

Council



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8th November 2022

A meeting of the **Council** of North Norfolk District Council will be held in the Council Chamber - Council Offices on **Wednesday, 16 November 2022 at 6.00 pm.**

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 must notify Democratic Services 24 hours in advance of the meeting. 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 will be live-streamed: <https://www.youtube.com/channel/UCsShJeAVZMS0kSWcz-yEzg>

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: Mr T Adams, Ms P Bevan Jones, Mr D Birch, Mr H Blathwayt, Mr A Brown, Dr P Bütikofer, Mrs S Bütikofer, Mr C Cushing, Mr N Dixon, Mr P Fisher, Mrs A Fitch-Tillett, Mr T FitzPatrick, Mr V FitzPatrick, Mrs W Fredericks, Ms V Gay, Mrs P Grove-Jones, Mr G Hayman, Mr C Heinink, Mr P Heinrich, Dr V Holliday, Mr N Housden, Mr R Kershaw, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Mr S Penfold, Mrs G Perry-Warnes, Mr J Punchard, Mr J Rest, Mr E Seward, Miss L Shires, Mrs E Spagnola, Mrs J Stenton, Dr C Stockton, Mr M Taylor, Mr J Toye, Mr E Vardy, Mr A Varley, Ms L Withington and Mr A Yiasimi

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 **Web site** www.north-norfolk.gov.uk

A G E N D A

1. APOLOGIES FOR ABSENCE

To receive apologies for absence, if any.

2. MINUTES

1 - 16

To confirm the minutes of the meeting of the Council held on 5th October 2022.

3. 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.

4. TO RECEIVE DECLARATIONS OF INTERESTS FROM MEMBERS

17 - 22

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)

5. CHAIRMAN'S COMMUNICATIONS

To receive the Chairman's communications, if any.

6. LEADER'S ANNOUNCEMENTS

To receive announcements from the Leader.

7. PUBLIC QUESTIONS AND STATEMENTS

To consider any questions or statements received from members of the public.

8. PORTFOLIO REPORTS

23 - 68

To receive reports from Cabinet Members on their portfolios.

Members are reminded that they may ask questions of the Cabinet Member on their reports and portfolio areas but should note that it is not a debate.

No member may ask more than one question plus a supplementary question, unless the time taken by members' questions does not exceed 30 minutes in total, in which case, second questions will be taken in the order that they are received (Constitution, Chapter 2, part 2, section 12.2)

Cabinet members (listed alphabetically):

Cllr T Adams (Leader / Executive Support)
Cllr A Brown – Planning & Enforcement
Cllr A Fitch-Tillett – Coast
Cllr W Fredericks – Housing & Benefits
Cllr V Gay – Leisure, Culture & Wellbeing
Cllr R Kershaw – Sustainable Growth
Cllr N Lloyd – Environment & Climate Change
Cllr E Seward - Finance, Assets & Legal
Cllr L Shires – Organisational Resources

9. RECOMMENDATIONS FROM CABINET 03 OCTOBER AND 07 NOVEMBER 2022 69 - 122

The following recommendations were made by Cabinet to Full Council at the meeting held on 3rd October:

1. Council Tax Discounts Determination 2023/2024

To recommend to Full Council that under Section 11A of the Local Government Finance Act 1992 and in accordance with the provisions of the Local Government Finance Act 2012 and other enabling powers that:

- 1) The discounts for the year 2023-24 and beyond are set at the levels indicated in the table at paragraph 2.1
- 2) The existing 100% council tax hardship discount and associated policy (see Appendix B) remains in place for 2023-24
- 3) That an exception to the levy charges may be made by the Revenues Manager in the circumstances laid out in section 2.2 of this report
- 4) The premiums for the year 2023-24 and beyond are set at the levels indicated in the table at paragraph 2.3
- 5) A new second homes premium of 100% as detailed in paragraph 2.4 is applied from April 2024, subject to the necessary legislation.
- 6) To continue to award a local discount of 100% for eligible cases of care leavers under Section 13A of the Local Government Finance Act 1992 (as amended)
- 7) Those dwellings that are specifically identified under regulation 6 of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 will retain the 50% discount as set out in paragraph 1.2 of this report.
- 8) Those dwellings described or geographically defined at Appendix A which in the reasonable opinion of the Revenues Manager are judged not to be structurally capable of occupation all year round and were built before the restrictions of seasonal usage were introduced by the Town and Country Planning Act 1947, will be entitled to a 35% discount

To set appropriate council tax discounts and premiums which will apply in 2023-24 and to raise council tax revenue.

In accordance with the relevant legislation these determinations shall be

published in at least one newspaper circulating in North Norfolk before the end of the period of 21 days beginning with the date of the determinations.

The following recommendations were made by Cabinet to Full Council at the meeting held on 7th November:

1. Budget Monitoring Report 2022/2023 – Period 6

To recommend to Council that any outturn deficit is funded from a contribution from the use of the General Reserve.

2. Prudential Indicators 2021 – 2022

That the outturn position in respect of the 2021 – 2022 Prudential indicators is approved.

10. RECOMMENDATIONS FROM THE OVERVIEW & SCRUTINY COMMITTEE 9TH NOVEMBER 2022

To consider any recommendations from the Overview & Scrutiny Committee meeting held on 9th November 2022.

Please note that this meeting took place after the Full Council agenda was published. The Chairman of the Committee will provide an oral update at the meeting.

11. RECOMMENDATIONS FROM THE GOVERNANCE, RISK & AUDIT COMMITTEE 27 SEPTEMBER 2022 123 - 128

The following recommendation was made by the Governance, Risk & Audit Committee at the meeting held on 27th September 2022:

1. Governance, Risk & Audit Committee Annual Report 2021/2022

That Council notes the report, affirms the work of the Governance, Risk & Audit Committee, and considers any concerns raised within the report.

12. RECOMMENDATIONS FROM THE CONSTITUTION WORKING PARTY 25TH OCTOBER 2022 129 - 140

The following recommendations were made to Full Council at the meeting of the Constitution Working Party held on 25th October 2022:

(The draft minutes of the meeting are provided for information)

1. Review of Working Parties & Groups

RESOLVED to recommend to Full Council

a) That the Protocol for Working Parties is approved, subject to the inclusion of the following:

- The different roles of a working party and a working group

will be set out

- The nomenclature of the body will reflect this, depending on its role.
- The names of existing working parties or groups will be changed in accordance with the above

b) That the Constitution is updated to reflect any consequential changes.

2. Review of Public Speaking Arrangements

RESOLVED To recommend to Full Council

That public questions and statements are submitted two days in advance of a meeting, with the deadlines for each committee to be clearly set out on the Council's website and that the Constitution and accompanying guidance is amended to reflect this.

3. Contract Procedure Rules

RESOLVED to recommend to Full Council:

To update the Contract Procedure Rules to reflect UK legislation, removing reference to EU law and increase expenditure thresholds to include VAT and an additional amount which takes into account inflation (as set out in Appendix 1)

That for contracts under £5k, a single quotation will be required and that three written quotations will be requested for contracts between £5k and £10k.

4. Review of the Constitution

That a review of the Constitution is undertaken and that the preferred provider for undertaking this work is the Local Government Association in partnership with the Centre for Governance & Scrutiny

5. Updates to the Constitution

RESOLVED to recommend to Full Council

That Chapter 5, section 13.1 of the constitution is amended to state:

'A Member who is not a Member of the particular Committee or Sub-Committee may attend all meetings of any Committee or Sub-Committee, save for where the Chairman of the Committee considers an item to be particularly sensitive, including, but not limited to where such item involves the personal information of a specific employee. Where the Chairman considers the item to be particularly sensitive, he/she shall require Members who are not Members of that Committee to withdraw from any part of a meeting from which the Committee or Sub-Committee excludes press and public, unless specifically invited to remain by the

Chairman because of the special contribution which that Member can bring to the issue under consideration’.

13. RECOMMENDATION FROM THE EMPLOYMENT & APPEALS COMMITTEE - APPOINTMENT OF THE DIRECTOR OF RESOURCES (S151 OFFICER) 141 - 144

Summary: This report to Full Council seeks to conclude the recruitment process for the Director of Resources, through agreeing a recommendation made by the Employment and Appeals Committee.

Options considered: N/A

Conclusions: To support the authority in delivering its corporate objectives; whilst driving ownership, accountability and change through the authority. The Council needs to maintain sound financial stewardship, by having in place a Director of Resources with the S151 responsibilities.

Recommendations: Follow the recommendation of the EAC of 20th October 2022 and confirm the appointment of Tina Stankley as the Director of Resources and designated S151 Officer.

Reasons for Recommendations: Sound financial management and leadership of 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)

North Norfolk District Council Constitution

Contact Officer, telephone number and email: James Claxton, 01263 516352 and james.claxton@north-norfolk.gov.uk

14. COMMUNITY GOVERNANCE REVIEW - TRUNCH PARISH COUNCIL - REDUCTION IN SEATS 145 - 148

Summary:

Further to the decision of Full Council at the meeting held on 5th October 2022 for the authority to commence consultation on a Community Governance Review proposing a reduction in the number of councillors to serve on Trunch Parish Council the Elections Team have undertaken

a period of consultation to establish whether there was support for a reduction in the number of seats on the Parish Council to nine from eleven.

Conclusion:

At the close of consultation on 4th November 2022 there had been a total of 181 responses, with 177 being in support of and four being against the proposals. This includes support from both District and County Council members for the Parish.

Recommendation:

That Full Council agrees that from 1st December 2022 Trunch Parish Council be made up of nine parish councillors

Cabinet Member(s)	Ward(s) affected
Tim Adams	Trunch

Contact Officer, telephone number and email:
Rob Henry. X6327, robert.henry@north-norfolk.gov.uk

15. **QUESTIONS RECEIVED FROM MEMBERS**

None Received.

16. **OPPOSITION BUSINESS**

The following item of Opposition Business is proposed by Cllr C Cushing, seconded by Cllr N Dixon:

New Council Waste and Recycling Collection Timetable:

At the start of September a new waste and recycling collection timetable was implemented. This Council profoundly regrets the multitude of problems experienced by residents across North Norfolk with missed collections and for the confusion over which day to put the bins out and which day they are actually collected. While the task of reorganising the waste and recycling collection rounds is both complex and prone to errors there's clearly been significant failures in planning, staff training at operator and call centre levels, vehicle and driver resourcing and anticipating contingencies problems.

This is the most visible of the public services NNDC provides and, although it contracts the delivery of the service to Serco, it retains responsibility for it. While Serco must accept blame for its failures in delivering the collection service, NNDC must accept responsibility for ensuring the collection round transition project was properly planned, adequately resourced (in terms of staff, vehicles, familiarisation training and call centre capacity) and had contingency arrangements in place to cope with missed collections. It had a duty to work very closely with Serco to ensure all those were confidently covered before agreeing the project start; clearly that has not gone well with some areas and rounds being more affected than others.

For its part, NNDC must hold its hands up and this motion calls on this Council to publicly apologise to residents and businesses for its part in those service delivery failures and to redouble its efforts to work with Serco to restore the expected service delivery standards across the District.

17. NOTICE(S) OF MOTION

None Received.

18. EXCLUSION OF 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 item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph(s) _ of Part 1 of Schedule 12A (as amended) to the Act.”

19. PRIVATE BUSINESS