

# Overview & Scrutiny Committee



**Please contact:** Matthew Stembrowicz  
**Please email:** [matthew.stembrowicz@north-norfolk.gov.uk](mailto:matthew.stembrowicz@north-norfolk.gov.uk)  
**Please direct dial on:** 01263 516047

Tuesday, 2 November 2021

A meeting of the **Overview & Scrutiny Committee** of North Norfolk District Council will be held in the **Council Chamber - Council Offices** on **Wednesday, 10 November 2021** at **9.30 am**.

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Members of the public who wish to ask a question or speak on an agenda item are requested to notify the committee clerk 24 hours in advance of the meeting and arrive at least 15 minutes before the start of the meeting. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel: 01263 516047, Email: [matthew.stembrowicz@north-norfolk.gov.uk](mailto:matthew.stembrowicz@north-norfolk.gov.uk).

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Please note that Committee members will be given priority to speak during the debate of agenda items

**Emma Denny**  
**Democratic Services Manager**

**To:** Mr N Dixon, Mr S Penfold, Ms L Withington, Mr H Blathwayt, Mr P Heinrich, Dr V Holliday, Mr N Housden, Mrs E Spagnola, Mr A Varley, Mr C Cushing, Mr A Brown and Mr P Fisher

All other Members of the Council for information.  
Members of the Management Team, appropriate Officers, Press and Public



**If you have any special requirements in order  
to attend this meeting, please let us know in advance**  
If you would like any document in large print, audio, Braille, alternative format or in  
a different language please contact us

**Chief Executive:** Steve Blatch  
**Tel** 01263 513811 **Fax** 01263 515042 **Minicom** 01263 516005  
**Email** [districtcouncil@north-norfolk.gov.uk](mailto:districtcouncil@north-norfolk.gov.uk) **Web site** [www.north-norfolk.gov.uk](http://www.north-norfolk.gov.uk)

## A G E N D A

### 1. TO RECEIVE APOLOGIES FOR ABSENCE

### 2. SUBSTITUTES

### 3. PUBLIC QUESTIONS & STATEMENTS

To receive questions / statements from the public, if any.

### 4. MINUTES

1 - 14

To approve as a correct record the minutes of the meeting of the Overview and Scrutiny Committee held on 13<sup>th</sup> October 2021.

### 5. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

### 6. DECLARATIONS OF INTEREST

15 - 16

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest.

### 7. PETITIONS FROM MEMBERS OF THE PUBLIC

To consider any petitions received from members of the public.

### 8. CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE BY A MEMBER

To consider any requests made by non-executive Members of the Council, and notified to the Monitoring Officer with seven clear working days' notice, to include an item on the agenda of the Overview and Scrutiny Committee.

### 9. RESPONSES OF THE COUNCIL OR THE CABINET TO THE COMMITTEE'S REPORTS OR RECOMMENDATIONS

To consider any responses of the Council or the Cabinet to the Committee's reports or recommendations:

At the meeting held on 1<sup>st</sup> November 2021, Cabinet accepted the following recommendation:

**To recommend to Cabinet, that CLT and the Housing Portfolio Holder task officers to investigate what more can be done to work with private landlords to support and retain privately rented accommodation across the District.**

## 10. BUDGET MONITORING REPORT P6 2021-22

17 - 52

**Summary:** This report summarises the budget monitoring position for the revenue account, capital programme and reserves to the end of September 2021.

**Options considered:** Not applicable.

**Conclusions:** The overall position at the end of September 2021 shows an £3,764,805 underspend for the current financial year on the revenue account, this is however currently expected to deliver a full year underspend of £78,924.

**Recommendations:** It is recommended that Cabinet:

- 1) Note the contents of the report and the current budget monitoring position.
- 2) That £40,000 is released from the Invest to Save reserve to fund the purchase and implementation of Planning s106 software.
- 3) That £150,000 is released from the Capital Receipts Reserve to fund the new Financial Management System purchase and implementation.

**Reasons for Recommendations:** To update Members on the current budget monitoring position for the Council.

### LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

*(Papers relied on to write the report and which do not contain exempt information)*

System budget monitoring reports

Cabinet Member(s)	Ward(s) affected
Cllr Eric Seward	

Contact Officer, telephone number and email: Lucy Hume, 01263 516246, [Lucy.Hume@north-norfolk.gov.uk](mailto:Lucy.Hume@north-norfolk.gov.uk)

11. **NORTH NORFOLK CORPORATE PLAN: REVIEW OF DELIVERY FEBRUARY 2020 - OCTOBER 2021 AND AGREEMENT OF PRIORITY OBJECTIVES FOR THE NEXT TWELVE MONTHS**

53 - 94

**Summary:** Over the past eighteen months much of the Council's corporate focus has been on responding to the COVID pandemic and supporting local recovery, as well as seeking to maintain core service provision. This has meant that there has been less capacity to progress some aspects of the Council's Corporate Plan Delivery Plan as originally proposed in February 2020.

Cabinet therefore reviewed the Delivery Plan objectives and actions in October 2020 at which time it agreed eighteen priority objectives for delivery over the 12 months from October 2020 – October 2021.

This report outlines the progress made in delivering against the revised priorities given the prolonged COVID situation and against some other Corporate Plan objectives where capacity has existed and proposes new priority objectives for the next year.

**Options considered:** Given the changing context in which the Council has needed to operate over the period since March 2020 due to COVID the Council could have resolved not to progress any of the Corporate Plan objectives because of the need to concentrate resource on the emergency response. The Cabinet therefore considered a number of possible actions before agreeing a revised list of 18 priority actions for the 12 months from October 2020.

The alternative options considered were:-

- do nothing to re-profile the Delivery Plan actions, or
- agree to “pause” all Delivery Plan actions and concentrate on the COVID response and Business As Usual service provision, which was not considered a viable position given the wider and medium-term pressures the Council faces in terms of its budget etc.

**Conclusions:** The report details a practical and measured response to the Council prioritising its Delivery Plan actions in light of the COVID situation and the achievement made against these revised

objectives over the 12 months October 2020 – October 2021.

**Recommendations:** Cabinet is asked to review and comment on the progress made against the original and revised Delivery Plan objectives and agree those objectives where they would wish focus to be directed over the next twelve months given the continued COVID situation which, although improving, is still commanding some management time in working with partners in responding to local case rates and seeking to relieve winter pressures on local NHS partners.

**Reasons for**

**Recommendations:** To reflect the changed circumstances in which the Council has operated over the period since March 2020 in seeking to balance its Corporate Plan priorities against the ongoing COVID situation.

**LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW**

*(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)*

Cabinet Member(s)	Ward(s) affected
Cllr Sarah Butikofer, Leader of the Council	All

Contact Officer, telephone number and email:  
Steve Blatch, Chief Executive  
Email:- [steve.blatch@north-norfolk.gov.uk](mailto:steve.blatch@north-norfolk.gov.uk)  
[Tel:- 01263 516232](tel:01263516232)

## 12. PRE-SCRUTINY: TREE PLANTING STRATEGY

95 - 116

**Summary:** North Norfolk District Council's (NNDC) Corporate Plan commits to planting 110,000 trees – one for each resident.

The tree planting strategy sets out a framework for how the 110,000 target will be met and considers issues such as the type of planting that the 110,000 tree project will deliver, the species that will be planted, the reasons for planting trees, and where trees will be planted.

**Options considered:** No other options should realistically be considered as this strategy is an essential step in delivering the 110,000 Corporate Plan objective.

**Conclusions:** The Tree Planting Strategy provides a framework from which to deliver the 110,000 tree project by 2023.

**Recommendations:** **To note the content of the draft Tree Planting Strategy.**

**Reasons for Recommendations:** NNDC's Corporate Plan commits to planting 110,000 trees by 2023.

### **LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW**

*(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)*

N/A

Cabinet Member: Cllr Nigel Lloyd  
Ward(s) affected: District Wide

Contact Officer:  
[annie.sommazzi@north-norfolk.gov.uk](mailto:annie.sommazzi@north-norfolk.gov.uk)

13. **EXTENSION AND AMENDMENT TO CO-MINGLED DRY RECYCLABLE WASTE PROCESSING CONTRACT WITH NORSE ENVIRONMENTAL WASTE SERVICES** 117 - 128

**Summary:** This report summarises the negotiations that have recently been carried out by the Norfolk Waste Strategic Officer Group on behalf of all of Norfolk's Councils with Norse Environmental Waste Services Ltd (NEWS) on proposals to amend and extend the existing Material Recycling Facility (MRF) contract to 2027.

The contract for the processing of recyclables is delivered by NEWS, which is a joint venture company with all seven Waste Collection Authorities in Norfolk (i.e. the District, City and Borough Councils), the County Council in its role as a Waste Disposal Authority and Norse Commercial Services Ltd.

The contract expires on 30 September 2024 and costs are currently paid based on a fixed gate fee (subject to annual increases). To secure a three-year extension to 2027 which had been allowed for in the contract, payment for the service would have to change from the existing fixed gate fee basis to a variable gate fee, which would be based on actual costs and which would apply from October 2021.

The existing arrangement with NEWS as a Joint Venture Company is in alignment with Teckal principles, which gives the opportunity of a contract extension using Teckal exemptions. Legal advice on this has been secured to ensure that changes to documentation made to facilitate the amend and extend option would maintain this alignment.

Evidenced by soft market testing, an extension would allow better value to be secured in the longer term and also provide stability of arrangements during a period where national waste policy and legislation on waste is expected to lead to changes on the volume and composition of waste collected by Councils.

**Options considered:** Option 1 - Extend the current joint venture company contract with NEWS for three years from 2024 to 2027 and amending the contract to a variable gate fee based on actual costs from October 2021.

Option 2 - Extend the existing contract for the

extension period available (3 years) maintaining terms and conditions as previously agreed. The existing gate fee is below market value and the average gate fee paid by local authorities in England. However, the contractor would retain associated risks with fluctuating market commodity values and would not agree to the proposal.

Option 3 - Tender for a new contract from 2024 – soft market testing was undertaken to establish the likely response from potential bidders if a procurement exercise was undertaken. This showed that current market conditions along with future uncertainty over Government waste policy would see higher gate fees than the fee the Council is currently paying to NEWS and higher gate fees than the Council would pay to NEWS under the variable gate fee proposal.

**Conclusions:** The proposal to amend and extend the contract with NEWS offers the best value to NNDC over the extended contract period, as demonstrated by the soft market testing exercise that was undertaken. In addition, the uncertainty around changes to waste services that may be required from 2023/24 in response to new national waste policy and legislation, creates foreseeable but unknown risks about the future volumes and the mix of recyclable materials that NNDC may be collecting in the medium term, making a contract procurement exercise extremely difficult at the current time.

**Recommendations:** **That Cabinet agrees to amend and extend the current joint venture company contract with NEWS for three years from 2024 to 2027, accepting a shift to a variable gate fee based on actual costs from October 2021.**

**Reasons for Recommendations:** The proposal to extend the contract with NEWS offers the Council the best value over the full term of the remaining contract and proposed extension period.

#### **LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW**

*(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)*

Cabinet Member(s) – Cllr. Ward(s) affected - All  
Nigel Lloyd

Contact Officer, telephone number and email:  
Scott Martin, 01263 516341, [scott.martin@north-norfolk.gov.uk](mailto:scott.martin@north-norfolk.gov.uk)



## WORK PROGRAMMES

**14. THE CABINET WORK PROGRAMME** 129 - 132

To note the upcoming Cabinet Work Programme.

**15. OVERVIEW & SCRUTINY WORK PROGRAMME AND UPDATE** 133 - 146

To receive an update from the Scrutiny Officer on progress made with topics on its agreed work programme, training updates and to receive any further information which Members may have requested at a previous meeting.

**16. EXCLUSION OF THE PRESS AND PUBLIC**

To pass the following resolution, if necessary:

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph \_ of Part I of Schedule 12A (as amended) to the Act.”