects included providing Parish Councils with Green Deal Awareness training and with a finder's fee for every household they referred for a Green Deal Assessment. One business and one community building in each of the two local authority's areas would be given a free retrofit with energy saving measures in return for their owners or occupants becoming Green Deal ambassadors and allowing the buildings to be used to showcase the technologies. £37,500 of the DECC funding would be used to operate a Collective Switching exercise across Broadland and South Norfolk allowing residents to collectively switch their energy provider. The funding would be used to market the opportunity to householders that would benefit most from switching their energy providers (people in fuel poverty and/or those that had not switched energy provider recently). The funding would also be used to set up oil purchasing cooperatives.

The Chief Executive advised Council that the Norfolk Resilience Forum, of which Broadland was a member, had been successful in securing a DEFRA grant of just under £10k to carry out a Community Resilience Project in the County which sought to build upon existing multi-agency activity to create a common framework of support and assistance. Communities would be encouraged to look at their risks and vulnerabilities and with the help of the NRF, put together their own Community Emergency Plans using established Cabinet Office guidance and templates. In particular, communities would be asked to consider how they might deal with the effects of more frequent and unpredictable severe weather events resulting from the impacts of climate change. To encourage communities to put together an emergency plan they would be provided with a Community Emergency Pack containing useful items such as hi-viz vests, torches, wind up radios and information sheets on how they can adapt and plan for climate change related emergencies. A program of workshops and training sessions was to be delivered around Norfolk by NRF member agencies which would help create a supportive network of communities, building a forum of best practice and shared ideas. To further enhance this culture of support and sharing, the NRF public

website would be enhanced to capitalise on the power of social media. By encouraging communities to set up their own social media page and linking to the NRF website it would be possible to create a community of communities throughout Norfolk. Part of the funding would be used to help and support communities in this social media activity through a programme of printed guidance and face to face help. The first community resilience workshop under the project for Broadland communities was due to be held at the Council the previous Tuesday but had been cancelled due to the weather conditions. Ironically the event had intended to focus on severe weather events and provide the opportunity for community representatives to see what was involved in putting together their own emergency plan and to hear from others that had already successfully done so. The workshop was now being rescheduled for 8th February 2013 from 10am to 1pm at the Council Offices.

The Chief Executive also reported that on 29 June 2012 the Electoral Commission had issued a Direction requiring him as Local Returning Officer in accordance with the Political Parties, Elections and Referendums Act 2000 ('PPERA'), to complete and submit a series of monitoring returns with respect to the Police and Crime Commissioner election last Autumn. He was pleased to advise Members that the Direction was fully met and on assessment covering 5 categories, all 9 performance standards were assessed as being met. The Electoral Commission would be publishing its report in February, at the same time as making available information about the performance of individual Local Returning Officers on their website. He thanked Martin Thrower and Ann Watkins and her team for enabling him to meet the standards in the assessment.

### **139 QUESTIONS FROM THE PUBLIC**

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

### **140 PUBLIC SPEAKING**

The Chairman announced that, before calling on public speakers, she wished to advise the Council of the actions she had taken in her capacity as Chairman of the Council following discussions with the Leader of the Council, the Chief Executive and the Monitoring Officer.

She referred to the fact that last week's Council meeting had been postponed due to the adverse weather conditions and conditions on site. For that meeting there had only been one request registered to speak within the agreed timescales for doing so. That request had been made on behalf of Sprowston Town Council in relation to the budget item on the agenda. Due to the postponement, in the interests of openness and transparency, a decision had been made by the Monitoring Officer to extend the period for allowing persons to register to speak. Therefore such requests had to be made by 21 January 2013 and this information had been conveyed to all Members by

email and posted on the Council's website. Mr Heard, on behalf of SNUB, had subsequently registered to speak within the new timeline and had also requested he be allowed to have an increase in the normal 3 minutes allowed for in the Constitution to enable the views of the group he represented to be fully presented to the Council. The Chairman stated that she was mindful of the precedent that approving this request might set, but in this particular case she had decided to allow Mr Heard to have 5 minutes to present his case and to allow another representative from SNUB the same amount of time. A subsequent request to speak on behalf of SNUB had been received from Mrs Hutchings outside the period for registering but as the principle of allowing SNUB a further speaker had already been established, she had again exercised her discretion to allow Mrs Hutchings to address the Council. She assured the Council that, in accordance with Part Four 11.3 of the Constitution, she would continue to consider any requests to extend the periods allowed for public speaking on their individual merits.

The Chairman went on to state that, following the end of public speaking, she intended to bring forward consideration of items 12 and 13 on the agenda. Finally in order to be consistent with the previous consideration of the proposals affecting the Strategy, Communities and Housing Department, she stated that she had agreed to allow Mrs B Tye on behalf of Unison to address the Council at the time it considered the Cabinet report on this issue.

The Chairman then called on Mrs Hunt to address the Council followed by Mrs Hutchings and then Mr Heard.

Mrs J Hunt – Sprowston Parish Council

*Good Evening Madam Chairman and Councillors. Thank you for this opportunity to speak to the Council. May I start by saying Broadland DC has a proud record of treating its parishes fairly.*

*Sprowston's council tax equivalent band D property base (along with many other town and parish councils) has been reduced by the DCLG because of changes in funding council tax benefit. Some councils have had little or no reduction because of this. The minister, Eric Pickles has said that, where a precepting authority has town and parish councils, who are also affected by the change, he expects the compensation to be shared with them and yet the information from DCLG has been delayed, not forthcoming and difficult to extract placing your officers in an uninformed position and frustration on the parishes who received no advance warning of this and have taken on long term projects.*

*Our council, Sprowston, has embraced the growth that Broadland has proposed as the result of successful planning applications. Because of this the number of houses in the town grows year on year. So we have the*

*situation that our tax base has reduced significantly because of the removal of properties in receipt of council tax relief, and then has increased a little because of new properties. Broadland will collect parish council tax on extra properties being built during the year, but where will that money go? The town council won't get any extra. So either the district will put it in their reserves or it will be part of the grant that Broadland considers to pay for 2014/15. In effect, in the case of Sprowston, whose growth in 12/13 numbered around 66 properties incurred extra costs immediately because of these and will only receive money collected from new properties after April in the following year.*

*I ask this Council to take account of my comments whilst commending to you the Broadland revised scheme. I understand the Council has recalculated the 2012/13 tax base on the new formula which gives the difference to the parishes and does not penalise them to set their own increase. This is in the true spirit of the principals of the Localism Act and treats all towns and parishes equally. Thank you for your time.*

Mrs D Hutchings – Sprowston & Old Catton Residents against Beyond Green Proposals - affiliated to SNUB

*Major concerns relating to the NEGТ – North East Growth Triangle.*

*The housing targets of 36,000 new homes was withdrawn by the Lib-Con government with the abolition of regional housing targets by Eric Pickles, therefore a re-assessment of local growth plans should be undertaken.*

*Ministers want local people to be given a greater say in the creation of local sustainable communities. Yet the GNDP Greater Norwich Development Partnership is imposing excessive growth on local people without their input or agreement is unacceptable.*

*Transparency and accountability are key words for the new coalition, yet the GNDP meets behind closed doors, making it difficult for the public to understand the reasons for particular choices*

*A major reliance of the strategy on the controversial and expensive £127 million NNDR and Postwick hub. Both schemes may lose their public funding in the spending review.*

*Concerns over the GNDP's rushed public consultation on lengthy and detailed 'Focused Changes' to the strategy. The GNDP wants to re-label the NEGТ a*

*'Strategic Allocation' backed up by a Supplementary planning document rather than an action plan to avoid the need for a further public examination.*

*I would challenge the assumptions that underpin the volume of required housing to meet the projected growth in population on a number of points;*

- Volume of properties currently advertised as being available for rent and sale across Norfolk 14,120 (as of 22/11/2012).*
- 9,000 empty properties across Norfolk, 1,621 not lived in for over 2 years – BBC News today*
- Projected demographic increase through net migration to Norfolk was predicated on economic factors that are no longer credible.*
- The low wage economy will undermine any perceived demand for housing stock at the projected value.*
- Poor transport infrastructure, particularly North Norfolk, restricts significant economic opportunities.*

*The development of land North of Sprowston and Old Catton to provide Up To 3,520 dwellings fails to make any coherent sense from an economic or demographic perspective with regard to the immediate area or the wider county boundaries. In many respects any development of this magnitude would make much greater sense if located nearer to the A11 where this provides immediate access to the better road infrastructure, larger areas of economic activity, Norwich Research Park, and a number of public services not least of which would be the Norfolk & Norwich Hospital. I seriously doubt the underlying assumptions and have concluded that the development itself has become the primary driver in maintaining demand forecasts rather than the need driving the development.*

*The perceived economic benefit that the development will offer is, in my view, somewhat disingenuous. Firstly, whilst the construction phase will bring some limited benefit to the area history has shown that the primary economic beneficiaries will be outside of the area due to both materials and labour being externally sourced. The longer term economic benefit is questionable given that the development itself offers restricted commercial opportunities and limited public sector employment, this should be set against the wider picture of the development and, as yet, there has been little evidence to support the notion that the development will provide overall economic benefit for either the local or wider population. Indeed, if the rumours are to be believed, the potential social engineering activity to generate demand from outside Norfolk and migrating significant numbers of unskilled workers into the area will undermine rather than support the local economy.*

*In terms of the environmental impact, setting aside issues of food security at present, destruction of arable land of this magnitude would further erode habitat for the indigenous wild life, the attrition of which is already subject to debate and discussion through a number of elected forums. I note no*

*measure of the carbon footprint associated with the development is mentioned and this should be considered not only in terms of the actual construction compared with other sites but also in terms of the additional burden associated with the added transportation pressures that alternative sites would avoid.*

*Over the past twenty years there have been numerous developments within the boundaries of Sprowston and Old Catton that have stretched, many would say, broken the support infrastructure of the area. At no point have these issues been adequately addressed, some would suggest that whilst platitudes have often been forth coming little action has taken place. Yet, we are now to believe that not only will the new development be accommodated the additional, wholly unsupportable, pressure on the current local infrastructures will also be absorbed. I see no strategy from within the proposal or from Broadland District Council that, to my mind, adequately addresses these issues. Will the introduction of the Northern Distributor Road alleviate the traffic problems, this is doubtful particularly at peak times. Even were the Northern Distributor Road to be extended to effectively provide Norwich with an outer ring road the environmental cost would be excessive and I doubt address the inherent problems associated with what I consider to be historical failings to address the cumulative impact of many smaller developments. The difficulty in accessing healthcare is a constant worry for many of the local inhabitants of Old Catton and Sprowston, how does the council intend to ensure that matters will not deteriorate further following this development. It would be entirely inappropriate, in my view, for this to be passed over as not being within the remit of the council. We are all aware that the NHS is facing a massive challenge in meeting the demands set against it and as such it is far easier to 'defer' developments rather than cutting services, as a representative of the community it is incumbent upon Broadland District Council to vigorously act in the interest of its population and in this instance I fear that this is sadly lacking.*

*What steps have the council undertaken to address the immediate problems and how will this fit with their overall strategic plans for the area? Despite this growth the senior school provision is shoe horned into an increasingly inadequate footprint suffering from historical underinvestment and with the failing in joined up planning how will Broadland District Council take this matter forward with Norfolk County Council? In terms of encouragement for enterprise that would support the area more generally, I see precious little beyond building houses which would appear, in itself, to recognise the flawed viability of the project. Overall I view historically planning for the area of Old Catton and Sprowston as failing the current and future population, the piecemeal application has and will continue to erode the area and is something that should make Broadland District Council deeply ashamed.*

*It is my view the articulated need for such a large development is fundamentally flawed and will, in the longer term, impact negatively on the economic vibrancy of the area, unnecessarily destroy arable land, irretrievably destroy natural wildlife habitat and undermine the quality of life for those who live in the area.*

*The level of consultation and feedback contained within the various documents can best be described as selective. In this instance, whilst accepting that there has been information in the public domain, neither the developer nor Broadland District Council chose to make direct contact with those from the immediate area who would burden the majority of the massive impact on the environment and standard of life. Indeed, it has only been of late that a letter was issued inviting comment. It now feels that the entire process has been ill considered and poorly thought through with the sole intention of railroading the proposal through avoiding serious and open debate, this I find both disappointing and extremely worrying.*

*I seriously doubt the need for such large scale development in Norfolk and would challenge the notion that the development of land North of Sprowston and Old Catton would be the most appropriate response even if it could be demonstrated that the housing demand exists at the level suggested and strongly object to the proposed development.*

Mr S Heard – SNUB

*Ladies and gentlemen - I stand before you again as the representative of thousands of local residents and for the first time as an elected parish councillor with the SNUB mandate. It is almost a year since a high court judge ruled the JCS as unlawful after you conducted, in the words of the independent review you yourselves commissioned, an infected process. I am here to remind you of your obligations to assure local residents of your duty of care to guarantee that you learn from previous mistakes and that you use your stewardship of scarce public money wisely and efficiently. I am afraid you have failed on all accounts. The process is still infected with errors and omissions in the documentation and process, even having the nerve to predict the outcome of this debate before you actually had it; unbelievable! As a result you have wasted hundreds of thousands of pounds of taxpayers' money on a strategy that we believe is still unlawful as, despite the ruling from the Judge, you have not completed the necessary strategic environmental assessment on all of the options. You have also failed in your statutory duty to co-operate by not having the common courtesy to engage with SNUB or any other community group since the High Court ruling. Shameful and contravening the Aarhus Convention on public consultation and infringing our human rights. All you have done in the last 12 months is to put before local residents three options that are very similar to the options in the previous strategy with two almost the same as each other. Please do not take us for fools! You have also once again ignored the wishes of thousands of local residents by proposing a strategy that is no longer valid, no longer needed and fails all tests of common sense. In doing so you have probably fallen foul of EU regulations on state aid with the ill-founded Rackheath Community Trust and the partnership with Barrats, and others, whilst also coming very close to contravening the Bribery Act of 2010 with the use of the New Homes*

*Bonus and Community Infrastructure Levy to smooth the way towards concreting over thousands of acres of food producing land. As the Planning Advisory Service said in their advice to Councillors: "there is a fine line between incentive and bribe!" There is also no acknowledgement to new legislation like the Social Value Act of 2012 where once again you have a legal obligation to demonstrate how this strategy would enhance the lives of local residents. Let me tell you that local people in their thousands think you will destroy their quality of life and not enhance it at all! Where are all the local people and groups that want this large scale development? They are conspicuous in their absence. The Strategy is also unsound as it still does not address the very real water stress in this area, as confirmed by the Environment Agency, as no new innovation has been forthcoming as predicted in the JCS. It also proposes solutions that are outdated and no longer economical. Even the developers are not that enthused when calculating the residual land value and their investment return which can only be realised if they build fewer and fewer social housing thus destroying one of the main reasons for the construction of a new town. Let's be honest this Strategy is more about providing an income generation fund for the Council rather than satisfying housing need as my colleague pointed out just before me. You are not even sure yourselves as you have now commissioned a Housing Needs Survey to define need! Why? Well I'm sure you all know all of this as I hope you have all read the submission that SNUB made where, in comparison to the voluminous JCS, our 58 pages provide a succinct list of reasons why the JCS is flawed and should be cancelled as similar strategies have been across the UK. But then do not just take our word for it. The following organisations agree that the JCS is flawed or have reservations about the Strategy which should not be allowed to proceed:*

- *CPRE alliance of local community groups representing thousands of local residents*
- *Broadland Water Abstraction Group*
- *Anglia Water*
- *Norfolk Angling Society*
- *prominent local farmers*
- *local MPs of all persuasions*
- *Government ministers who advocate the ideals of localism*
- *National Farmers Union*
- *elected members of the opposition*
- *all of the surrounding parish councils that you are meant to be representing*
- *Great Yarmouth Borough Council with concerns about investment money for the County being diverted from them*
- *National Housing Federation in their "save our village" campaign*
- *Shelter*
- *Planning Advisor Service*
- *Future Homes Commission*
- *and even your own group is riddled with apprehension and concerns*

*Ladies and gentleman do not allow yourselves to be whipped into a decision*

*that you may well regret in the future. Think of the people who you represent and vote with your conscience and not with your current leader. Thank you*

## 141 JOINT CORE STRATEGY – NEXT STEPS

Members considered the report setting out the main issues raised during the publication period for the Proposed Submission Documents which finished on 2 November 2012 and considered, in the light of these representations, how to proceed. They also received an update and errata to the report which had been sent to all Members. The Portfolio Holder for Planning referred Members to the Recommendations as set out on page 25 of the report and to the update to the report issued, stating that the list of corrections did not change anything but was for the sake of completeness, correcting/clarifying errors and did not introduce anything new. He thanked officers for all their ongoing hard work and efforts in getting to the current position.

He stated that the Council had been on a journey and it was important to remember the twists and turns that had occurred on that journey to get to the current position. The Joint Core Strategy had been adopted - the exception was the "Greater Norwich Policy Area" (GNPA) which was remitted following the High Court Judgement. The remitted text was the only element that had come back before the Council. The NDR and housing numbers did not get remitted; the housing numbers were robust and not in question. It was the disbursement and distribution of the houses throughout the GNPA which had now been worked through again and the Sustainability Appraisal carried out and reviewed. This identified 18 possible locations with a variety of disbursement options which had gone through an assessment process. At each stage, a number of the options had become unachievable and were eliminated from the ongoing process and ultimately three options were left. Each of these options was assessed in detail, firstly in the SA, secondly by officers and thirdly by the Place Shaping Committee. The outcome and recommendation had been presented to Council in August 2012. The Council accepted the SA workings, the Officers recommendation and the recommendation from the Place Shaping Committee and approved the disbursement and distribution of the housing through the GNPA. The outcome of the Council's decision was that the remitted part of the JCS should be published and comments invited on the "soundness" of the Strategy as a precursor to its submission to the Secretary of State for Independent Examination. That consultation for the Public and other Stakeholders finished in November 2012 and the main issues raised in the representations and responses were now summarised in table 3, pages 50 to 65 of the report, with the conclusion on page 65. At the last Place Shaping Committee, Members discussed the reports, the consultation and the processes to ascertain, if in the Council's view, the Proposed Submission Document was "legally compliant and sound". Members found that due process had been followed and felt the Proposed Submission Document was "legally compliant and sound". As a result of this view, Council was now being asked to consider the

representations and to resolve whether or not to submit the plan to the Secretary of State for Independent Examination.

The Portfolio Holder for Planning went on to state that the report before Members provided:

1. an overview of the process
2. a summary of key issues raised and their significance
3. an explanation of why the proposed submission content was considered to be "SOUND" – (page 34 section 2.12 - the 4 tests of soundness as set out in NPPF1: positively prepared, justified, effective, and consistent with National Policy)
4. a list of the submission documents (page 34 section 3.2)
5. details of the next steps (page 36 section 6.1) and an outline of the time table going forward
6. confirmation that the proposed submission had been tested and consulted on

He therefore proposed, duly seconded that the recommendations contained on page 25 be supported.

A Member reiterated his concerns expressed at previous meetings that the Council had not involved local people in the process and had not had regard to many issues such as infrastructure and the distribution of houses. He suggested people were frustrated and angry and had lost trust in the Council and that the proposals could not be supported.

With regard to housing numbers, a Member acknowledged that these had not been remitted but questioned if it could be assumed that they were therefore accurate. The housing numbers had been determined some time ago and there had been changes in the economic climate since then and he questioned if there was now a need for so many houses. He commented on the number of brownfield sites available which could be developed.

In response, the Portfolio Holder for Planning stated that the recent Topic paper: Homes and Housing provided evidence to support the dwellings provision in the Joint Core Strategy and that the figures were consistent.

Another Member raised concerns that the Strategy was far from sound and that a preferred way forward would be the use of Neighbourhood Plans. The scale of development within the Strategy was out of date with the passage of time and could not be supported.

The Deputy Leader of the Opposition raised concerns that, in view of the length of time taken to progress the Joint Core Strategy, things had changed, particularly the economy and housing targets, yet the JCS had not changed. He felt the housing numbers were out of date and need to be looked at again.

He stated that the housing numbers represented a bad deal for Broadland and he could not therefore accept the document.

The Leader of the Council drew Members' attention to the need to focus on the matter which needed to be determined which was to decide if the Joint Core Strategy was now sound. The issue at this stage was not about numbers - these were evidenced in the Homes and Housing Topic Paper and the Sustainability Appraisal had been completed. The NDR was also a separate matter and alternative sites had been looked at. Members now needed to determine if the proposal was sound and based on evidence. He stressed the need to have a plan in place.

On being put to the vote, it was, with 26 Members voting for, 10 against and 2 abstentions,

### **RESOLVED**

having taken account of the information in the report and representations received during the publication period:

- (1) that the Proposed Submission Document is considered to be legally compliant and sound;
- (2) that the "Joint Core Strategy for Broadland, Norwich and South Norfolk: proposed submission document" and supporting documents be submitted to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and
- (3) to delegate authority to the Head of Planning, in consultation with the Planning Portfolio Holder, to approve the detail of technical documents if required to be submitted alongside the JCS.

### **142 GREATER NORWICH DEVELOPMENT PARTNERSHIP**

Members received a copy of the Minutes of the meeting of the Greater Norwich Development Partnership held on 13 December 2012 and noted that the recommendation contained therein had been dealt with as part of consideration of the report set out at Minute 141 above.

**143 OVERVIEW AND SCRUTINY COMMITTEE**

The Minutes of the Overview and Scrutiny Committee meetings held on 18 December and 2 January 2013 were received.

**144 CABINET REPORTS**

The Minutes of the Cabinet meeting held on 8 January 2013 were received.

Minute No 111 – Overview and Scrutiny Committee

The Portfolio Holder for Planning drew attention to the Cabinet resolution relating to the recommendations from the Time and Task limited Panel on the Neighbourhood Planning Review. Following a recent Government announcement regarding the proportion of the CIL that could go to local communities and the higher levels available to those communities with a neighbourhood plan, there was a likelihood of more neighbourhood plans being generated and therefore a greater need for dedicated support within the Spatial Planning Team. The Portfolio Holder for Planning therefore recommended that a further £15,000 of the remaining funding be used for the appointment of temporary officer support for neighbourhood plans.

**RESOLVED**

that that a further £15,000 of remaining funding be used for the appointment of temporary officer support for neighbourhood plans.

Minute No 115 – Determination of the Council Tax Base for 2013/14

The Portfolio Holder for Finance referred to the discussion at Cabinet regarding the determination of the Council Tax Base. In accordance with his delegated powers, and in the light of information available at the time, he had made a decision about the Council Tax Base for 2013/14. This decision had been communicated to Parishes. However, in the light of subsequent information from the DCLG and representations from Parish Councils, it had subsequently been decided that £125,000 of Government funding together with £76,000 of the Council's own funds should be used to pass onto parish councils to top up any shortfalls arising from the reduction in the Council Tax Base for parishes – effectively to top up the difference between last year's collected precept and this year's base rate. If a parish chose to increase its precept, the increase had to be collected through an increase in their parish rate.

A number of Members raised concerns that the actions of the DCLG did not support the principals of localism and welcomed the decision of the Portfolio Holder for Finance to support parishes in the way proposed. There was a strong feeling that parishes should be empowered to make their own decisions. It was pointed out that the fact that parishes who decided to increase their precept would have to fund the difference from their own sources was in fact in the spirit of localism.

## RESOLVED

to note the actions of the Portfolio Holder for Finance in the determination of the Council tax base for 2013/14 and that £125,000 of Government funding together with £75,000 of the Council's own funds would be used to pass onto parish councils to top up any shortfalls arising from the reduction in the council tax base.

Minute No: 112 – Strategy, Community and Housing Department  
Restructuring – Supplementary Appraisal

[Mrs J Cottingham left the meeting for consideration and determination of this matter.]

The Chairman of the Council invited Becky Tye, the representative of Unison, to address the Council.

*Thank you chair. This evening I would like to put some questions to you which I hope you will consider through the course of your debate on this item.*

*Consultation is about asking people what they think about the reasons behind a proposal as well as the proposal itself. In the consultation on this issue the reason to dismantle the department has never been up for question. There must have been a process that led to the decision that dismantling the department was the best option going forward. So who made this decision? If Council didn't make this decision, then who is making these decisions on behalf of you and your constituents? Is this democratic?*

*At Cabinet, Members reaffirmed that they had confidence in the Senior Officers and Heads of Service. If this is all true, why was the Head of the Strategy, Community and Housing, this department, not given the responsibility to review the structure of her department, like the Head of Economic Development was? As a professional The Head of Strategy, Community and Housing would have carried out this review, including the option to dismantle it, and Council would have got a fully reasoned proposal to*

*consider, covering all aspects of the department's functions. The reality is that the decision to disband the department had already been made without any input from the service head. This suggests a worrying lack of faith in the Head of Service from Broadland District Council.*

*There is also concern that there's confusion between the terms "engagement" and "communication". Engagement is a two way process, whereas communication is the imparting of information. It's important that going forward, regardless of the outcome, we do not confuse these two activities.*

*The second report from the Deputy Chief Executive doesn't explain how community engagement is going to be co-ordinated across the Council. Is Council happy to proceed with these proposals without this forward planning in place? The same situation can be said of Equalities. The proposals leave the final resourcing of Equality activity to the Head of Environmental Services. What actions are Council putting in place to monitor this situation? And why, in four months, has this decision not been made?*

*The supplementary appraisal doesn't address a key question which has been raised by UNISON, individual members of staff and councillors: As the question hasn't been answered, I will ask it again: If there is no evidence that the work will no longer exist how can you make redundancies? Could someone answer this question so that it can be minuted tonight? As it stands I fail to see the justification behind job losses where there is no reduction in work.*

*I would ask that before you agree to these proposals you are 100% sure that it is the right thing to do for Broadland Council, its staff and residents. The rationale for this decision was not linked to efficiencies and cutting jobs with no evidence that it improves a service is not efficient, it's simply getting rid of jobs.*

*It's interesting, listening tonight to the debate regarding the Joint Core Strategy, I wonder if these proposals would meet the 4 NPPF test of soundness?*

*I've said before, I represent my members and their opinions. At Cabinet, the suggestion UNISON made regarding staff morale being low was refuted. I don't make things up and I don't want any of you to have that impression of me or UNISON. In five years of being a UNISON representative I have enjoyed a strong working relationship and would like that to continue. To this end, I sent out a survey which a third of staff, both union and non-union, have completed. I've forwarded the results of this to you in an e-mail today along with some of the comments made by staff. I'm not going to interpret it for you tonight but here are three points I would like you to note:*

1. *Only 50% of the staff enjoy working for Broadland Council at the moment.*
2. *72% of staff think the Ethos has changed for the worse since September 2011.*
3. *61% of staff don't think that senior officers and members are concerned with staff interests.*

*UNISON will continue to work with Broadland Council to ensure staff are treated fairly in these austere times. I would ask that this evening Broadland District Council reaffirm its commitment to positively engaging with UNISON for this purpose.*

DRAFT

The Leader of the Council reminded Members of the history of the establishment of the Strategy, Community and Housing Department and the context for the review. He stated that it was not unreasonable to review the workings of the team, 12 months after its implementation. The current proposal was to disband a department not the work as this would continue to be undertaken but in a different way. He stressed that the motivation for the review had come directly from him last September following a meeting with the Head of Corporate Resources, the Portfolio Holder for Operations and Resources at the time and the Portfolio Holder for Communities and Housing, which effectively was a directive from the Administration to staff. The Deputy Chief Executive had then taken on the role of progressing the review and reporting to Cabinet. He suggested this was what would be expected to happen regarding processes and procedures for organisational change. With regard to whether or not the matter could have been dealt with differently –he stated that perhaps it could but in any event proper procedures had been followed, which was confirmed by the Chief Executive. At the Council meeting in November, a number of concerns had been raised with regard to community engagement and equalities and, in the light of these, it had been agreed that a supplementary appraisal on these issues be carried out which the Deputy Chief Executive had undertaken and prepared a report on these matters. The issue of community engagement and equalities had now been addressed. With regard to staff morale, he suggested that, overall the information which had come to him did not support the views claimed. He stated that it was now important to move forward. With regard to systems thinking, he stated that this was an organisational change and that systems thinking was being applied at departmental level. With regard to the overall capacity to deal with policy and strategy matters, he stated that senior officers would be dealing with this issue. He highlighted the questions on the review which had been raised and considered at Cabinet in January and stated that there was no premise to revisit the review. He added that budget considerations had not been the prime motivation for the review. In conclusion, he reiterated that the review had been about organisational change not about procedures and processes and the Administration was responsible for ensuring the Council was efficient, cost effective and fit for purpose. He proposed, duly seconded, that Council support the recommendations of the Cabinet.

The Deputy Leader of the Opposition proposed the following amendment, which was duly seconded:

“The contents of the supplementary appraisal requested by Council are noted. Council resolves not to make a final decision on the proposed restructuring of the Strategy, Community and Housing Department until the current code of conduct investigation into the former portfolio holder is concluded.”

The Deputy Leader of the Opposition questioned why the decision needed to be made at this stage whilst there was still an ongoing investigation linked to

the review. The investigation was likely to be concluded in the near future and the Council needed to have regard to it before it considered the review. He asked if the Council had taken advice on the legalities of considering the review prior to the conclusion of the investigation but in any event felt it was wrong to proceed.

The Head of Democratic Services and Monitoring Officer confirmed that he had raised this matter with the Council's legal contractor, as had on three separate occasions, the Head of Corporate Services and more latterly the Chief Executive and the Deputy Chief Executive, and the consistent advice had been that the Council was at liberty to consider and decide on the matter of the review notwithstanding the outcome of the investigation.

Members then voted on the amendment proposed by the Deputy Leader of the Opposition and, with 15 voting for, 18 against and 3 abstentions, the amendment was LOST.

The Leader of the Opposition expressed his concerns about the undue haste to make a decision on the review and wanted to be sure the correct decisions had been followed. He commented that if there was no reduction in work of the department why was there a need for redundancies. He was concerned that the Unison survey of staff morale was not being taken seriously and that staff morale was a concern for management. He suggested there was no rationale behind the proposals and they had not been thought through. He also questioned the level of savings when related to the cost of promotions when the department was first established and the cost of redundancies.

Other Members also raised concerns about the proposed restructuring. Comments were made that the Council had a long standing reputation for being a good Council to work for and, had always been able to attract good staff. Savings had been made following the recent review and streamlining of the Senior Management Team and there were concerns that the vital role of independent, overarching strategy and policy review and challenge would be diminished. Attention was drawn to the difference in the way in which this review had been undertaken having regard to the recent review of the Economic Development Department. Reference was made to the excellent performance of the Head of the Department concerned and that no issues had been raised during the appraisal process about her performance or that of the department. Attention was also drawn to the fact that the Overview and Scrutiny Committee had on two occasions resolved not to support the proposals. Comment was made that the Cabinet's view of staff morale did not appear to reconcile with the view of Unison and reference was made to the fact that two Members of the Cabinet had stood aside in connection with the review which indicated that the process had not been fully thought through. Reference was also made to the fact that residents in Broadland frequently commended the helpfulness of the staff at the Council and there was concern

about the impact of the review on the goodwill of staff.

In support of the proposed restructuring, reference was made to the excellent service given by staff and to the need to progress the conclusion of the current review as soon as possible, as it was de-motivating to leave the issue unresolved. Staff morale was a vital issue and there was a need to move forward. Following initial concerns, further examination had taken place and it had been found that proper processes had been followed. There was a need to keep the Council fit for purpose and to continue to avoid longer term, large scale redundancies and reductions in services. With regard to the Unison survey, in which a third of staff had taken part, it was highlighted that this contained many positive comments and that there was a danger that the reputation of the Council was being damaged.

Another Member stated that the current review was perhaps not a textbook example of how to undertake a review of the operation of a department but that this message had reached many Members. However, it was not in the best interests of staff or the Council to delay a decision on the review any further.

The Deputy Leader of the Opposition stated that he was disappointed that attempts to make the review less damaging and more palatable over the last few months had not been successful and that the leadership had forged ahead regardless. He felt this did not represent strong leadership but that constructive and helpful advice was being ignored. He urged Members to be satisfied with the rationale behind the proposals before voting to support them.

The Leader of the Opposition expressed concerns that another Councillor felt the need to undermine the debate by an inappropriate expression of feelings and that this was unacceptable having regard to the consequences of the outcome of the debate for some members of staff.

It was requested that a recorded vote be taken. In accordance with the provisions of the Constitution and with at least one sixth of the Members present standing, a recorded vote was taken.

### AGAINST THE PROPOSAL – 15

Mr Adams, Mr Balcombe, Mrs Bannock, Mr Buckle, Mr Couzens, Mr Emsell  
Mr Harrison, Mr Joyce, Mr Kular, Mr McGilvray, Mr Roper, Mr Snowling, Mr J  
Starling, Mr N Starling, Mrs Ward

### FOR THE PROPOSAL – 19

Mr Bracey, Mr Buck, Mr Carrick, Mr Carswell, Mr Clancy, Mr Dunn, Mr

Findlay, Mr Fisher, Mr Foulger, Mr Green, Miss Keeler, Mr Leggett, Mr Mackie, Mr Mallett, Mrs Mancini-Boyle, Mr Proctor, Mr Shaw, Mr Vincent, Mr Ward

ABSTENTION - 4

Mrs Bradley, Mrs Gurney, Mr Knowles, Mr Pettman

The proposal was CARRIED.

**RESOLVED:**

to endorse the contents of the supplementary appraisal requested by Council and the restructuring proposals for the Strategy, Community and Housing Department as set out in the report to Cabinet on 5 November 2012 be adopted.

[Mrs Cottingham rejoined the meeting.]

Minute No: 114 – Budget Proposals and Council Tax Recommendations

The Portfolio Holder for Finance drew Members' attention to the fact that the budget proposals and council tax recommendation would be subject to change over the next few weeks before the final Council Tax Resolution was considered by the Cabinet and the Council at their meetings in February. He also drew attention to the decision taken earlier in the meeting [Minute 144 Cabinet Reports – Determination of the Council Tax Base for 2013/14 refers].

**RESOLVED:**

- (1) to note that guidance will be given regarding the operation of the local pay scheme in 2013 and the Performance Related Pay scheme in 2014/15;
- (2) any amendment to the growth items be included in the budget for 2013/14;
- (3) the proposed increases in discretionary fees and charges (attached as Appendix D to the signed copy of these Minutes);
- (4) a Council Tax freeze for 2013/14 using the one year only central Government grant available;

- (5) General Reserves draw for 2013/14;
- (6) the provisional Council Tax for 2014/15, and any general reserves draw that this necessitates;
- (7) the adoption of the MTFP as the basis for future service planning review;
- (8) to agree the distribution and level of the local precepting authorities grant.

Minute No: 118 – Review of Risk Strategy

The Chairman of the Audit Committee stated that the previous system of recording risks was slightly fragmented and he invited Members to support the Cabinet recommendation.

**RESOLVED:**

to adopt the Risk Strategy (a copy of which is attached at appendix 1 to the signed copy of these Minutes)

Minute No: 121 – Tenancy Strategy

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

**RESOLVED:**

To adopt the Tenancy Strategy (a copy of which is attached at appendix 2 to the signed copy of these Minutes)

Minute No: 122 – Public Sector Equality Duty – Annual Update

Members supported the Cabinet recommendations subject to officers ensuring that the figures quoted in the penultimate paragraph on page 217 of

the report were accurate.

**RESOLVED:**

to approve the Public Sector Equality Duty Annual Update and Action Plan for publication (a copy of which is attached at appendix 3 to the signed copy of these Minutes.)

**145 PLANNING COMMITTEE**

The list of decisions of the Planning Committee meeting held on 5 December 2012 was received.

**146 APPOINTMENTS AND PAY PANEL**

The Leader of the Council advised Members of the need to appoint a Chairman of the Appointments and Pay Panel for the remainder of the Municipal year, and it was

**RESOLVED**

to appoint Mr S A Vincent as Chairman of the Appointments and Pay Panel for the remainder of the Municipal year.

**147 QUESTIONS FROM MEMBERS**

It was noted that no questions had been received from Members under Procedural Rule 12.4.

**148 MOTIONS**

It was noted that no Motions had been received under Procedural Rule 13.

**149 UPDATE FROM MEMBER CHAMPIONS**

There were no updates.

**150 REVIEW OF DEPRIVATION IN BROADLAND**

It was proposed that, in view of the late hour, the presentation on deprivation be deferred.

*The meeting closed at 9:40pm.*

DRAFT