

OVERVIEW & SCRUTINY COMMITTEE

Minutes of the meeting of the Overview & Scrutiny Committee held on Wednesday, 10 November 2021 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:	Mr N Dixon (Chairman)	Mr S Penfold (Vice-Chairman)
	Ms L Withington	Mr H Blathwayt
	Dr V Holliday	Mrs E Spagnola
	Mr A Varley	Mr C Cushing
	Mr A Brown	Mr T Adams
	Mr N Pearce	
Members also attending:	Mr N Lloyd (Observer)	Mr J Rest (Observer)
	Mr E Seward (Observer)	Ms V Gay (Observer)
Officers in Attendance:	Democratic Services and Governance Officer - Scrutiny (DSGOS), Chief Executive (CE), Democratic Services Manager (DSM), Director for Resources/Section 151 Officer (DFR), Director for Communities (DFC), Chief Technical Accountant (CTA), Environmental Services Manager (ESM), Corporate Business Manager (CBM), Climate & Environmental Policy Manager (CEPM), Assistant Director for Sustainable Growth (ADSG) and Director for Place & Climate Change (DFPCC)	

87 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr P Heinrich, Cllr N Housden and Cllr P Fisher.

88 SUBSTITUTES

Cllr T Adams and Cllr N Pearce.

89 PUBLIC QUESTIONS & STATEMENTS

None received.

90 MINUTES

Minutes of the meeting held on 13th October were approved as a correct record and signed by the Chairman.

91 ITEMS OF URGENT BUSINESS

None received.

92 DECLARATIONS OF INTEREST

None declared.

93 PETITIONS FROM MEMBERS OF THE PUBLIC

None received.

94 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE BY A MEMBER

None received.

95 RESPONSES OF THE COUNCIL OR THE CABINET TO THE COMMITTEE'S REPORTS OR RECOMMENDATIONS

The DSGOS confirmed that at the meeting held on 1st 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.

96 EXCLUSION OF THE PRESS AND PUBLIC

It was proposed by Cllr T Adams and seconded by Cllr A Brown that the meeting be moved into private business in order to discuss exempt information contained within the Recyclable Waste Processing Contract report.

RESOLVED

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 3 of Part I of Schedule 12A (as amended) to the Act.

97 EXTENSION AND AMENDMENT TO CO-MINGLED DRY RECYCLABLE WASTE PROCESSING CONTRACT WITH NORSE ENVIRONMENTAL WASTE SERVICES

The DFC introduced the report and informed Members that it outlined the proposed extension of the existing joint venture contract with other Norfolk authorities and NEWS, in order to process the co-mingled recycling collected by the Council. The ESM added that whilst market conditions would determine gate fees, these had been very favourable in recent months, meaning that the Council could expect an immediate saving of £20 per tonne when compared to existing gate fees.

Questions and Discussion

- i. Cllr T Adams stated that in the absence of other viable options he would propose approval of the recommendations.
- ii. Cllr N Lloyd commended officers for their work in helping to negotiate the contract extension. The DFC added that the ESM should also be commended for his work in securing additional funding for the service, and added that whilst the value of recyclable materials was at a record high, the process was reliant on recycling remaining a profitable exercise. It was noted that the price of recycled glass had varied dramatically in recent years, and it would therefore be helpful for the Committee to maintain oversight of how the recyclable commodities market would impact gate fees going forward on a periodic basis.
- iii. Cllr A Brown stated that the volatility of prices in the recyclable commodities

market was similar to the energy market, and it therefore made sense to second the recommendation at this time.

- iv. Cllr N Pearce stated that the work of officers was exemplary, given the continued increase in recyclable material being produced and the volatility of the market. He asked whether this form of contract could be marketed to other areas in the Country, to which the DFC replied that Norfolk was in a unique position and it was unlikely that the service could be made viable elsewhere. The DFC added that funding from WRAP also encouraged sharing good practice between local authorities free of charge, and it was therefore inadvisable to attempt to market the County's methods.

RESOLVED

- 1. To support Cabinet's decision 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.**

98 BUDGET MONITORING REPORT P6 2021-22

Note: The meeting returned to public session following discussion of the previous exempt report.

Cllr E Seward – Portfolio Holder for Finance and Assets introduced the report and informed Members that it covered the period from April to September 2021, and current projections suggested there would be a year-end underspend of approximately £78k. He added that car parking income was up on previous years as expected, alongside development control income. It was reported that the amount of funds being held by the Council had negated any requirement for borrowing to cover the costs of projects such as the Reef. Cllr E Seward referred to the recommendations and stated that agreeing funding for the S106 monitoring software was important to ensure awareness of available funds for use on local projects, such as the new skatepark in North Walsham.

Question and Discussion

- i. Cllr S Penfold noted that the NNDC Sustainable Communities Fund had also contributed funding for the new skatepark in North Walsham.
- ii. Cllr C Cushing referred to section 7.2 on forecasted deficits and the use reserves to fill any budget gaps, and asked why this was not raised as a concern when the People Services Restructure had been discussed. Cllr E Seward replied that the advice given was that the restructure would not have an adverse effect on the Council's overall reserves position. The CTA stated that it would be helpful to make a distinction between earmarked and contingency reserves, and noted that the contingency reserves were not impacted by the decision. She added that any spending from the Housing Reserves or funds spent on the People Services Restructure were from earmarked reserves. The Chairman sought clarification that the statement on reserves being under pressure was accurate, given the information discussed. The CTA replied that it remained an accurate statement, as there had been a reduction in reserves whilst the Council sought to improve its services.

- iii. Cllr V Holliday referred to tree planting, and asked where the funding for this project could be found in the report. Cllr E Seward stated that £300k had been allocated to a climate change budget, and it was expected that this would cover the costs of the project. The CTA added that it would not be shown separately as it was funded by the Delivery Plan Reserve.
- iv. Cllr A Brown referred to the S106 software and noted that historically this information had been passed between the Planning and Finance Teams, and asked whether the software would benefit one or both teams, and whether it was still a priority to appoint a part-time officer to oversee S106 monitoring. The CE replied that there was an outstanding audit recommendation on how the Council recorded and monitored S106 agreements, which was currently done by the Finance Team using spreadsheets, which was not an ideal solution. He added that the introduction of the S106 monitoring software would be a corporate resource that could be used across departments for the benefit of officers and Councillors. It was noted that it was yet to be determined whether additional resource would be provided for of a part-time S106 monitoring post.
- v. Cllr N Pearce referred to funding for the People Services Restructure and Tree Planting Project and suggested that this should be outlined more clearly within the report. The CE replied that these projects had been identified as spending allocations from earmarked reserves in both cases and would not impact the revenue budget. Cllr E Seward added that the Council had started the year with in excess of £20m of reserves, and whilst this was expected to be £18.7m by the end of the year, it would not have any adverse impact on the Council's financial position. It was noted that the Council were advised to hold approximately £6-7m in contingency reserves, and the Council remained well above this figure, meaning there was no cause for concern in relation to reserves.
- vi. Cllr S Penfold noted that there was a dedicated tree planting line with the Delivery Plan section of the report. He then referred to a comment in the report that made reference to the BSF and asked that this be amended to represent the NNSCF.
- vii. Cllr L Withington referred to income received from the Council's EVCPs and suggested the Council was getting a reasonable return on its investments, then asked whether further investment could be expected and whether the returns would continue to grow. Cllr N Lloyd stated that officers had been monitoring the usage of the 34 EVCPs now active across the District, and noted that there had been a report prepared in December 2019 that outlined how the EVCPs would pay for themselves over time, with charging activity slowly increasing. The DFR reported that there was a further action in the Corporate and Delivery Plans that would review the initial rollout of EVCPs to consider whether there was a business case for further installation in the future.
- viii. The Chairman referred to the S106 monitoring and stated that many Parish Councils were unaware of S106 agreements which highlighted the need for greater transparency.
- ix. The recommendations were proposed by Cllr H Blathwayt and seconded by Cllr A Brown.

RESOLVED

1. To note the contents of the report and the current budget monitoring position.
2. To support Cabinet's decision that £40,000 is released from the Invest to Save reserve to fund the purchase and implementation of Planning s106 software.
3. To support Cabinet's decision that £150,000 is released from the Capital Receipts Reserve to fund the new Financial Management System purchase and implementation.

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

The CE introduced the report and informed Members that whilst the corporate capacity of the Council had been impacted by Covid, productivity had not suffered for the majority of service areas whilst staff worked from home, and staff were now required to return to the office for a minimum of two days per week. It was noted that there had been significant demand placed on some service areas whilst administering the Covid-related grant funds, which had subsequently necessitated reprioritisation of the Council's Delivery Plan.

Questions and Discussion

- i. Cllr C Cushing stated that many objectives within the Plan appeared to be process driven, with very few outcome focused. He added that he expected more objectives to be SMART with measurable outcomes, and proposed that each objective be reviewed and where necessary amended, so that all had defined outcomes with either a milestone or a completion date against which progress could be measured. The CE replied that whilst the Council provided a number of statutory and discretionary services, many objectives were the administration's political priorities, which were linked to measurable outcomes. He added that the report focused on progress made on the agreed objectives, taking into account the changes made in October 2020. It was noted that the report sought to provide context to the objectives outlined, whilst performance reports would continue on a quarterly basis that contain more qualitative data for scrutiny.
- ii. Cllr C Cushing noted that the report did include RAG ratings, which showed some level of performance in delivering the agreed objectives, but the objectives remained unclear and could benefit from improved focus.
- iii. Cllr N Lloyd stated that reviewing issues was necessary in order to make informed decisions, and that the deliverables on environmental objectives were clear. He added that as a result of these actions, Serco were now using more environmentally friendly vehicles, a detailed action plan was being put in place to implement the Environmental Charter and efforts were being made to reduce the Council's carbon emissions.
- iv. Cllr V Holliday stated that the Corporate Plan did have metrics attached and suggested it would be helpful to include these within the Delivery Plan. She added that with data was available for performance reporting, it would be

helpful to see the information alongside objectives. The CE replied that whilst the Corporate Plan was not a performance report, the appendix had been added to improve transparency of the progress made on objectives using of RAG ratings. He referred to the first objective on the delivery of the Local Plan and reassured Members that good progress had been made and the project remained on track. He added that Corporate Plan objectives could not be changed mid-way through the Council term. As a result, re-prioritisation of objectives alongside the revised completion dates and RAG ratings provided transparency and an opportunity for scrutiny of the progress made, whilst taking into account the impact of Covid-19.

- v. Cllr A Brown referred to the excellent progress made by officers on the new Local Plan and stated that it was on track to go out for public consultation immediately after Christmas.
- vi. Cllr S Penfold referred to p58 on Climate Coast and Environment and sought clarification on the suggestion that the carbon impact of decisions would apply to all decisions made by the Council, rather than just those relating to this theme. It was confirmed that this would apply to all decisions made by the authority and was expected to be included on all reports in the new year. Cllr S Penfold suggested that it be made more clear for the benefit of anyone unfamiliar with the Plan.
- vii. Cllr E Seward stated that there was a clear difference between objectives and targets, with the purpose of the report to outline the Council's key priorities over the next twelve months. He added that despite this, many objectives outlined in the Plan had clear deliverables and timeframes for progress to be measured against.
- viii. The recommendations were proposed by Cllr A Brown and seconded by Cllr E Spagnola.

RESOLVED

- 1. To note the contents of the report and the current budget monitoring position.**
- 2. To support Cabinet's decision that £40,000 is released from the Invest to Save reserve to fund the purchase and implementation of Planning s106 software.**
- 3. To support Cabinet's decision that £150,000 is released from the Capital Receipts Reserve to fund the new Financial Management System purchase and implementation.**

100 PRE-SCRUTINY: TREE PLANTING STRATEGY

Cllr N Lloyd introduced the report and informed Members that the Strategy would outline how, where, and when the trees would be planted and any legal implications that would need to be considered throughout the process.

Questions and Discussion

- i. Cllr H Blathwayt stated that he was supportive of the Strategy, but asked whether there would be any further work on carbon sequestration projects

beyond tree planting, such as considering the impact of peat. The CEPM replied that the Council was planting trees for three reasons, and whilst this did include carbon sequestration, it was also about increasing biodiversity and improving natural habitats. She added that the Council's Net Zero Strategy would consider how any residual carbon emissions could be offset, and this would include consideration of natural solutions such as the further development of local eco systems.

- ii. Cllr C Cushing stated that the Strategy appeared to be a good starting point, though he expected to see more information on where the trees would be planted, how they would be maintained, and whether this would incur any additional cost to the Council. He added that from his own experience, trees required a substantial amount of work to maintain. The CEPM replied that she was working with the GIS Team to develop a mapping layer to show where planting had taken place. She added that ongoing maintenance would generally be covered by legal agreements with third party landowners, which would explicitly stipulate the landowner's responsibility for the upkeep and maintenance of any trees planted on their property. It was suggested that landowners could also be given advice on how to maintain trees, if required. In respect of trees planted on the Council's own land, it was reported that the Countryside Team had given upkeep and maintenance careful consideration when undertaking the planting projects.
- iii. The Chairman reiterated concerns that the Strategy only covered the initial stages of tree planting which included acquisition of or access to land, obtaining trees and having them planted, but did not cover maintenance. He added that whilst this was clear in the case of third party land owners, more guidance appeared to be required to maintain the trees over an extended timeframe. It was suggested that hedgerows may also be worthy of greater mention, as they were crucial for supporting biodiversity. The CEPM replied that the legal agreements required with third party land owners would include a commitment to take on the ongoing maintenance of the trees. She added that she could also include more detail and advice to people planting trees to ensure that they would be properly maintained.
- iv. The CE suggested that it was important to determine whether the Committee were happy with the targets outlined within the Strategy, as they would form the basis for measuring performance of the project going forward.
- v. Cllr A Brown noted that a significant percentage of trees planted around the NDR had failed, and it was crucial that lessons were learnt from this process to ensure that an adequate maintenance plan be put in place. He added that he supported comments on hedgerows and stressed the importance of other sources for supporting biodiversity and carbon sequestration, such as seaweed and saltmarshes. The Chairman noted that whilst these issues may not be directly relevant to the Tree Planting Strategy, they were still important ecosystems for the District that could be considered separately.
- vi. Cllr H Blathwayt noted that hedgerows should not be cut more than once every three years to support biodiversity and provide vital green corridors for wildlife.
- vii. The AD SG noted that whilst greater mention of hedgerows was laudable, the Strategy itself was only an internal document to guide the Council's tree planting project and could not be used to control how private landowners and

neighbouring authorities managed existing trees and hedgerows. He added that through events such as Greenbuild the Council could promote certain messages and share best practice, but the Strategy could not be used to exert influence.

- viii. The CEPM noted that several issues raised related more to wider biodiversity than tree planting, and could potentially be covered by a separate strategy in the future.
- ix. The CE summarised comments made regarding increased attention being paid to the maintenance of trees planted, the importance of hedgerows with the possibility for inclusion in the Strategy's title, and for wider consideration to be given to the potential for a Biodiversity Strategy covering ecosystems containing peat, saltmarsh and seaweed.
- x. It was proposed by Cllr A Brown and seconded by Cllr H Blathwayt that greater consideration be given to the future management and maintenance of trees planted as a result of the strategy, and that the importance of hedgerows be given greater consideration, with the potential for their inclusion in the Strategy's title. They also proposed and seconded that consideration be given to the potential development of a separate Biodiversity Strategy, with special reference to ecosystems dependent on peat, salt marsh, and seaweed.

RESOLVED

- 1. To note the content of the draft Tree Planting Strategy.**
- 2. To recommend to Cabinet that greater consideration be given to the future management and maintenance of trees planted as a result of the strategy, and that the importance of hedgerows be given greater consideration, with the potential for their inclusion in the Strategy's title.**
- 3. To recommend to Cabinet that consideration be given to the potential development of a separate Biodiversity Strategy, with special reference to ecosystems dependent on peat, salt marsh, and seaweed.**

101 THE CABINET WORK PROGRAMME

The DSGOS informed Members that the Cabinet Work Programme was two months ahead making it clear which reports were expected over the next few months, such as the commencement of a public conveniences review.

RESOLVED

To note the Cabinet Work Programme.

102 OVERVIEW & SCRUTINY WORK PROGRAMME AND UPDATE

- i. The DSGOS referred to the briefing paper on the Scrutiny Panels and informed Members that a six-month trial period had been suggested for one Panel, with the proposed theme of climate change and quality of life. He added that in order to proceed, the Committee would need to nominate and appoint a Chair for the Panel, with the remaining four Members then being appointed by Group Leaders on the basis of political balance. In relation to

concerns raised regarding repetition, it was stated that the Panel would not review any projects already being considered by the Committee, such as the Reef or NWSHAZ projects.

- ii. It was confirmed following a question from Cllr J Rest that only the Chair of the Panel was required to be a Member of the Committee, and that Cabinet Members would not be eligible for appointment, though they would be expected to attend meetings relevant to their portfolio.
- iii. Cllr C Cushing stated that he was supportive of the proposals, but asked whether any further information was available on the issues that would be reviewed by the trial Panel. The DSGOS replied that the CDU had a list of potential projects coming forward, and this could be discussed at the first meeting to determine what may be appropriate for the Panel to review. It was stated that the Panel would then propose a work programme to be approved by the Committee. The DSGOS suggested that earlier discussions had gone beyond the Tree Planting Strategy into wider matters of biodiversity, and it was possible that this could be a discussion point for the Panel in the future.
- iv. Cllr H Blathwayt volunteered to Chair the trial Panel and was subsequently nominated by Cllr A Varley and Cllr A Brown.
- v. In response to a question from Cllr A Brown, it was suggested that a Vice-Chair could be nominated by the Panel once the remaining Members had been appointed.
- vi. The establishment of the trial Panel and the appointment of the Chairman was proposed by Cllr A Varley and seconded by Cllr A Brown.
- vii. The DSGOS reminded Members that Serco officers were expected to attend the next meeting to answer questions on delays to the implementation of certain aspects of the waste contract, with a workshop planned to take place in advance of the meeting to discuss the issues. He added that the Enforcement Board Update and Performance Monitoring Report were also expected at the December meeting. It was noted that the Sheringham Leisure Centre Project Review would likely be delayed until February, to allow time for the facility to become operational.

RESOLVED

- 1. To establish a Scrutiny Panel on a six-month trial basis, focused on the Corporate Plan themes of Environment & Quality of Life.**
- 2. To appoint Cllr H Blathwayt as Chairman of the Panel, with the remaining four Members to be appointed on a politically balanced basis by group leaders.**

The meeting ended at 11.29 am.

Chairman