

Minutes of the Council meeting held at Riverside, Canning Road, Lowestoft on **Wednesday, 18 April 2018** at **6.30 pm**.

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Members present:

F Mortimer (Chairman), S Allen, S Ardley, P Ashdown, E Back, S Barker, M Barnard, M Bee, N Brooks, P Byatt, A Cackett, G Catchpole, J Ceresa, M Cherry, Y Cherry, J Craig, G Elliott, T Gandy, T Goldson, L Gooch, I Graham, K Grant, A Green, M Ladd, P Light, T Mortimer, J Murray, K Patience, M Pitchers, B Provan, C Punt, T Reynolds, D Ritchie, C Rivett, K Robinson, M Rudd, J Smith, L Smith, K Springall, C Topping, N Webb, S Webb and S Woods.

Officers present:

S Baker (Chief Executive), A Jarvis (Strategic Director), H Slater (Monitoring Officer and Head of Legal & Democratic Services) and N Wotton (Democratic Services Manager)

1. APOLOGIES

Apologies for absence were received from Councillors L Coulam, J Ford, J Groom, R Neil and L Nicholls.

2. DECLARATIONS OF INTEREST

The Chairman clarified that those Councillors who were on the Civic Memorabilia Working Group: Councillors S Ardley, S Barker, J Ceresa, T Mortimer, K Patience, B Provan and R Neil, would not need to declare a Local Non Pecuniary Interest in Item 10 on the Agenda – Verbal Update on the Artefacts from the Town Hall – as no decisions would be taken about this matter at this meeting.

Councillors P Byatt, I Graham, A Green and K Patience declared a Local Non Pecuniary Interest in Item 10 on the Agenda – Verbal Update on the Artefacts from the Town – as they were Lowestoft Town Councillors and Councillor I Graham was also the Mayor of Lowestoft, as Lowestoft Town Council would be affected by any future decisions affecting the artefacts.

3. MINUTES

RESOLVED

That the Minutes of the Meeting held on 21 March 2018 be approved as a correct record and signed by the Chairman.

4. COMMUNICATIONS

Councillor J Ford

The Chairman sent Councillor Ford the best wishes of the Council, for a speedy recovery, and it was hoped that she would soon be well enough to attend Council meetings again.

Simultaneous Full Council Meeting

Members were reminded that a Simultaneous Full Council meeting would be taking place, with Suffolk Coastal District Council on Monday, 30 April 2018 at 6.30pm at High Lodge, Darsham. The meeting would be to consider the way forward for the super district council, following the work of the Boundary Commission on its warding proposals and to appoint to the Shadow Authority. It was noted that High Lodge was the mid point between the two Councils and would be able to accommodate all 90 Councillors from both Councils. All Councillors were encouraged to attend or to inform Democratic Services if they were unable to attend the meeting.

An Announcement from Councillor B Provan, Cabinet Member for Resources, regarding the Business Rates Retention Scheme Pilot

The Chairman reported that Councillor Provan, Cabinet Member for Resources would be making a short announcement at this point in the proceedings.

Councillor Provan reported that last year the Government issued an invitation to local authorities in England to pilot 100% Business Rates Retention in 2018/19 and to pioneer new pooling and tier-split models. In total, over 180 Authorities submitted 23 pilot bids and only 10 bids were successful. This included the Suffolk bid, which was launched in April 2018. Although the pilot schemes are currently only offered for one year, it was likely to result in additional “placed based” funding for Suffolk authorities. Working closely with other Suffolk authorities, our Finance Team played a leading role in developing the Suffolk Pilot Bid.

Members were advised that this work had been entered for the Innovation in Finance category of the MJ award by Suffolk County Council. Councillor Provan was delighted to advise that the Suffolk Councils have been short listed as one of the 5 finalists for this award. He asked all those present to share his enthusiasm for this recognition and wished our Team/s the very best in the next phase of this process.

5. ANNOUNCEMENTS FROM THE CHIEF EXECUTIVE / LEADER OF THE COUNCIL

Chief Executive

There were no announcements from the Chief Executive on this occasion.

Leader of the Council

Room Dedications at Riverside

The Leader reported that there had been a successful Room Dedication Ceremony last week, whereby the large meeting rooms on the ground floor were formally named after Claud Castleton and Thomas Crisp, who had both been awarded the Victoria Cross. The families of the Claud Castleton and Thomas Crisp had attended and they were also able to view the Victoria Cross awarded to Thomas Crisp. Those present were also updated on the heroic and selfless actions, which had resulted in both men being awarded the Victoria

Cross. It was noted that the replica photographs would be replaced by formal portraits of both men, in due course.

6. NOTICE OF MOTION

No Notices of Motion had been received.

7. QUESTIONS FROM MEMBERS

(a) Question from Councillor G Elliott to the Leader of the Council:

In October 2010 a unique partnership between Clinks Care Farm, Great Yarmouth & Waveney Primary Care Trust and Norfolk & Waveney Mental Health Trust was awarded an NHS Innovation Grant to run an innovative “Farming on Prescription” programme at Clinks Care Farm near Beccles. The programme ran successfully for 1½ years and 44 people spent 12 weeks (1 day a week) at the farm on a therapeutic placement partaking in farming activities to aid their recovery from mild to moderate mental health issues. The programme was ahead of its time as a social prescribing project.

The pilot of “Farming on Prescription” was so successful that Clinks Care Farm was commissioned by Great Yarmouth & Waveney Primary Care Trust CCG for the following year providing placements for 24 people a year. The feedback from the Primary Care Trust and later the CCG was excellent as the outcomes achieved for those attending were very good with participants reporting improvements in their mental health. Clinks Care Farm continued to be commissioned to provide “Farming on Prescription” until the recent decision to terminate it.

The total numbers for the programme are as follows:-

- 132 participants completed placements (15 participants did not complete)
- 32 people went into employment (24 %).
- 20 people started volunteering (15%)
- 6 people started college
- 1 person took a holiday from caring responsibilities
- 1 person wrote a book.
- 96% of people showed significant improvements in their mental health using the MOHOST questionnaire and Edinburgh well-being scale.

These excellent figures show the programme provides value for money as participants are able to move on with their lives following excellent recovery outcomes. “Farming on Prescription” has been successful in its aim to prevent patients’ mental health deteriorating to the point they will need to access A&E or secondary care intervention, by improving patients’ confidence and independence.

Considering the above, it is a rather surprising that Great Yarmouth and Waveney CCG has decided not to renew the contract for “Farming on Prescription”. The directors of Clinks Care Farm understand that the CCG needs to stay within its budget and that there are increasing pressures on the budget. However, at £23,000 a year, the funding for “Farming on Prescription” is very small and the benefits very significant.

Will the Leader of the Council write to the CCG and ask them to consider reversing this very short-sighted cut?

Response from Councillor M Bee

Yes.

Supplementary Question from Councillor G Elliott

Thank you for your positive response to my question. If there was a drug available for the NHS to prescribe that:

1. had overwhelmingly positive outcomes
2. had side effects that were actually beneficial
3. was low cost
4. achieved major potential savings in front line emergency services and
5. kept the money from the drug within the local economy

Would you prevent the use of this drug?

Response from Councillor M Bee

No. The Care Farm movement is based on a Dutch concept. It really works and provides tremendous value to those people who use it. The practical work really helps to improve low level mental health issues. I think it is unacceptable that they have decided not to fund it any longer. I will write to the CCG on behalf of the Council and I will also take it up with Peter Aldous, MP. He has been very supportive of the service provided by Care Farms and we will see what he can do. There is another Care Farm in Waveney – Pathways in Gunton, however we do what we can to support the work at Clinks Farm.

(b) Question from Councillor J Craig to the Leader of the Council

On behalf of residents who have been left with very poor installations of external wall insulation under the Community Energy Saving Programme in 2012, due to the actions of the installer. Many of the homeowners have no, or incomplete building regulation paperwork and no guarantees, and this could have serious consequences for the value of their homes. As this project was brought to their homes with the full support from this Council, they wrongly assumed that the work would be carried out competently. What support is the Council now willing to offer these residents?

Response from Councillor M Bee

In response to concerns about the costs of home energy, the Government set up the Community Energy Saving Programme (CESP) funded by the Energy Supply Companies from surcharges payable by all customers. Harbour ward was one of those areas eligible for the funding which was to be delivered on a street by street basis. The funding was provided by Npower; Climate Energy were the main contractor with Mitie as a sub-contractor; Bright Green provided the community support and the Yard Project delivered loft and cavity wall insulation. Waveney District Council and Suffolk County Council supported the initiative, as it was intended to help tackle energy efficiency and climate change concerns.

The scheme was, launched in 2011 households were offered a whole house assessment by Bright Green to identify what works they could apply for under CESP. A range of works were offered including loft and cavity wall insulation, heating and external wall insulation (EWI). The installations that seem to have caused problems are the EWIs carried out by Mitie, working for Climate Energy. No resolution of the defective workmanship notified to Climate Energy was made and, in Autumn 2015, Climate Energy went into receivership.

The Council's role in this project was to endorse the benefits of home energy efficiency improvements. The Council did not procure the contractors or have any direct involvement with the funders. The Council's Building Control team received applications under the Building Notice procedure made on behalf of householders by Climate Energy. To reduce the fees payable by householders, the applications were for multiple addresses. Very few completion visits were requested in relation to these Notices by Climate Energy

or Mitie and so correspondingly few inspections were carried out and completions certificates issued.

The Council understands that some of the recipients of the external wall cladding may be dissatisfied but, because it is neither the promoter nor the installer we have no information as to how many or indeed how few residents are dissatisfied. We have however, begun contacting all those who may have had an installation using the limited address records we hold. We will collate the responses into a more detailed report for Mitie and use it to focus Building Control inspections as appropriate.

We are also advising all those who we contact that they should seek independent advice from Citizens Advice Bureau or a solicitor to establish their rights to redress.

Supplementary Question from Councillor J Craig

A vast amount of public money has been spent on this project and the Council's own building control department has confirmed that most of the work they have inspected was completed to a shockingly low standard and cannot be signed off. Why were these not followed up sooner by Building Control?

Homeowners could potentially be in a position where they are unable to sell their homes due to damp and other problems they are experiencing due to the standard of their work, and also because they are unable to obtain a building regulations certificate. I have also been contacted by a private landlord and a letting agent who are having difficulty letting some of their properties because of associated damp issues.

Some homeowners have sought independent expert advice which states that the insulation on their properties is beyond repair and needs to be completely removed and replaced. There is also evidence that some properties were unsuitable to have this type of insulation installed or required structural alterations prior to installation. All properties would need to be inspected by a surveyor to confirm whether remedial work is appropriate prior to the commencement of any repairs. Is the Council willing to finance this? And when will the Council be in a position to say exactly how many properties are affected by these issues?

This project was specifically targeted at people in fuel poverty. Does the Leader agree that this Council owes a duty of care to these vulnerable people who have been compromised by this situation through no fault of their own?

Response from Councillor M Bee

The Council was not in control of the project, we simply endorsed it. However, there was no excuse for the poor standard of work. The Council will try and contact all those householders who are affected, in order to initiate an inspection programme. We will also look into the appropriate legal and financial advice that can be given to the affected householders. Please contact either myself or the Cabinet Member for Resources, for more information.

(c) Question from Councillor I Graham to the Leader of the Council

It was reported in `The Waveney Advertiser` on Friday 30 March 2018 that Suffolk Police and Crime Commissioner, Tim Passmore, is proposing the consideration of a countywide network of CCTV. Would this not be a fairer plan and policy than WDC residents living within the area of Lowestoft Town Council having to bear an unequal financial burden for monitoring areas of the district that many residents outside of Lowestoft, make use of, and want to see kept safe?

Response from Councillor M Bee

Lowestoft Town Council was created in 2017 to increase local democratic representation and to take on and manage assets previously held by the district council, which included CCTV cameras. I am confident that now the Town Council are responsible for CCTV it will give due consideration to how this is operated in future and opt for a solution that best

meets the needs of the Town. Should the Town Council wish to provide CCTV in a different manner in order to better reflect local needs, then it is within their gift to do so.

CCTV was raised by Tim Passmore at the Public Sector Leaders Meeting and the aim of the discussion was to ensure there was adequate CCTV coverage across the whole of Suffolk and further discussions will continue in this respect.

Supplementary Question from Councillor I Graham

Lowestoft Town Council has recently received a letter from the Chief Executive, stating that the District Council was willing to take back the responsibility for the Town Hall. Will the Council also be willing to take back the responsibility for CCTV?

Response from Councillor M Bee

Not at this stage!

(d) Question from Councillor J Murray to the Cabinet Member for Community Health & Safety

Having attended the local briefing on the Norfolk & Waveney's STP (Sustainable Transformation Partnership) in Beccles on the 7 March 2018; can Councillor Rudd tell us why Great Yarmouth & Waveney are not working in Alliances like the rest of Suffolk?

Response from Councillor Rudd

The Norfolk and Waveney Sustainability and Transformation Partnership (STP) is currently exploring how health and care services can be better integrated, how new models of care can be provided and the different the contracting options that could be used to improve services and the care local people receive. Like the Suffolk and North East Essex STP, one of the options they are looking at is creating alliances.

The Norfolk and Waveney Sustainability and Transformation Partnership has another public meeting tomorrow in Lowestoft. One of the areas that will be discussed is how health and social care services can work more closely together.

With regards to Great Yarmouth and Waveney specifically, the contract that NHS Great Yarmouth and Waveney CCG has with East Coast Community Healthcare CIC to provide community health services runs until the end of March 2019. Consideration is being as to whether an alliance of providers could be contracted to run community health services in future. The CCG is looking at this, in discussion with local councils, providers of health services and voluntary, community and social enterprise organisations.

Supplementary Question from Councillor J Murray

At the recent Health Scrutiny Committee, there was a presentation from the West Suffolk Alliance and they mentioned delegated transfers. Is there any timescale for the introduction of these Alliances for the Norfolk and Waveney Sustainability Transformation Partnership?

Response from Councillor M Rudd

I will try to find out and will provide more information outside of the meeting.

(e) Question from Councillor L Gooch to the Cabinet Member for Resources

At the WDC full Council meeting on the 21st March, 2018 Members were told that the cost to the Council of exempting care-leavers in Waveney from the burden of Council Tax is approximately £20,000 per annum. Given that recent reports suggest that one fifth of the prison population is composed of former 'looked after' children, would it not be progressive if WDC became one of twenty or so Councils across the country to recognize and support the particular needs of these residents and thus provide full exemption until the age of 21?

Response from Councillor B Provan

The Council has the power to develop any council tax discount scheme it wishes. The scheme has to have clear guidelines to be able to judge each individual application fairly and equally.

If it is the wish of this Council to amend the Council's current council tax discount policy, Officers would need to bring a revised council tax discount policy to Cabinet for consideration and then for recommendation to Full Council. It should be noted that the current council tax discount policy is fully aligned with Suffolk Coastal District Council and it is expected to remain so, to ensure consistency for the new East Suffolk Council from 1st April 2019.

With regards to providing full exemption to care-leavers, entitlement to the exemption should be based on Suffolk County Council information of individuals under the age of 21 leaving care. This would ensure the Council has satisfactory information to base the decision on.

Waveney District Council as the billing authority would have to cover the full cost of the exemption. Based on the current information from Suffolk County Council, this would cost Waveney approx. £20k and this is based on the individuals living in Band B properties and receiving no other discounts.

Supplementary Question from Councillor L Gooch

Thank you for the clarification. Can we consider this matter at the appropriate time, for the new East Suffolk Council?

Response from Councillor B Provan

At the recent Suffolk Public Sector Leaders Meeting, it was agreed that there should be a council tax discount for care leavers, across the whole of Suffolk. At present, it is unclear whether this support will be available up to age 21 or 25, however please be assured that it will be introduced across the whole of Suffolk, in due course.

(f) Question from Councillor S Barker to the Cabinet Member for Resources

Would you agree with the recently released Data from The Bureau of Investigative Journalism and the National Audit Office that Waveney District Council's Reserves have risen by £9.3m to £14.3m since 2010/11 meaning that the Council's total reserves are nearly 1.5 times its annual expenditure. At the same time as a drop in funding from Westminster of 55.3% for WDC?

Response from Councillor B Provan

Since 2010/11 the core funding from Central Government has reduced year on year. In 2010/11 the funding received from central Government (known as the Formula Grant) was £11.7m for WDC. This reduction in funding is set to continue year on year. By 2019/20, the Revenue Support Grant (RSG) for WDC is projected to be £322k.

In addition to the reduction in funding from Central Government, back in 2010/11 the Government committed itself to keeping the council tax bills down via the introduction of a Council Tax freeze. This freeze was in place until 2016/17, when Councils were permitted to increase Council Tax, subject to caps. WDC froze Council Tax with the financial impact being a loss of income.

Officers have not been able to reconcile the figures used by The Bureau of Investigative Journalism and the National Audit Office. WDC reserves were reported as £4.627m as at 31 March 2011 compared to £13.302m as at 31 March 2017, an increase of £8.675m.

The Council's audited accounts shows WDC had a general fund balance of £3.020m as at 31 March 2011 and £4.160m as at 31 March 2017 (an increase of 1.14m). The general fund balance is an unallocated reserve and is held to deal with unexpected costs that could

arise. The general fund balance as at 31 March 2017 presented 5.67% of the Council's gross expenditure for the 2016/17 financial year (£73.342m) and is judged to be prudent.

WDC Earmarked Reserves (which is funding set aside for specific projects or Government initiatives) have increased from £1.607m to £9.142m between 2010/11 to 2016/17 (an increase of £7.535m) and this is because of:

- £1.476m in relation to Business Rates Equalisation reserve to provide a source of finance to equalise the effect of changes in Business Rate income from rateable value changes;
- £0.685m in relation to Community Housing Fund reserve which is Government funding to enable local community groups to deliver affordable housing units;
- £0.607m in relation to Enterprise Zone reserve. Enterprise Zone income is generated through business rates from development which occurs within each zone. Waveney District Council is the collecting authority and by default the administrators of the funds;
- £1.300m in relation to previous years in-year savings that are available to support future year budget gaps;
- £1.079m in relation to New Homes Bonus reserve which is Government funding to provide a source of finance to fund initiatives arising from the Big Society agenda;
- £0.526m in relation to Transformation reserve to provide seed funding for efficiency (invest to save) initiatives that will produce savings in future revenue budgets.

Supplementary Question from Councillor S Barker

Did Waveney District Council need to have an agreed amount of reserves in place, in order for the merger to go ahead with Suffolk Coastal District Council?

Response from Councillor B Provan

No it did not.

8. PETITIONS

No Petitions had been received.

9. QUESTIONS FROM THE ELECTORATE

No Questions from the Electorate had been received.

10. VERBAL UPDATE ON THE ARTEFACTS FROM THE TOWN HALL

Councillor Ardley, Deputy Leader and Cabinet Member for Merger & Communities advised that there would be no opportunity for questions, however should any Members have queries, they could email him outside of the meeting.

He reported that in 1974, all of the assets from Lowestoft Borough were transferred to Waveney District Council, which was based at Lowestoft Town Hall. Since Waveney District Council had moved into the new offices at Riverside, there was nowhere to display any of the artefacts and therefore the items had been put into storage.

In 2017, following a Community Governance Review, Lowestoft Town Council (LTC) and Oulton Broad Parish Council (OBPC) were created. It was therefore appropriate that LTC and OBPC were given the opportunity to choose which artefacts they wished to retain.

The Civic Memorabilia Working Group had met in June 2017, where they viewed the artefacts which had been brought out of storage. Valuations were also undertaken by Durrants, photographs were taken and the inventory was checked and updated. The Working Group had then devised a process for the disposal of the artefacts, which meant that the artefacts would be offered in the following order:

- To Lowestoft Town Council and Oulton Broad Parish Council
- Any other Town or Parish Councils in the District
- Other partners, organisations or groups in the District such as Sentinel Leisure Trust, Schools, Heritage Workshop etc

Any artefacts which were unwanted at the end of this process would be considered at a further meeting of the Civic Memorabilia Working Group. Reassurance was provided that a detailed Register would be kept of all the artefacts, and all artefacts would need to be signed for. Checks would also be undertaken to ensure that the Town and Parish Councils, partners, organisations or groups had sufficient insurance coverage for the artefacts they would be accommodating.

With regards to the Thomas Crisp Victoria Cross, it was noted that this item was extremely rare and was worth in excess of £250,000. This value would increase to over £500,000 if the Victoria Cross was accompanied by the Death Plaque. It was reported that this artefact would be treated as a separate project and advice would be sought from a variety of sources, including the Charity Commission. It was hoped that the Victoria Cross would be able to be put on public display, so that it could be enjoyed by the public, rather than being securely stored in a vault.

Members noted that this piece of work was extremely important and many people and organisations needed to be consulted and advice sought. Therefore, it was hoped that a future report would be brought to Full Council later in the year.

The Leader of the Labour Group reported that she was a Member of the Civic Memorabilia Working Group and she was supportive of the cautious approach being taken. The artefacts were totemic and formed part of the collective memory and identity of the District, which required a sound, collective judgement on the future of the artefacts.

Councillor I Graham, Mayor of Lowestoft, thanked the Council for the hard work which had been undertaken so far. He stated that he looked forward to the future meetings and ongoing discussions in this respect.

11. MEMBER DEVELOPMENT UPDATE REPORT

The Leader of the Council presented the report, which provided an overview of Member Development activity for the 2017/18 municipal year and the associated costs involved in providing the training. Members were also asked to approve the Assistant Cabinet Member Role Description, prior to its inclusion in the Council's Constitution. It was noted that the Council was extremely proactive and enlightened regarding Member Development and this would also become a priority for the new East Suffolk Council.

It was noted that since the meeting papers had been published, Councillors T Mortimer and T Reynolds had completed their Personal Development Plans with Democratic Services. Members were advised that there were some minor errors on the training attendance spreadsheet. Reassurance was provided that a further reconciliation would be undertaken in due course and any errors would be rectified.

A Member commended the training programme currently provided by the Council and in particular the induction programme for newly elected Councillors. They queried the timing of the Personal Development Plans and it was confirmed there was a timetable in this respect.

A Member requested that recommendation 2 be amended to include the additional wording '*and that the Assistant Cabinet Members attendance would be monitored and reported quarterly at Full Council.*' This was duly moved and seconded.

Clarification was provided that this amendment had been proposed, as a result of a recent Overview & Scrutiny Committee meeting, where neither the Cabinet Member nor their Assistant had been able to attend. They felt that regular attendance at meetings was important, given that the position of Assistant Cabinet Member received a Special Responsibility Allowance. The Leader of the Council advised that he would not support this proposed amendment, as he felt that it was unnecessary. The Cabinet Members and their Assistants would work together to ensure coverage, however there may be occasions where neither was able to attend a meeting. Also, Councillors could not be forced to attend a meeting.

On being put to a vote, the amendment was **LOST**.

A Member queried whether it was possible for the recommendations to be voted upon separately. The Chairman advised that the recommendations would be voted upon en bloc.

RESOLVED

1. That the Member Development Update Report for 2017/18 report be noted.
2. That the Assistant Cabinet Member Role Description, as attached at Appendix C to this report, be approved for incorporation into the Council's Constitution.
3. That the Member Development & Training Summary of Expenditure for 2017/18, as attached at Appendix E to this report, be noted.

12. COUNCILLOR REQUEST FOR EXTENDED LEAVE OF ABSENCE

The Leader of the Council presented the report, which sought approval to extend the leave of absence of Councillor June Ford. It was noted that Councillor Ford had been unable to attend any meetings of the Council since 15 November 2017. Since having her operation in early 2018, Councillor Ford had been recovering at home.

The law states that if a Member of a Local Authority fails throughout a period of six consecutive months, from the date of his/her last attendance of any meeting of the authority, they shall, unless the failure was due to a reason approved by the Authority, before the expiry of that period, cease to be a Member of that Authority. Councillor Ford was now approaching her sixth month of non attendance at meetings of the authority.

The Leader of the Council took the opportunity to send Councillor Ford the best wishes of the Council and good health. It was noted that Councillor Ford was much missed by her fellow Councillors.

Councillor Murray reported that she had spoken to Councillor Ford last week and that she was very frustrated at not being able to attend meetings of the Council.

The Leader of the Labour Group thanked the Democratic Services Manager for expeditiously writing the report and ensuring that it was added to the Council agenda for this meeting.

RESOLVED

That Councillor Ford's request for an extended leave of absence be approved for 6 months, until 18 October 2018.

The meeting concluded at 7.30 pm.

Chairman