

## COUNCIL

Minutes of the meeting of the Council held on Wednesday, 20 December 2023 in the Council Chamber - Council Offices at 6.00 pm

**Members Present:**

Cllr T Adams	Cllr P Bailey
Cllr M Batey	Cllr D Birch
Cllr H Blathwayt	Cllr J Boyle
Cllr A Brown	Cllr G Bull
Cllr S Bütikofer	Cllr N Dixon
Cllr P Fisher	Cllr A Fitch-Tillett
Cllr T FitzPatrick	Cllr W Fredericks
Cllr M Hankins	Cllr P Heinrich
Cllr V Holliday	Cllr N Housden
Cllr R Macdonald	Cllr G Mancini-Boyle
Cllr P Neatherway	Cllr S Penfold
Cllr P Porter	Cllr J Punchard
Cllr L Shires	Cllr R Sims
Cllr E Spagnola	Cllr M Taylor
Cllr J Toye	Cllr K Toye
Cllr A Varley	Cllr L Vickers
Cllr L Withington	

**Officers in attendance:** The Chief Executive, the S151 Officer, the Monitoring Officer, the Democratic Services Manager, the Director for Communities

### 91 APOLOGIES FOR ABSENCE

Apologies were received from Cllr K Bayes, Cllr C Cushing, Cllr C Heinink, Cllr L Paterson, Cllr C Ringer and Cllr E Vardy

### 92 MINUTES

The minutes of the meeting of Full Council held on 22 November were approved as a correct record subject to the following amendment: Page 4, reference should be to Cllr K Toye not Cllr J Toye.

### 93 TO RECEIVE DECLARATIONS OF INTERESTS FROM MEMBERS

None received.

### 94 ITEMS OF URGENT BUSINESS

None.

### 95 CHAIRMAN'S COMMUNICATIONS

The Chairman and Vice-Chairman spoke about recent civic events they had attended:

25 November – Cromer Pier Christmas Show

07 December – At Home Reception, Mayor of Kings Lynn

12 December – Thursford Christmas Spectacular

13 December – Civic Carol Service, Mayor of Great Yarmouth and High Sheriff of Norfolk

17 December – Memorial Screening of Seaside Special film

20 December – Festive Carols in the NNDC Foyer

The Chairman thanked the Corporate PA team for all their support in arranging the carol service and the raffle for the chairman's charity. She reminded members that there would be a collection for her charity at the end of the meeting and encouraged them all to donate generously.

## **96 LEADER'S ANNOUNCEMENTS**

The Leader began by congratulating Cllr A Fletcher on his recent election as member for Briston Ward and he welcomed him to the Council. He thanked the Elections team for their hard work in supporting the process. He then thanked the Council's Property and Coastal teams for their quick response to the storm on 24<sup>th</sup> November.

The Leader then updated members on growing interest in Fakenham and the new leisure and sports facilities for the town. There was also interest more widely in the town from businesses which was very encouraging.

Regarding the recent announcement for the Local Government settlement, the Leader said that the sector as a whole felt it was not enough. The Council would respond to the consultation in due course. He concluded by wishing everyone a merry Christmas.

## **97 PUBLIC QUESTIONS AND STATEMENTS**

None received.

## **98 APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES, WORKING PARTIES AND OUTSIDE BODIES**

The Leader informed members that Cllr M Batey would replace Cllr W Fredericks on the Norfolk Community Safety Partnership sub panel.

## **99 REPORT OF THE INDEPENDENT REMUNERATION PANEL ON THE REVIEW OF THE SCHEME OF MEMBERS' ALLOWANCES 2024**

The Chairman invited Mr I Holden, Chair of the Independent Remuneration Panel to introduce this item. Mr Holden explained that purpose of the report was to recommend to Full Council the allowances and expenses to be paid to Members to take effect from 01 May 2024. In accordance with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003, the Council had set up an Independent Remuneration Panel at the meeting of Full Council held on 20 September 2023. Mr Holden thanked his fellow panel members, Ms S Cox and Mr D Blake for their input and support. He said that the previous panel had met in 2020, following a boundary review which had reduced the number of councillors from 48 to 40 and consequently, this was the first opportunity to review the impact of the changes on members and their workload.

Mr Holden said that the panel had met with two of the Group Leaders to obtain their views on various aspects of council-related work. In addition, a questionnaire had been sent out to all members to assess the impact of the ward boundary changes, travel and committee commitments as well as the cost of living crisis. The Panel had looked at a considerable amount of comparative data to ensure that their

recommendations were in-line with neighbouring authorities.

In conclusion, Mr Holden reminded members that the next review of members' allowances was likely to be in 2027/28 and that if members did not approve an increase now, it would be 12 years between increases, causing NNDC to lag behind neighbouring authorities.

The Chairman invited members to speak:

The Leader, Cllr T Adams, thanked the Panel for engaging with members throughout the process and for sharing the comparative data with the Group Leaders. He said that he was of the view that a national scale of members' allowances should be introduced to ensure a consistent approach across local authorities and to take the decision away from members. He said that he felt the Panel had come to the correct conclusion, following a thorough process.

Cllr N Dixon, Deputy Leader of the Conservative Group, thanked the Independent Remuneration Panel for their hard work. Group members would vote according to their views on the proposals.

It was proposed by Cllr T Adams, seconded by Cllr J Toye and

RESOLVED

That Members consider the recommendations of the Independent Remuneration Panel, adopt a scheme of allowances and amend the Constitution accordingly.

Specifically, it is recommended that:

- a) the Basic Allowance should increase to £6,491 pa (to include £180 Broadband Allowance);
- b) the Scheme should remain index linked to officers' pay awards
- c) the Special Responsibility Allowance (SRA) for the Leader of the Council should remain calculated by way of a multiplier of x2 the basic allowance;
- d) A new SRA for the Deputy Leader should be introduced, calculated by way of a multiplier of x1.6 the basic allowance
- e) the SRA for Cabinet Members with Portfolio should remain calculated by way of a multiplier of x1.33 the basic allowance;
- f) the SRA for Chairmen of Committees of the Council (except Development Committee, Licensing Committee and Standards Committee) should remain calculated by way of a multiplier of x0.67 the basic allowance;
- g) the SRA for the Chairman of Development Committee to remain at x0.75 of the basic allowance, with the SRA for the Vice-chairman of Development Committee remaining at x0.25 of the basic allowance.
- h) Payments for the Chairmen of Standards Committee and Licensing Committee should be based on a per meeting payment of 2% of the Basic Allowance
- i) A new payment for Chairmen of Planning Policy & Built Heritage Working Party to be introduced based on a per meeting payment of 2% of the basic Allowance or £129.82.
- j) SRA payments to leaders of the opposition groups should move to a flat SRA

rather than being based on the number within the group.

- k) The SRA for the Leader of the main opposition group should be calculated by a way of a multiplier of x0.4
- l) The SRA for the Leader of the smaller opposition group should be calculated by means of a multiplier of x0.15
- m) The SRA for the Chairman of the Council should remain the same and be calculated by means of a multiplier of x0.5, with the Vice-Chairman of the Council remaining on the multiplier of x0.25
- n) Member champion roles should not receive an SRA but should be eligible for travel and subsistence payments
- o) A role description should be produced for member champions and should be published on the Council's website
- p) A new 'family and friends' rate for carer's allowance of up to £10 per hour should be introduced, to support councillors in their role and ensure no-one is disadvantaged by caring responsibilities.
- q) The Democratic Services Manager to have delegation to consider payments for carers' allowance on a case by case basis, allowing a higher rate in exceptional circumstances.
- r) Travel and subsistence rates to remain the same.
- s) Any temporary increases to staff mileage rates will also apply to members.

## **100 FAKENHAM LEISURE AND SPORTS HUB**

The Leader, Cllr T Adams, introduced this item. He said he welcomed this initiative and the work that would be carried out by officers at the Council. There was a lot of work to do before the site could be developed and the report set out how this would be carried out. NNDC had met with Fakenham Town Council and residents were very excited about the project and the benefits it would bring to the town.

Cllr L Vickers spoke on behalf of Cllr C Cushing, member for Lancaster North, who was unable to attend Full Council due to family illness. She said that he was fully supportive of the proposals and had been pushing for swimming facilities in Fakenham since the closure of the previous swimming pool in 2014. New swimming facilities would bring immeasurable benefits for the town and it was ideally located for the new urban extension and a 3G pitch supported youngster in the area. She concluded by thanking all members and officers for their help in drafting the bid and Jerome Mayhew MP for his hard work and support. Cllr Vickers said that she would second the proposal.

Cllr J Punchard echoed Cllr Vickers sentiments and said that the new facilities were much needed in the western part of the District.

Cllr T FitzPatrick said that he was pleased to support the proposals. Currently, the only way that residents could currently learn to swim in the Fakenham areas was to pay for lessons in small private pools. He said that over the years lots of work had been done to try and progress with a new swimming pool and he welcomed the boost in funding. He said that the new facilities would provide a real benefit for the whole area, swimming was a vital skill for young people, especially in a coastal area.

It was proposed by Cllr T Adams, seconded by Cllr L Vickers and

**RESOLVED** that

1. Full Council welcomed the Government funding of £9.856million awarded towards the cost of the Fakenham Leisure and Sports Hub project. The Council further recognised that confirmation of the Government funding would allow plans for the new facility to be taken forward in the coming months.
2. Council approved the establishment of a Capital Budget of £11million for the Fakenham Leisure and Sports Hub project within the Capital Programme.
3. Council approved the funding of this project made up of £9.856million of Levelling Up Fund (central government) monies, £0.408million Section 106 monies, £0.575million from the Football Foundation and the value of the land contributed by Fakenham Town Council. Any shortfall in this funding would need to be funded by the Council, for which borrowing will be taken.
4. Council approved the project management and governance arrangements for the project as outlined in Section 3 of the report.
5. A traditional procurement process would disadvantage the Council due to the timescales involved and supports an exemption under the Contract Procedure rules to appoint the consultants, FMG Consulting, who have previously worked on this project, as principal advisors to the Council in the development and delivery of the Fakenham Leisure and Sports Hub proposal.
6. Subject to recommendation 3 above, delegated authority is given to the Director of Communities to appoint FMG Consulting to advise the Council on the detailed design, construction and tender processes for the project including the submission of a planning application for the development.
7. Tender prices received to be reported to Council for approval before any construction contract is awarded as a key "gate" point in the delivery of the project.

**101 DRAFT PROGRAMME OF MEETINGS 2024 - 2025**

Cllr T Adams introduced this item. He thanked officers for their support in working out a complex schedule.

Cllr Shires thanked members appointed to Development Committee for their dedication in attending an increasing number of meetings.

It was proposed by Cllr T Adams, seconded by Cllr L Shires and

**RESOLVED**

To adopt the Programme of Meetings for 2024-25.

Cllr J Punchard voted against.

**102 PORTFOLIO REPORTS**

The Chairman invited members to ask questions.

Cllr N Dixon asked Cllr A Brown, Portfolio Holder for Planning and Enforcement

about the introduction of the requirement for 'Biodiversity Net Gain' in 2024. He said that he welcomed the announcement but asked whether there was an agreed methodology to accurately determine baseline biodiversity levels so that the 10% gain could be confidently measured and when members would be trained on this so that they could understand this during planning application assessment and in monitoring delivery. Cllr Brown replied that details regarding how baseline biodiversity levels would be calculated was prescribed by Government and was yet to be announced. He said once the Council knew what the proposals were, it would provide a response. In reply to the question regarding briefing and training members, he said that in-house training would be provided by senior planning officers at the Council.

Cllr T FitzPatrick asked Cllr P Heinrich, Portfolio Holder for Sustainable Growth, about the details of grants allocated from the Rural Prosperity Fund and he asked whether it was possible to have additional detail on how it was spent. Cllr Heinrich confirmed that funding had been allocated across the district and he could provide a further breakdown if required, although it would not include company / business names.

Cllr J Toye asked Cllr Brown how the proposed changes to the National Planning Policy Framework could affect housing delivery in the district. Cllr Brown replied that the Government had published an update on 19<sup>th</sup> December and the Council needed time to properly assess the implications. He added that he would like to reassure members that the new guidance would not impact on the Council's draft Local Plan or delay its implementation. Cllr Brown said that an Ofsted style league table was being established to set out the time taken to reach planning decisions. In response to a further question from Cllr Toye as to whether NNDC remained a Plan-led authority, Cllr Brown confirmed that it did.

Cllr G Mancini-Boyle asked Cllr W Fredericks, Portfolio Holder for Housing about the temporary accommodation situation in the district. He wanted to know the current position and the Council's strategy for addressing the issue. Cllr Fredericks replied that there were currently 65 households in temporary accommodation, mainly bed and breakfast (B&Bs) and the majority of these were not suitable for families. The Council owned 23 homes and this had helped but it was very challenging not being able to anticipate the cost of housing people. Previously it had been between £600k to £700k a year but it was closer to £1.2m next year.

Cllr M Taylor asked Cllr P Heinrich to set out the actions that he had taken to relieve the stress caused to Stalham business owners by the closure of the high street. He acknowledged that it was a Norfolk County Council led project but said that local authorities should work together to ensure that businesses in the town were thriving. Cllr Heinrich replied that the schedule of works had not yet been published and that the Council would assess the likely impact once it was available.

Cllr P Bailey asked Cllr A Varley, Portfolio Holder for Climate Change and Net Zero about the new solar car port at the Reef Leisure Centre in Sheringham and whether a cost benefit analysis would be undertaken after a year. Cllr Varley confirmed that he was supportive of an analysis of the cost benefits and said that energy input was already being monitored in real time. The data would be analysed and reported back to members once the scheme had been up and running for a year.

Cllr P Porter asked Cllr H Blathwayt, Portfolio Holder for Coast about the decision not to place rock armour at Bacton and Walcott due to the potential negative impact it could cause at Happisburgh. She queried whether there was potential damage to Bacton and Walcott due to the proposed placement of rock armour at Mundesley and Cromer. She also asked whether any studies had been undertaken on the impact on people who lost their homes due to coastal erosion. Cllr Blathwayt replied that modelling had shown that there would be no detrimental effect of the rock armour placed at Cromer and Mundesley on other coastal areas. Regarding the impact on homeowners, he said that he had met with the Chief Executive of the

Environment Agency recently and he was fully appraised of the issues and had visited sites that had been impacted. He added that there was no compensation for residents other than support provided via the Coastwise project. The Council continued to lobby for assistance for affected households.

Cllr L Vickers referred to the dilapidated building at 9 Norwich Street, Fakenham and said that the Council had indicated that it would take a clear position as to how it would be dealt with by the end of the year. She asked Cllr Brown, Portfolio Holder for Planning & Enforcement, whether he could provide an update. Cllr Brown replied that he had a pecuniary interest in this matter and asked the Leader, Cllr Adams to reply. Cllr Adams said that this was an important issue for Fakenham and discussions had taken place recently with the landowner to try and resolve the matter. He said that he was confident that there was a solution in sight. Cllr Vickers said that she was disappointed to hear that the matter had not progressed as quickly as she hoped but acknowledged that it was a complex case.

Cllr V Holliday asked Cllr W Fredericks, Portfolio Holder for Housing what actions the Council was taking to address the three main drivers of homelessness in the District. Cllr Fredericks replied that the main fact was poor human behaviour. Since the pandemic, domestic abuse cases had increased significantly. She said that it was very hard to tackle them and she did not have an answer other than people needed to be more kind and tolerant towards each other.

Cllr S Penfold asked Cllr L Withington, Portfolio Holder for Community, Leisure & Outreach, whether she would be willing to invite the Head of Norfolk Museums Service to attend a meeting to discuss how the Council could work better with the County Council to support the museums sector in the District. Cllr Withington confirmed that this was already underway.

Cllr P Neatherway asked Cllr Varley about the Council's focus on achieving Net Zero by 2030 and where green waste was going now following the closure of the Marsham site. Cllr Varley replied that the response to this question sat with Cllr Ringer, Portfolio Holder for Environmental & Waste Services. As he was not in attendance, a written reply would be provided.

### **103 RECOMMENDATIONS FROM CABINET**

Due to the cancellation of the December meeting of Cabinet, there were no recommendations to Full Council.

### **104 RECOMMENDATIONS FROM THE OVERVIEW & SCRUTINY COMMITTEE 13 DECEMBER 2023**

The Chairman of the Overview & Scrutiny Committee, Cllr N Dixon, said that there were no recommendations to this meeting of Full Council.

### **105 QUESTIONS RECEIVED FROM MEMBERS**

None received.

### **106 OPPOSITION BUSINESS**

None received.

### **107 NOTICE(S) OF MOTION**

The following Notice of Motion had been proposed by Cllr H Blathwayt and seconded by Cllr A Varley: Motion:

'North Norfolk District Council is concerned about the water quality and pollution of

our beaches and waterways. This Council cares about ensuring the highest levels of water quality and seeks to hold Anglian Water and the Environment Agency (EA) to account.

We therefore recommend the following

That the Leader

- 1) writes to the Chief Executive of Anglia Water requesting:
  - a) Confirmation of when all combined sewage outflows (CSO) in North Norfolk will have working monitoring equipment in place
  - b) The reporting of CSO discharges on a quarterly basis to the Council
  - c) A detailed investment allocation plan for North Norfolk
  
- 2) writes to the Environment Agency (EA) requesting:
  - a) Greater transparency on their water quality readings
  - b) A guarantee that regular E. Coli testing will be undertaken & increased.
  - c) A guarantee that reactive DNA testing be undertaken
  - d) Information relating to collaborative works with agriculture partners

That the Council undertakes discussions with Anglian Water and the Environment Agency to ensure that there is a review of the actions taken following the 19<sup>th</sup> March incident in Mundesley

That the Leader writes to the Secretary of State for the Environment requesting that funding to the EA is increased.'

The Chairman invited Cllr Blathwayt to introduce the motion. He began by saying that he welcomed the following amendment proposed by Cllr N Dixon, seconded by Cllr V Holliday

'The Leader of the Council to write to the relevant Secretary of State to request a Minister for the Coast to be appointed, who will help tackle the environmental challenges of water pollution for our coastal communities'.

Cllr Blathwayt said that the amendment supported the ongoing drive for a Ministry for the Coast and added that since the original motion had been submitted there had been a meeting of the LGA Coastal Special Interest Group (SIG) Water Quality working group. This was a country-wide group and all of the members of this SIG supported the aims of the motion. He thanked Sally-Ann Hind MP for her efforts and lobbying for a Ministry for the Coast and local MPs for their support.

Cllr Blathwayt said that the motion was important for the District's tourism sector and the shellfish industry. Good water quality was imperative and he hoped all members would support the motion. The seconder of the motion. Cllr Varley, reserved his right to speak.

The Chairman opened the debate:

Cllr A Fitch-Tillett said that she wished to propose a further amendment that Norfolk County Council should also be included as the body responsible for surface water drainage. She said that a written request should be made to NCC that they should liaise with Anglian Water on working together to address the issues presented by surface water drainage mixing with sewage following storm events. Cllr Blathwayt and Cllr Varley confirmed that they would accept the amendment.

Cllr N Housden said that Anglian Water had a poor record for water pollution and he raised concerns about the impact of such pollution on rivers, in particular the Wensum, which was a chalk stream. He suggested that any monitoring reports on water quality should include the River Wensum. He added that Item 1 ( c ) was not definitive enough. The request for a detailed investment allocation plan for AW should be more specific.



The Chairman advised members that amendments should be submitted in advance of the meeting in future.

Cllr Blathwayt said that the River Wensum was a separate subject and this motion focussed on coastal waters. He acknowledged that AW were facing financial challenges at the moment and were currently struggling to address some of the issues highlighted in the motion. Consequently, the Coastal SIG had supported the view that fines imposed on water companies for causing pollution should be higher than the cost of the project so that there was a clear disincentive to continue to pollute waters.

Cllr K Toye said that as a coastal member, she welcomed the motion. Water quality was a continual problem and she was regularly contacted by residents about their concerns. Local people and tourists needed to be assured that sea water was safe.

Cllr N Dixon began by expressing his gratitude to the proposer and seconder for accepting the amendment. He said that he believed it added value to a sound motion. He welcomed a joined up approach between national and local government on an issue.

Cllr S Penfold said that he supported the substantive motion and it was important to work across authorities and with other councils. He said that NCC had recently unanimously supported the creation of a Ministry for the Coast.

The Leader, Cllr Adams, said that there was a bigger picture here in terms of climate change and there was a need to understand what was happening regarding increased rainfall. In addition, the testing regime had been decimated in recent years and the proposals for increased funding would help support this. He said that it was possible that the Blue Flag at East Runton may be regained in the future but this relied on regular, reliable testing. He added that the EA were still unable to determine the cause of the pollution at Mundesley and this was a key issue if pollution was to be addressed effectively.

Cllr M Taylor said that he supported the motion and said that it was an important issue for many residents and business owners. He said that Duncan Baker MP was continuing to press for the reinstatement of the District's blue flags.

Cllr L Withington asked whether DNA testing was necessary to establish the cause of any pollution. This was confirmed. She then referred to the request for a detailed allocation plan for North Norfolk and said that water companies were allocated a certain amount of investment that they could spend up to. Many companies, including AW, often spent well below this amount and she said that it would be beneficial to understand how much of the official allocation AW were spending.

Cllr W Fredericks said that she echoed what had already been said about the Blue Flags, adding that the water that had been tested had been collected almost a year after the incident so any diagnosis was just conjecture. She said that she would support the motion.

Cllr P Heinrich agreed that it was important to know the level of investment allocated and spent by AW. He referred to the impact in North Walsham on the pumping station.

Cllr J Toye commented that the information that was requested was shared with the appropriate committee.

Cllr A Brown thanked members for working together on the motion. He said he had some concerns about EA and AW being 'grouped' together within the motion, citing a substantial increase in pollution incidents by AW from 14% in 2016 to 29% in 2021. He went on to say that the EA had been subject to quite severe funding cuts in recent years and he was concerned about their capacity to carry out additional assessments.

Cllr N Housden commented on Cllr Withington's point and said that it would be helpful to have clarification on the capping process when written contact was made with AW.

Cllr N Dixon sought clarification on the meaning of 'reactive DNA testing'. Cllr Adams

confirmed that it was considered to be reactive when an adverse result was achieved.

Cllr A Varley then spoke as seconded of the motion. He thanked all members for their contributions and opposition members for engaging fully and in a positive way. He said that it was imperative that AW put fundamental measures in place to address the concerns of local resident and tourists about the safety of the water. He said that AW needed to put fundamental measures in place to effectively monitor combined sewage outflows (CSOs). He went onto say that it was fundamental that AW provided a detailed allocation investment plan for North Norfolk. In conclusion, Cllr Varley said that the key was the need to lobby Government to ensure that sufficient funding was provided to EA to ensure that they could undertake their work effectively and enable them to address the increasing number of significant events that were being caused by climate change.

Cllr Blathway said that he had nothing further to add.

It was proposed by Cllr H Blathway, Seconded by Cllr A Varley and

RESOLVED unanimously

- 3) Request the Leader of the Council write to the Chief Executive of Anglia Water and request the following:
  - d) Confirmation of when all combined sewage outflows (CSO) in North Norfolk will have monitoring equipment in place and in operation
  - e) The reporting of CSO discharges on a quarterly basis to the Council.
  - f) A detailed investment allocation plan for North Norfolk
- 4) Request the Leader of the Council write to the Environment Agency and request the following:
  - e) Greater transparency on their water quality readings
  - f) A guarantee that regular E. Coli testing will be undertaken & increased.
  - g) A guarantee that reactive DNA testing be undertaken
  - h) Information relating to collaborative works with agriculture partners
- 5) Request the Council undertake discussions with both Anglian Water and the Environment Agency to ensure that there is a review of the actions undertaken from the 19<sup>th</sup> March incident.
- 6) The Leader of the Council to write to the Secretary of State for the Environment to request that funding to the Environment Agency is increased.
- 7) The Leader of the Council to write to the relevant Secretary of State to request a Minister for the Coast to be appointed, who will help tackle the environmental challenges of water pollution for our coastal communities.
- 8) The Leader of the Council to write to Norfolk County Council to request that they liaise with Anglian Water on working together to address the

issues presented by surface water drainage mixing with sewage following storm events

**108 EXCLUSION OF PRESS AND PUBLIC**

**109 PRIVATE BUSINESS**

The meeting ended at 7.25 pm.

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Chairman