

Cabinet



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Wednesday 21st December

A meeting of the **Cabinet** of North Norfolk District Council will be held in the Council Chamber - Council Offices on **Tuesday, 3 January 2023 at 10.00 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 arrive at least 15 minutes before the start of the meeting so that the Chairman can re-order the agenda if necessary.

Further information on the procedure for public speaking can be obtained from Democratic Services, Tel: 01263 516010, Email: emma.denny@north-norfolk.gov.uk. Please note that this meeting is livestreamed: <https://www.youtube.com/channel/UCsShJeAVZMS0kSWcz-WyEzq>

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so should 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.

Emma Denny
Democratic Services Manager

To: Mrs W Fredericks, Mrs A Fitch-Tillett, Ms V Gay, Mr R Kershaw, Mr N Lloyd, Mr E Seward, Miss L Shires, Mr T Adams and Mr A Brown

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
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A G E N D A

1. **TO RECEIVE APOLOGIES FOR ABSENCE**
2. **MINUTES** 1 - 12

To approve, as a correct record, the minutes of the meeting of the Cabinet held on 05 December 2022.
3. **PUBLIC QUESTIONS AND STATEMENTS**

To receive questions and statements from the public, if any.
4. **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
5. **DECLARATIONS OF INTEREST** 13 - 18

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 (see attached guidance and flowchart)
6. **MEMBERS' QUESTIONS**

To receive oral questions from Members, if any
7. **RECOMMENDATIONS FROM CABINET WORKING PARTIES** 19 - 26
 1. **Cabinet Working Party for Projects**

To receive the minutes of the meeting held on 21st September 2022.
 2. **Planning Policy & Built Heritage Working Party – 14 November 2022**

The following recommendations were made:

AGENDA ITEM 8: COASTAL ADAPTATION SUPPLEMENTARY PLANNING DOCUMENT (SPD)

RESOLVED to recommend to Cabinet:

- a. That the draft Coastal Adaptation Supplementary Planning Document be published for formal consultation; and
- b. That delegated authority is given to the Planning Policy Manager in consultation with the Portfolio Holder, to make minor modifications and presentational or typographical amendments to the draft Coastal

Adaptation Supplementary Planning Document that arise from other relevant Local Planning Authority sign-off committees prior to it being published for formal consultation: and

- c. That the Planning Policy Manager to further consider as to how the Coastal Adaptation Supplementary Planning Document could be flexibly implemented including use of language

3. Planning Policy & Built Heritage Working Party – 12 December 2022

AGENDA ITEM 10: LOCAL DEVELOPMENT SCHEME

RESOLVED to recommend to Cabinet:

That the revised timetable for the submission, examination and adoption of the Norfolk Local Plan and that the Local Development Scheme be brought forward to the date of the next meeting and published as required by section 15 of the Local Planning Authorities and Compulsory Purchase Act 2004 (as amended).

AGENDA ITEM 11: LOCAL PLAN SUBMISSION: PROPOSED MODIFICATIONS (POLICIES)

RESOLVED to recommend to Cabinet

That the Schedules of proposed modifications along with the Proposed Submission version of the Local Plan be submitted for independent examination.

To delegate minor amendments in the finalisation of the submission version & Schedules and associated documents to the Planning Policy Manager in consultation with the Portfolio Holder and Policy Team Leader.

8. RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE

To consider any recommendations referred to the Cabinet by the Overview & Scrutiny Committee at the meeting held on 14th December 2022.

9. BUSINESS CONTINUITY POLICY AND BUSINESS CONTINUITY MANAGEMENT FRAMEWORK 27 - 48

Summary: The current Business Continuity Policy has been separated into two documents, the Business Continuity Policy and the Business Continuity Management Framework, as part of a review of business continuity documentation and to comply with an audit recommendation.

Options considered: Retaining the current Business Continuity Policy.

Conclusions: Not applicable.

Recommendations: **To adopt the revised Business Continuity Policy and the new Business Continuity Management Framework**

Reasons for Recommendations: To enhance understanding of the Business Continuity Management Framework. To comply with an audit recommendation.

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)

None

Cabinet Member(s) Cllr Nigel Lloyd	Ward(s) affected All
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Contact Officer, telephone number and email:

Alison Sayer, 01263 516269, alison.sayer@north-norfolk.gov.uk

10. COUNCIL POLICY IN RELATION TO THE REGULATION OF REGULATORY POWERS ACT 2000 (RIPA) 49 - 106

Summary: The purpose of this report is to provide the Cabinet with an opportunity to review and approve the Council's revised Regulation of Investigatory Powers Act 2000 Policy and Procedures, to be assured that it is up to date and fit for purpose and to report on the use of the powers over the preceding months.

Options considered: The Policy is required to ensure proper application of the Act, so there is not an alternative option.

Recommendations: That the changes to the revised Regulation of Investigatory Powers Act 2000 Policy and Procedures, set out at Appendix A, be approved.

That Members note the activity undertaken under RIPA and the update in relation to the recent IPCO inspection.

Reasons for Recommendations: The Policy has been revised following an audit of the Council's activities by the Investigatory Powers Commissioners Office

(IPCO) conducted in 2021. Members are required to be aware of the RIPA activity undertaken by the Council.

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)

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Cabinet Member(s) Nigel Lloyd	Ward(s) affected All
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Contact Officer, telephone number and email:
Steve Hems, Director for Communities
01263 516192, steve.hems@north-norfolk.gov.uk

11. COASTAL TRANSITION ACCELERATOR PROGRAMME - UPDATE AND APPROVALS 107 - 122

Summary: This report provides the background to the Coastal Transition Accelerator Programme (CTAP), sets out what it seeks to achieve and updates Cabinet on progress to date.

Cabinet agreement is sought to approve project governance alongside delegated authorities to enable timely submission of an Outline Business Case to the Environment Agency alongside exempt decisions.

The report also sets out proposals to develop an initial phase of support for those at more immediate coastal erosion risk to begin to facilitate coastal transition and to buy time before wider opportunities are developed by the programme.

Options considered:

1. That Cabinet does not agree the CTAP arrangements as proposed within the report. This option is not recommended given the significance of the programme and the benefits that it will bring.
2. That Cabinet accepts the CTAP arrangements as detailed within this report. This option is recommended.

Conclusions: The Coastal Transition Accelerator Programme provides a significant opportunity to develop approaches to manage the impacts

of coastal change that will benefit our local communities. Furthermore, the learning generated will shape future guidance, funding and policy and could ultimately provide a long-term approach for coastal localities around the country, not just those in North Norfolk. CTAP therefore offers a tremendous opportunity to be at the forefront of this work in finding solutions that will benefit the nation and offer examples of best practice.

The development and submission of the Outline Business Case to the Environment Agency must follow the EA guidance and requires submission by the end of March 2023. The OBC will form a robust business case and programme framework from which the CTAP Programme Board can oversee the development and delivery of the projects and programme activities. Through the inclusion of external scrutiny, the board will be strengthened and ensure a wider outward looking programme of work. The active inclusion of wider stakeholder involvement and engagement is critical in order to understand local needs, to encourage participation and to develop preparedness and awareness.

The Phase 1 of Coastal Transition support seeks to provide assistance for those most in need in the short term whilst the wider programme and projects are developed. It also seeks to provide initial opportunities for coastal communities and in doing so help facilitate a coastal transition conversation. This support will also provide valuable learning to the project and may identify further opportunities or needs to be taken forward.

The details included within the Exempt appendices will enable NNDC to move forward with wider opportunities should it be required.

Recommendations:

- 1. That Cabinet notes progress to date.**
- 2. That Cabinet agrees that the Programme will be overseen by a Programme Board, which is to be constituted in accordance with NNDC project guidance.**
- 3. That Cabinet authorises the Director for Place and Climate Change, in consultation with the Coastal Portfolio**

Holder, to approve the submission of the Outline Business Case to the Environment Agency and undertake any subsequent amendments as necessary.

4. That Cabinet agrees that the approved Outline Business Case is to form the NNDC Programme Business Case.
5. That Cabinet agrees the development and delivery of the Stage 1 Coastal Transition Support Package and authorises the Director for Place and Climate Change, in consultation with the Coastal Portfolio Holder, to undertake any necessary amendments to the package provided they are within the CTAP budget.
6. That Cabinet agrees that land and asset purchases in excess of £100,000 for the purposes of the Coastal Transition Accelerator Programme are 'exceptional circumstances' and acquisition is delegated to the Leader of the Council, Portfolio Holder, Chief Executive and Monitoring Officer. With report to the next available Cabinet.
7. That Cabinet authorises the Director for Place and Climate Change to enter into legal agreements with land/asset owners in order to secure transition opportunities with advice from the Estates Team and in consultation with Legal Services and Portfolio Holder and Assistant Director Finance Assets

Reasons for Recommendations:	To enable timely progression of the Coastal Transition Accelerator Programme
	To ensure robust governance and oversight
	To enable immediate support to those most impacted by coastal change

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)

- NNDC Project Proposal Template
- Environment Agency CTAP Principles

Cabinet Member(s)	Ward(s) affected
Cllr. A. Fitch-Tillett (portfolio Holder for Coast)	Coastal, Sheringham South, Sheringham North, Beeston Regis and the Runtons, Cromer Town, Suffield Park, Poppyland, Roughton, Mundesley, Bacton, Happisburgh

Contact Officer, telephone number and email:

Rob Goodliffe – Coastal Transition Accelerator Programme Manager –
Rob.Goodliffe@north-norfolk.gov.uk – 01263 516321

12. EXCLUSION OF PRESS AND PUBLIC

EXCLUSION OF THE PRESS AND PUBLIC

To pass the following resolution, if necessary:

- a. 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, Part 1 of schedule 12A (as amended) to the Act, and:
- b. That the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reasons:

Agenda Item Number	Paragraph of Part 1 Schedule 12A
14	3

Information relating to the financial or business affairs of any particular person (including the authority holding that information). The appended report contains commercially confidential information.

13. PRIVATE BUSINESS

14. EXEMPT APPENDIX 1 - COASTAL TRANSITION LAND AND PROPERTY PURCHASE 123 - 124

To consider the exempt appendix to the Coastal Transition Land and Property Purchase (if necessary).