

# Council



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16 July 2019

A meeting of the **Council** of North Norfolk District Council will be held in the Council Chamber - Council Offices, Holt Road, Cromer, NR27 9EN on **Wednesday, 24 July 2019 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 are requested to arrive at least 15 minutes before the start of the meeting. It will not always be possible to accommodate requests after that time. 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 516010, Email:Emma.Denny@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 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:**

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

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## A G E N D A

### 1. PRAYER

Led by Reverend Catherine Dobson, Coastal Benefice.

### 2. CHAIRMAN'S COMMUNICATIONS

To receive the Chairman's communications, if any.

### 3. LEADER'S COMMUNICATIONS

To receive any announcements from the Leader of the Council.

### 4. TO RECEIVE DECLARATIONS OF INTERESTS FROM MEMBERS

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.

### 5. APOLOGIES FOR ABSENCE

To receive apologies for absence, if any.

### 6. MINUTES

1 - 6

To confirm the minutes of the meeting of the Council held on 25 June 2019.

### 7. 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.

### 8. PUBLIC QUESTIONS/STATEMENTS

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

### 9. PORTFOLIO REPORTS

7 - 58

To receive reports from Cabinet Members on their portfolios.

1. Cllr A Brown – Special projects
2. Cllr S Butikofer – Strategy & Corporate Services
3. Cllr A Fitch-Tillett - Coastal
4. Cllr V Gay – Culture & Wellbeing
5. Cllr G Hayman – Commercialisation & Assets
6. Cllr R Kershaw – Economic & Career Development
7. Cllr N Lloyd – Environment
8. Cllr E Seward – Finance
9. Cllr K Ward – Housing & Planning

*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.*

**10. RECOMMENDATIONS FROM CABINET 08 JULY 2019** 59 - 88

**Agenda Item 09: Debt Recovery 2018/19**

**Recommendation to Council:**

1. To approve the Annual Report giving details of the Council's write-offs in accordance with the Council's Debt Write-Off Policy and Performance in relation to revenues collection.
2. To approve the updated Debt Write-Off Policy.
3. To approve the updated Benefit Overpayment Policy and the use of High Court Enforcement Agents if considered necessary.

**11. RECOMMENDATIONS FROM THE OVERVIEW & SCRUTINY COMMITTEE 17 JULY 2019** 89 - 94

To receive the Overview & Scrutiny Committee Annual Report for 2018/19

**12. SHERINGHAM LEISURE CENTRE REDEVELOPMENT** 95 - 104

Summary:

The report explains the history of the Sheringham Leisure Centre project to date, where the stage has been reached to Award the main construction contract, which would allow completion of the new leisure centre in early 2021.

The broad financial position of the project is explained, along with the reasons for the need for additional budget in order to allow the Award of the contract.

Tender prices were above the estimated budget and due to site complications during the groundworks, the contingency is insufficient to cover the additional costs.

Options considered:

Given the stage the project has got to and the Council's historic, and Members' recent, commitment to this facility, a cessation of the project has not been considered.

The option for a redesign in order to reduce the costs has been undertaken (value engineering) however any fundamental changes would diminish the quality and value of the facility and might jeopardise the Sport England grant. At this stage in the project it is not considered financially beneficial to redesign and re-tender due to the delays and consequent cost increases.

The only realistic alternative would be to abandon the new build and thus forego the costs expended so far.

Conclusions:

The project to build a new leisure centre to replace the ageing Splash at Sheringham has now reached the point where the Council can award the construction contract.

However, during the design and tender stages of the project, the costs have risen significantly above the identified budget and, if the project is to proceed, Full Council will need to approve the additional budget before the construction contract can be awarded.

Recommendations:

1. **That Council approves the additional borrowing requirement of £2.03m for the Splash leisure Centre project to increase the approved budget to £12.7m.**
2. **That delegated authority is given to the Head of Finance and Assets to adjust the detailed financing of the scheme if required to maximise the value for the tax payer**
3. **That, assuming 1) above is approved, Council approves the formal award of the construction contract to Bidder B who provided the most economically advantageous compliant tender.**
4. **That the project be taken forward under a new system of governance, as a pilot of the Council's project Management methodology, with officers leading on the delivery and implementation, providing frequent status updates to the portfolio holder and regular updates to Cabinet.**

Reasons for Recommendations:

1 and 2 – to provide sufficient budget for the project

3 to enable the contractor to start work on building the new leisure centre.

4 to ensure effective project management and governance

### **13. QUESTIONS RECEIVED FROM MEMBERS**

To consider any questions from members. Members are reminded that questions should be put to the Leader and Cabinet during Agenda item 8 – Portfolio Holder reports. All other questions should be directed to the Chairman of a committee.

### **14. OPPOSITION BUSINESS**

None Received.

## **15. NOTICE(S) OF MOTION**

The following motion has been proposed by Cllr P Heinrich, seconded by Cllr V Gay:

'This Council believes as the first local authority in Norfolk to declare a climate emergency that the programme to combat climate change must include encouraging residents to make greater use of public transport. It is therefore regrettable that it is reported that Greater Anglia are to introduce parking charges at North Walsham and Hoveton & Wroxham railways stations at a rate of £3 per day from July 15th. This will not encourage greater use of the Bittern Line and is being done at a time when Greater Anglia will supposedly want to attract more passengers with the coming introduction of new and greater carriage capacity. It is also contrary to the Council's wish to preserve, wherever practical, existing free car parking either at, or in the vicinity of, stations on the Bittern Line. The Council therefore agrees:

- 1) To write to Greater Anglia opposing the introduction of parking charges at North Walsham and Hoveton & Wroxham railway stations and asking them to rescind their decision to introduce such charges.
- 2) To ask the Local Member of Parliament to join the Council in opposing these charges.
- 3) To encourage relevant Town and Parish Councils, rail community groups and residents to express their opposition to these charges.'

## **16. 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.”

## **17. PRIVATE BUSINESS**

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## COUNCIL

**Minutes of a meeting of North Norfolk District Council held on 25 June 2019 at the Council Offices, Holt Road, Cromer at 6.00 pm.**

**Members Present:**

Mr T Adams	Ms W Fredericks	Mrs G Perry-Warnes
Mr D Baker	Ms V R Gay	Mr J Punchard
Mrs P Bevan Jones	Mrs P Grove-Jones	Mr J Rest
Mr D Birch	Mr G Hayman	Mr E Seward
Mr H Blathwayt	Mr C Heinink	Ms L Shires
Mr A Brown	Mr P Heinrich	Ms E Spagnola
Dr P Butikofer	Mr N Housden	Mrs J Stenton
Mrs S Butikofer	Mr R Kershaw	Dr C Stockton
Mr C Cushing	Mr N Lloyd	Mr J Toyne
Mr N Dixon	Mr G Mancini-Boyle	Mr A Varley
Mr P Fisher	Mrs M Millership	Ms K Ward
Mrs A Fitch-Tillett	Mr N Pearce	Mr A Yiasimi
Mr T FitzPatrick	Mr S Penfold	

**Officers in Attendance:** The Corporate Directors, the Monitoring Officer, the Head of Finance & Assets, the Communications and PR Manager and the Democratic Services Manager

**Press:** Not present

### 20. PRAYERS

The Chairman invited Reverend Janet Frymann, Roughton Benefice, to lead prayers.

### 21. CHAIRMAN'S COMMUNICATIONS

The Chairman spoke about recent events that he had attended. He began by talking about the excellent production of Dirty Rotten Scoundrels at the Pier theatre, Cromer on 25<sup>th</sup> May. Then, on 3<sup>rd</sup> June, he attended the re-opening of the Horse & Groom pub, Tunstead, as a 'pub hub'. The Chairman said he had been very moved by the 75<sup>th</sup> anniversary of D Day organised by Great Yarmouth Borough Council on 6<sup>th</sup> June. On 9<sup>th</sup> June he had attended the civic service for the new mayoralty, hosted by Norwich City Council.

The Chairman then spoke about the launch of the Stars of Norfolk and Waveney awards and encouraged members to put forward nominations for this excellent event. He concluded by saying that he had been pleased to attend the West Norfolk NSPCC AGM on 19<sup>th</sup> June and the Annual civic service for North Walsham Town Council on 23<sup>rd</sup> June.

The Chairman said that he was delighted to be able to announce his chosen charities for his year in office. He had selected two projects for the Norfolk Wildlife Trust – 'Children and Nature' and 'Conservation Grazing'. Leaflets and slides on both projects would be circulated to all members.

## **22. TO RECEIVE DECLARATIONS OF INTERESTS FROM MEMBERS**

Cllr J Toye declared an interest in Agenda Item 12 'Questions from members' due to a question being raised relating to an issue in his ward.

## **23. APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs V FitzPatrick and B Hannah

## **24. MINUTES**

The minutes of the meetings held on 24<sup>th</sup> April and 15<sup>th</sup> May 2019 were approved as a correct record and signed by the Chairman.

## **25. ITEMS OF URGENT BUSINESS**

None

## **26. PUBLIC QUESTIONS OR STATEMENTS**

None received

## **27. PORTFOLIO REPORTS**

The Chairman invited each Portfolio Holder to provide an update on their portfolio areas:

1. Cllr A Brown said that his portfolio (special projects) was still developing and that was why there was no written report included in the agenda. He said that he would be working across several portfolios covering key projects relating to leisure, local homes and transport. He would be providing a full update to the next meeting of Council.
2. Cllr S Bütikofer, Leader and Portfolio Holder for Strategy and Corporate Services began by thanking the Democratic Services team for delivering the Member Induction Programme. She said that she looked forward to the ongoing training. She also thanked the IT team for their help in rolling out new equipment to Members, saying that she had received very good feedback on this.

She then spoke about key projects and developments within her portfolio: Universal Credit had now been rolled out to all Job Centre Plus offices in the North Norfolk area. This meant that NNDC could no longer accept housing benefit claims from working age residents unless they occupied temporary or supported accommodation or were entitled to a Severe Disability premium.

The Leader said that she was pleased to report that the Council's gender pay gap had reduced from 14.6% last year to 11.1% and that it was moving in the right direction. She thanked the media team for their work in supporting the Antiques Roadshow which had been hugely successful, adding that regarding project support going forward there would be more focus on strengthening the Council's social media presence in future.

She concluded by saying that the recent IT outage was not acceptable that a full report on the incident would be coming to the next meeting of Council.

The Chairman invited Members to ask questions:

- a) Cllr C Cushing asked whether there were service level agreements (SLAs) in place for the Council's IT provision, specifically restoring servers. The Leader replied that



she had spoken to the IT team and raised a lot of questions around the service provision and this would be covered in the report to Council.

- b) Cllr T FitzPatrick said that he was concerned about the length of time that it took to notify members of the IT outage. He said that in future a group text message would be quicker and easier rather than telephoning members individually. The Leader said that this was a good idea and would be included in the findings.
3. Cllr A Fitch-Tillett, Portfolio Holder for Coast began by saying that her written report was brief due to coastal staff being very busy. She said that she had been pleased to see local members attending the Bacton sandscaping scheme meeting recently and she had been delighted with the £25,000 donation from the contractor, Van Oord for local parishes to bid for projects. Cllr Fitch-Tillett then spoke about Coastal Partnership East. She said that she was delighted to have been appointed as Chair for the forthcoming year and then outlined the background to the establishment of the partnership and highlighted key points from the current work programme. Cllr Fitch-Tillett concluded by reminding members about the Coastal Forum field trip which was taking place on 15 July.
4. Cllr V Gay, Portfolio Holder for Culture and Wellbeing began by saying it was a privilege and pleasure to hold the position. Both culture and wellbeing were discretionary services but the Council had always distinguished itself in its provision. She said that had met with a lot of interesting and inspiring people
5. Cllr G Hayman, Portfolio Holder for Commercialisation and Assets, apologised that his written report had not been included in the agenda. He said that the Council's previous approach had been to focus on the custody of its assets rather than commercialisation. This would be focussed on over the next few months. He then outlined key projects where progress had been made.

The Chairman invited Members to ask questions:

- a) Cllr D Baker referred to the decision to take the Wetherspoon's development in North Walsham 'off the table'. He said that at the Council meeting on 27<sup>th</sup> February 2019, the Portfolio Holder had informed Members that contracts were ready to be exchanged. He asked whether the references in the local press to Wetherspoon's being ready to exchange were true and if the Council pulled out knowing this. Cllr Hayman replied that Cabinet had not 'pulled the plug' but asked for a review of the proposals. He said that it had been ongoing for 5 years now and the new administration had inherited it. It was important that the Council assessed whether it would deliver good value for money so a temporary halt had been called to allow time to investigate how to proceed. Cllr Baker replied that he was pleased to hear this and said that it should be a priority to get the project over the line.
- b) Cllr P Heinrich said that North Walsham members had recently had a tour of the 'Wetherspoon's' site and there was considerable commercial potential for the site and the Council could achieve greater value by exploring all opportunities – including housing. Cllr Hayman agreed, saying that the wider site had huge potential. He added that the Administration had great plans for North Walsham to help it become a destination and to support the town centre.
6. Cllr R Kershaw, Portfolio Holder for Careers and Economic Development, updated Members on his portfolio areas. He said that in addition to his written report, he wanted to inform members that he had received excellent briefings from the Heads of Paid Service and had visited two sites – Alfred Bartlett potatoes and Kelling Estate.

7. Cllr N Lloyd, Portfolio Holder for Environment, said that work was underway to bring a community fridge to North Walsham and it was hoped it would be in place by the end of the summer. He informed Members that he had recently attended the Norfolk Waste Partnership and was pleased to confirm that only 10% of the District's recycling went out of the UK and all of that was cardboard. He concluded by saying that following the decision to declare a climate emergency, there would be an Environment Forum on 25<sup>th</sup> July to engage with the views of experts and residents.
  - a) Cllr T Adams thanked staff for the response to the palm oil deposits on local beaches. He asked what could be done to prevent this happening in the future? Cllr Lloyd replied that the Council had a statutory duty to clear up the beaches. He said he was happy to contact key organisations to see if there were any preventative measures that could be taken. Cllr Fitch-Tillett added that she had requested that the issue was considered at the Local Government Special Interest Group (SIG) Coastal meeting.
8. Cllr E Seward, Portfolio Holder for Finance updated members on his portfolio. He said that it was hard to plan ahead in the current financial climate – with a number of government reviews underway. It was hoped that these would be delayed for at least a year as they were likely to have a negative impact on the Council.
9. Cllr K Ward, Portfolio Holder for Housing & Planning referred members to her written report which provided a substantial amount of information. She said that in addition to this there had been a very productive meeting a couple of months ago with a representative from the Ministry of Housing, Communities and Local Government for the East England. There was a new representative in place now and a meeting was arranged soon to review the Council's Homelessness Strategy. A meeting was also arranged with James Skinner from the Economic Forum to discuss funding streams for environmentally sustainable housing. Cllr Ward concluded by saying that recruitment to the Planning team was going well. She thanked Sarah Tudhope who was leaving the Council after 18 years and congratulated her on her new role at the Planning Inspectorate.

## **28. RECOMMENDATIONS FROM CABINET 3<sup>RD</sup> JUNE 2019**

- a) **OUTTURN REPORT 2018/19**
- b) **TREASURY MANAGEMENT ANNUAL REPORT 2018/19**

Cllr E Seward, Portfolio Holder for Finance, proposed the recommendations, saying that they had been supported by the Overview & Scrutiny Committee.

Cllr D Baker referred to the large surplus and said that it effectively plugged two thirds of the deficit. He asked whether Cllr Seward would admit that the Council's finances were not as bad as first thought and whether consideration would be given to giving a rebate to council tax payers. Cllr Seward replied that nothing was certain. For the Council's finances to be sustainable, regular income was needed. He referred again to the delay to the financial review and said that calmer waters were needed before he could be confident of financial certainty.

It was proposed by Cllr E Seward, seconded by Cllr N Lloyd and

**RESOLVED to approve**

### **1. OUTURN REPORT 2018/19:**

- a) The provisional outturn position for the General Fund revenue account for

2018/19;

- b) The transfers to and from reserves as detailed within the report (and appendix C) along with the corresponding updates to the 2019/20 budget;
- c) Transfer the surplus of £969,666 to the General Fund Reserve (£500,000) and the Asset Management Reserve (£469,666);
- d) The financing of the 2018/19 capital programme as detailed within the report and at Appendix D;
- e) The balance on the General Reserve of £1.956 million;
- f) The updated capital programme for 2019/20 to 2022/23 and scheme financing as outlined within the report and detailed at Appendix E;
- g) The outturn position in respect of the Prudential Indicators for 2018/19 as detailed in Appendix F.

## **2. TREASURY MANAGEMENT ANNUAL REPORT 2018/19**

The Treasury Management Annual Report and Prudential Indicators for 2018/19.

### **29. RECOMMENDATIONS FROM THE GOVERNANCE, RISK & AUDIT COMMITTEE 11 JUNE 2019**

It was proposed by Cllr J Rest, seconded by Cllr A Fitch-Tillett and

#### **RESOLVED**

To note the Governance, Risk & Audit Committee Annual Report 2018/19.

### **30. QUESTIONS FROM MEMBERS**

- a) Cllr J Rest referred to the Council meeting held on 24 April 2019 when he had asked a question relating to the Egmore Business Zone. He queried when he was likely to receive a response. He requested that a brief background report was provided to new members so that they understood the issues that he was referring to. The Leader, Cllr S Bütikofer, replied that the issue was ongoing and that the scheme had not been stopped. She said that work was underway to see if anyone had been misled during the process. She agreed that a written chronological report would be provided to all members.
- b) Cllr N Housden referred to a report in the local press on 14<sup>th</sup> June regarding a 99 year lease for Itteringham shop. He queried whether the Council would retain responsibility for ongoing maintenance. Cllr K Ward replied that the purchase of the property had taken place in 2016 and the community shop was attached to the house. The press release that Cllr Housden referred to had come from the community shop not the Council and the lease had been signed in April 2019. She said that copies of the lease and the business case could be shared with all members. The project would be monitored as part of the Council's asset commercialisation programme and members would be kept informed. Cllr Housden asked whether the lease was for the house and the shop. Cllr Ward confirmed that the Council owned the freehold of the house and leased out the shop.

### **31. OPPOSITION BUSINESS**

None received.

### **32. NOTICE OF MOTION**

None received.

**33. EXCLUSION OF PRESS AND PUBLIC**

None

**34. PRIVATE BUSINESS**

None

The meeting concluded at 6.48 pm

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Chairman

## CABINET MEMBERS REPORT TO COUNCIL

25 July 2019

**COUNCILLOR - Cllr Sarah Bütikofer**

For the period June 2019 to July 2019

### **1 Progress on Portfolio Matters.**

The team have produced the annual Workforce Profile Statistics for the Council which will be published shortly. This data is produced partly to meet the requirements of the Public Sector Equality duty but also to provide useful intelligence to the Council's management. Annual recruitment statistics are also being compiled, as well as Trade Union Facility time information (publishing this data by 31 July is a statutory requirement).

Work continues on the draft People Strategy; 5 key themes and a supporting draft action plan have been pulled together following engagement with employees through a number of surveys and other events. This strategy will need to continue to be developed in line with the emerging findings from the Capability review and to support the new Corporate Plan. It is likely that the revised draft will then be discussed at CLT in September.

Three of our current or recent apprentices attended the East of England Apprenticeship Challenge (similar to the Local Government Challenge but specifically aimed at apprentices). Our apprentices enjoyed the experience and represented the Council well. One of our apprentices received a ["highly commended" award](#). A member of the HR team, along with one of our current apprentices also attended the Paston Sixth Form careers event on 9<sup>th</sup> July to promote the Council as an employer and some of the upcoming apprenticeship opportunities we have.

Whilst the HR service is not subject to a wholesale BPR review, a number of our processes are being reviewed and improved, which often involves an element of digital transformation. An online application form is ready for testing, but is just awaiting some final technical input from IT. The content and functionality of the jobs pages on our website are also being reviewed and work has started to revise our appraisal process, taking into account feedback from the staff focus group, managers and the IIP report. IT are working on a process flow so that the completion status of Appraisals can be monitored and the HR team are working on an improved form as an interim measure, with the eventual aim to have an online appraisal system.

Finally, one of HRBPs has recently moved on leaving us with a vacancy which we are currently recruiting to.

<b>2      Forthcoming Activities and Developments.</b>
We are also in the process of revising our Car Loan policy, with a proposal to include a slightly lower rate of interest for those opting for more environmentally friendly electric or hybrid models.
<b>3      Meetings attended</b>

## CABINET MEMBERS REPORT TO COUNCIL

24 July 2019

### **COUNCILLOR S BÜTIKOFER - CABINET MEMBER FOR STRATEGY & CORPORATE SERVICES (CUSTOMER SERVICES)**

For the period June to July 2019

#### **1 Progress on Portfolio Matters.**

##### **Customer Services**

###### **Garden Bins Renewals 2019/20**

###### **2018/19**

Total Customers = 19,399  
On DD = 13,526 (69.7%)  
Non DD = 5,873 (30.3%)

###### **2019/20**

**Garden Bin Renewal Letters to non-DD paying customers – These have been posted on a staggered basis over a 3-week period from the 24<sup>th</sup> June, 5,873 garden bin letters were dispatched in regards to renewing the service. So far**

Converted to DD = 1435  
Remained non DD = 869  
Outstanding payments = 3569 (60.76%)  
62% of responses have converted to DD so far.

###### **New Garden Bin customers since 01/04/2019**

Total sign ups = 739  
On DD = 677  
Non DD = 62  
91% of new sign ups have chosen to set up a DD.

Payment for Garden Bins by Direct Debits can be set up by customers online, over the phone, by completing a form and by coming into the offices.

#### **2 Forthcoming Activities and Developments.**

##### **Electoral Service - Canvass 2019 – Household enquiry forms.**

Approximately 56,000 forms have been dispatched on 10<sup>th</sup> July. Customers are provided clear guidance on how to complete the form but we know from previous years' experience to expect increased customer contact mainly via telephone over the next couple of months. Additional telephone support is to be provided in support of the electoral services team. First reminders will be dispatched on 27<sup>th</sup> August. Then final stage reminders dispatched on the 24<sup>th</sup> September.

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## CABINET MEMBERS REPORT TO COUNCIL

24 July 2019

### **COUNCILLOR S BÜTIKOFER - CABINET MEMBER FOR CORPORATE SERVICES (DEMOCRATIC SERVICES)**

For the period June to July 2019

#### **1 Progress on Portfolio Matters.**

##### **Benefits**

The benefits caseload is continuing to decrease due to residents now having to claim Housing Costs through Universal Credit instead of Housing Benefit. Changes to customer circumstances are continuing to come through in significant volumes and changes to working practices and to system software are being investigated to ensure the impact to the customer is minimised.

The services speed of processing target for change of circumstances is 14 days and current performance is 9 days.

The target for new claims is 20 days and current performance is at 19 days. Although the service is performing within target, it is recognised that this can be improved and ways of doing this are being investigated.

In recognition of emerging priorities from the new administration and the need to realign services to being customer centred, the Benefits service are pursuing ideas to enhance customer service delivery. A significant change is that customers who come into the council offices to make a new claim will be dealt with by a Benefit Officer. The Benefit Officer will take responsibility for the new claim end to end and the customer will be given a single point of contact during the administration of their new claim. This should make the process much more efficient for the customer and the Council.

Benefits are also taking part in a Customer Service survey during July – September for the Revenues and Benefits Services and Customer Services. Work is underway to roll out the survey with a view to utilising feedback to determine how customers would like to be contacted, how they would like to contact the council, and how they would improve customer service at NN. The feedback will help deliver customer service excellence and ensure that as a new Revenues and Benefit software package is procured that this is customer focussed. Benefits are also taking part in a number of site visits across the region to look at various IT options and customer service processes. Feedback from the site visits will be utilised by the project team as part of the procurement decision but also help us improve our customer service

processes generally.

**Democratic Services** – as the initial induction phase draws to a close, the team is working with Member Development Group on capturing feedback on the sessions held so far and on planning additional sessions to ensure that there is a programme in place for skills development that fully reflects the needs of members. The new software system for managing committee documents has been 'live' for 8 weeks and we are beginning to see a reduction in requests for hard copies of documents as members familiarise themselves with the system.

The successful bids for the second round of the Market Towns Initiative were announced at the Cabinet meeting on 8<sup>th</sup> July with £111,657.36 being shared between the four eligible towns. Thank you to the Democratic Services Officer (Scrutiny) for his ongoing hard work in providing the administrative support for this initiative.

**Eastlaw:**

Eastlaw continue to meet their income targets and are busy embedding two new Councils and 123 new parish councils into their new roles. In the past month officers have been briefing members and providing training in all areas of the Council's work as well as dealing with the day to day caseload.

**2 Forthcoming Activities and Developments.**

**Benefits:**

Finally, Revenues and Benefits will once again be holding a stall at the Greenbuild event this year to promote the online service which is greener, quicker, and easier for many customers. For each customer signing up to the online service at the event, we are giving away a free tree (donated by CFH), and a free NN hessian bag (donated by Democratic Services). For every sign up at the event we will also be donating a bee friendly plant and seeds to Sidestrand Hall School which have been provided by Kelling Estate. If members are at Greenbuild, please come along to see them and find out about the service.

**Democratic Services:**

An Environment Forum is to take place on 15 August at the Atrium in North Walsham, with the aim of giving residents a chance to work with the Council on key green issues to benefit and protect North Norfolk for the future.

Members of the public can drop in between 2pm – 5pm when Council Members and staff will be on hand to talk about what the Council is looking to do to tackle local and national environmental concerns and what steps it has

already taken to address climate change. A second session will be held from 6pm-8pm and will feature key speakers and a workshop. Please email [democraticservices@north-norfolk.gov.uk](mailto:democraticservices@north-norfolk.gov.uk) if they wish to attend the evening event. Refreshments will be provided.

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## **CABINET MEMBERS REPORT TO COUNCIL**

**25th July 2019**

### **CLLR. SARAH BÜTIKOFER - CABINET MEMBER FOR IT**

For the period 1 June 2019 to 30<sup>th</sup> June 2019

#### **1 Progress on Portfolio Matters.**

##### **Service Outage**

The post incident analysis of the significant IT outage has continued with an online survey and reflective learning workshops for stakeholders. These have been designed to capture the issues arising from the outage to provide learning to help prevent and better mitigate future events.

The root cause analysis (attached) from Dell indicates environmental conditions in the data centre (salt air) contributing to the failure of the storage system. As a precaution the data centre environment is now being managed by the full air conditioning system, rather than the evaporative cooling system that was installed some years ago to save energy costs.

IT are now in consultation with the maintainers of the air handling system to identify any improvements and/or risk mitigations we can implement to remove or reduce this risk.

In parallel with this activity, IT are developing a wider action plan to improve the functionality of services available across a range of Disaster Recovery/Business continuity scenarios.

A more detailed report of the outage and issues surrounding it is being prepared and will be made available to members in advance of the Full Council meeting. (Because of the ongoing debrief process it was not possible to publish that item in time for the agenda paper publication.)

The first element of this is the already funded and planned for enhancement to the storage arrangements, to give near real time backups between Cromer and Fakenham.

Work is currently in place to reorganise the Data stored in the system. Whilst this is a necessary precursor to the deployment of the new back up arrangements.

##### **Business as usual updates**

Work has commenced on the IT elements generated by the change of the waste contractor. At this stage liaison is taking place with other authority's IT reps to ensure a consistent joined up approach to supplier and authority IT

arrangements.

In phase – The management reporting system has been configured ready to host the Corporate Plan and reporting against progress when this is ready for publication.

Assure – The Environmental Health (EH) system and associated Business Process reengineering/improvement is continuing with a new version being installed in this period. The resignation of the EH project lead will require some review of work allocations and responsibilities which is likely to result in the transfer of some work to IT staff from service based staff.

Uniform – Work on the planning system continues with the significant project milestone of the test data migration approaching in August. The system has also been upgraded to a new version in this period.

Alongside this an interactive online map has been developed to allow users to identify any planning issues with any area of land they might be interested in developing:

<https://maps.north-norfolk.gov.uk/wmlpublic/Map.aspx?MapName=FindIT>

Open Revenues – The project has begun to re-procure the service software which supports the Revenues and Benefits Service. At this stage system requirements and potential solutions are being collated with a view to moving to re-procurement in the coming months.

An upgrade to the Council Tax self-service system has been commissioned and tested and is ready for service. This is called “Open Portal” and offers an improved user interface and look and feel.

Work has started on the commissioning of an upgraded WiFi network to cover both Cromer and Fakenham offices. This will offer better in office coverage and greater data rates and capacity.

Further Laptops have been deployed replacing desktop PC’s to further improve the ability of officers to work flexibly from anywhere with public or private WiFi coverage.

## **2 Forthcoming Activities and Developments.**

The action plan arising from the analysis of the learning from the recent significant IT outage will be finalised and prioritised to ensure greater resilience against future outages.

IT will procure, install and commission the storage improvements to upgrade the backup facilities between Cromer and Fakenham to allow near real time

replication of data.

Publicise and launch of enhanced Council Tax & Benefits self-service account management system "Open Portal" from Civica.

Further web forms developed for EH covering a variety of service areas including Food Safety re-inspections will go live.

IT will work with Legal to clarify the implications of GDPR and FOI on the requirement for a member constituency case management system.

IT will be concluding the preparations to complete the test data export from the legacy planning system and its subsequent load into the new planning system Uniform.

IT will progress the implementation of the upgrade to the Council's Telephone payments system to allow it to be used for all Council payment types. This will then allow the cessation of taking card payments manually on the phone which is not permitted following changes to the Payments Card Industry (PCI) regulations.

IT will progress the work to develop the requirements/options appraisal for the provision of a free Citizen Mobile App to North Norfolk residents to allow secure one to one customer service and communications.

The Management Information System, In-Phase, will be loaded with the emerging Corporate Plan to allow on-line access and tracking of progress against the objectives contained in it.

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**SVC-300 – corrosion issue.**

Dell Materials Science Laboratory  
Global Supply Chain Quality Engineering

Report 7568  
Materials Analysis

## Executive Summary

Dell IPS requested analysis of the SVC-300 midplane assembly with suspected residue on the PCBA surface. Sample was sent to the Material Science Lab (MSL) for an analysis.

Inspection of the SVC-300 midplane assembly revealed extensive corrosion of the midplanes PCBA components, multiple exposed vias, SAS connector terminations and SAS connector pins. Inspection revealed high accumulation of particulate matter residue accumulated in multiple areas of the PCBA assembly. Highly corrosive Sodium Chloride (NaCl) crystals embedded into the assembly PCBA components as well as corrosion byproducts in presents of green residue observed in multiple areas of the midplane PCBA assembly. Corrosion co-product observed on PCBA surfaces were ‘metal salts’ (mostly hydrates of Copper (II) Chloride) which does have very good solubility in water, what may have led to situation that in environment with elevated humidity those ‘metal salts’ creates highly conductive debris, which may have led to electrical short conditions and by that could have contributed to the failure observed at customer site. Combined hygroscopic properties of ‘salts’ identified on the assemblies PCBA surface creates severe risk to existing DELL equipment (on site) of failures if exposed to such a harsh environment.

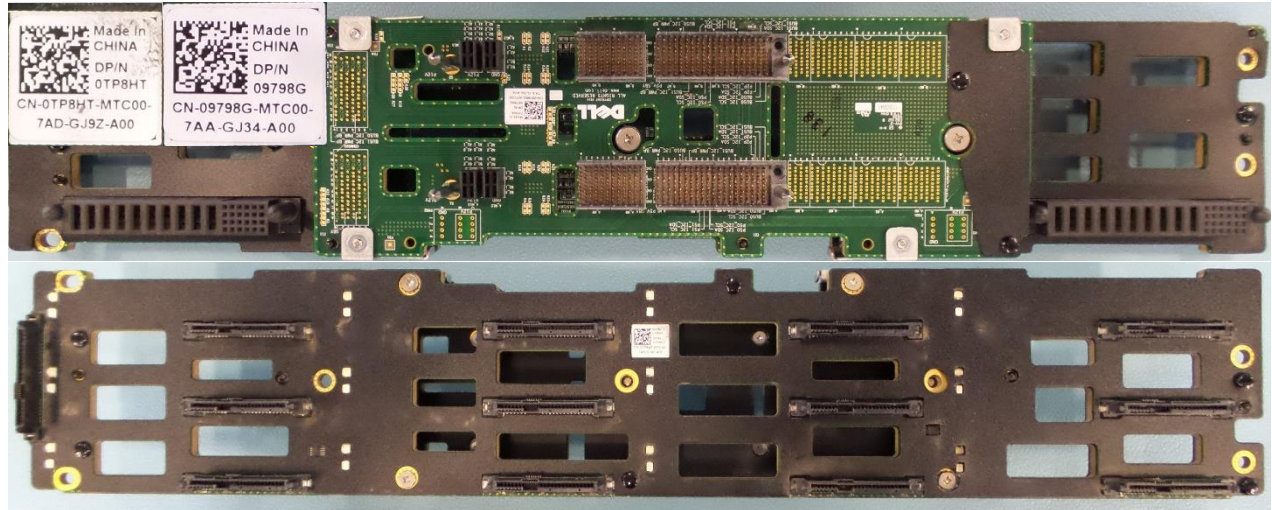
## Hardware Description

WWFA	Description	Part Number	Serial Number	Supplier
N/A	SVC-300 midplane assembly	0G6JCT	MTC007AD-GHRX-A00	GX N-H
N/A	SVC-300 midplane assembly	09798G	MTC007AA-GJ34-A00	GX N-H

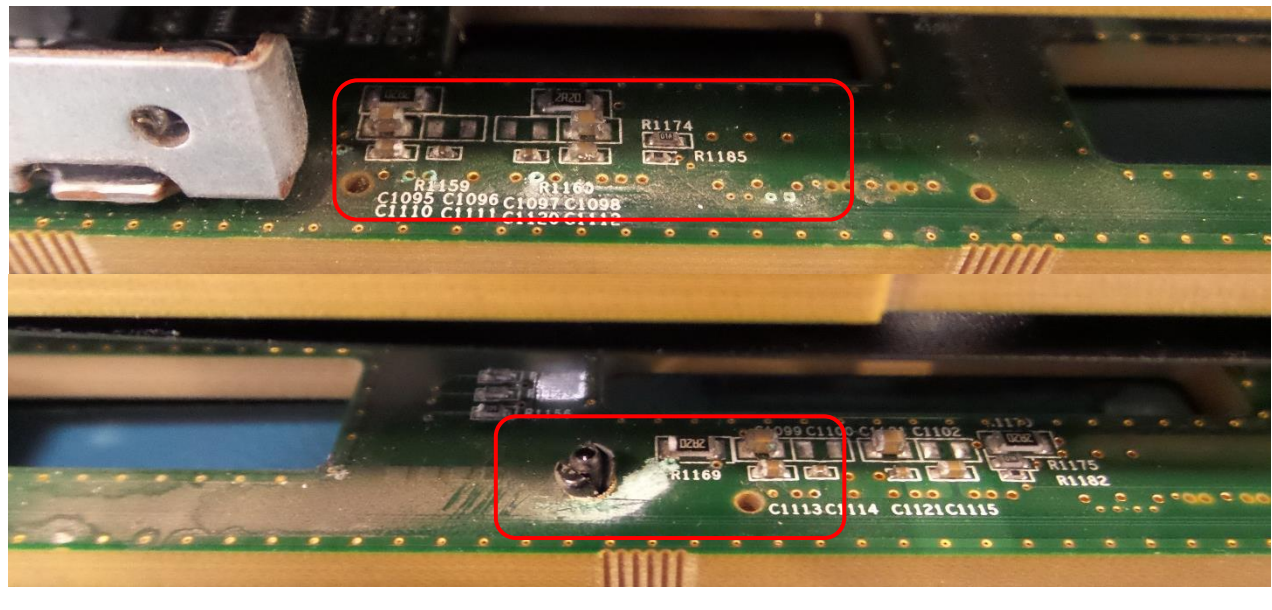


## Results

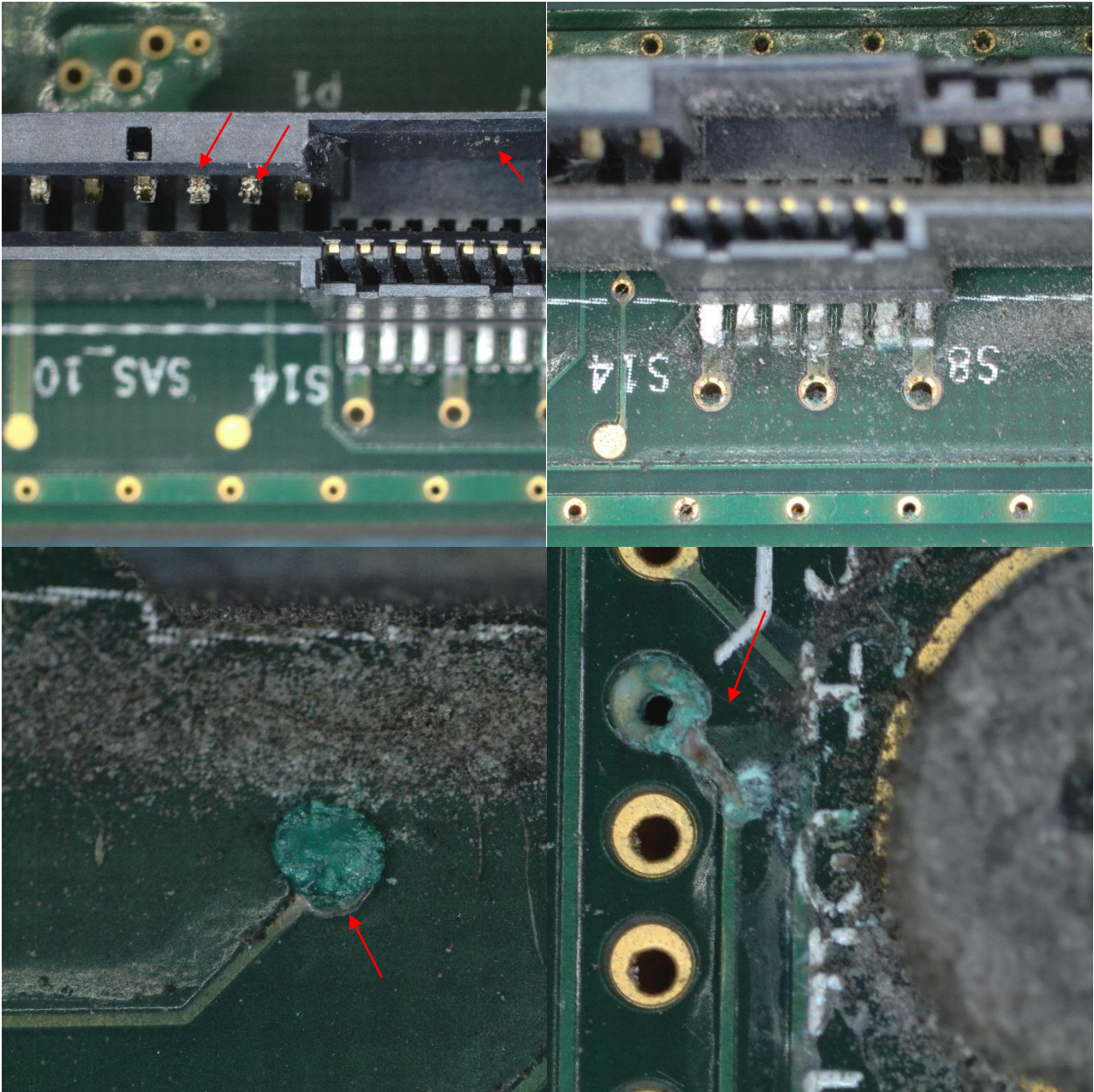
**Photo 1.** Representative overview and manufacturing details of the SVC-300 midplane assembly.



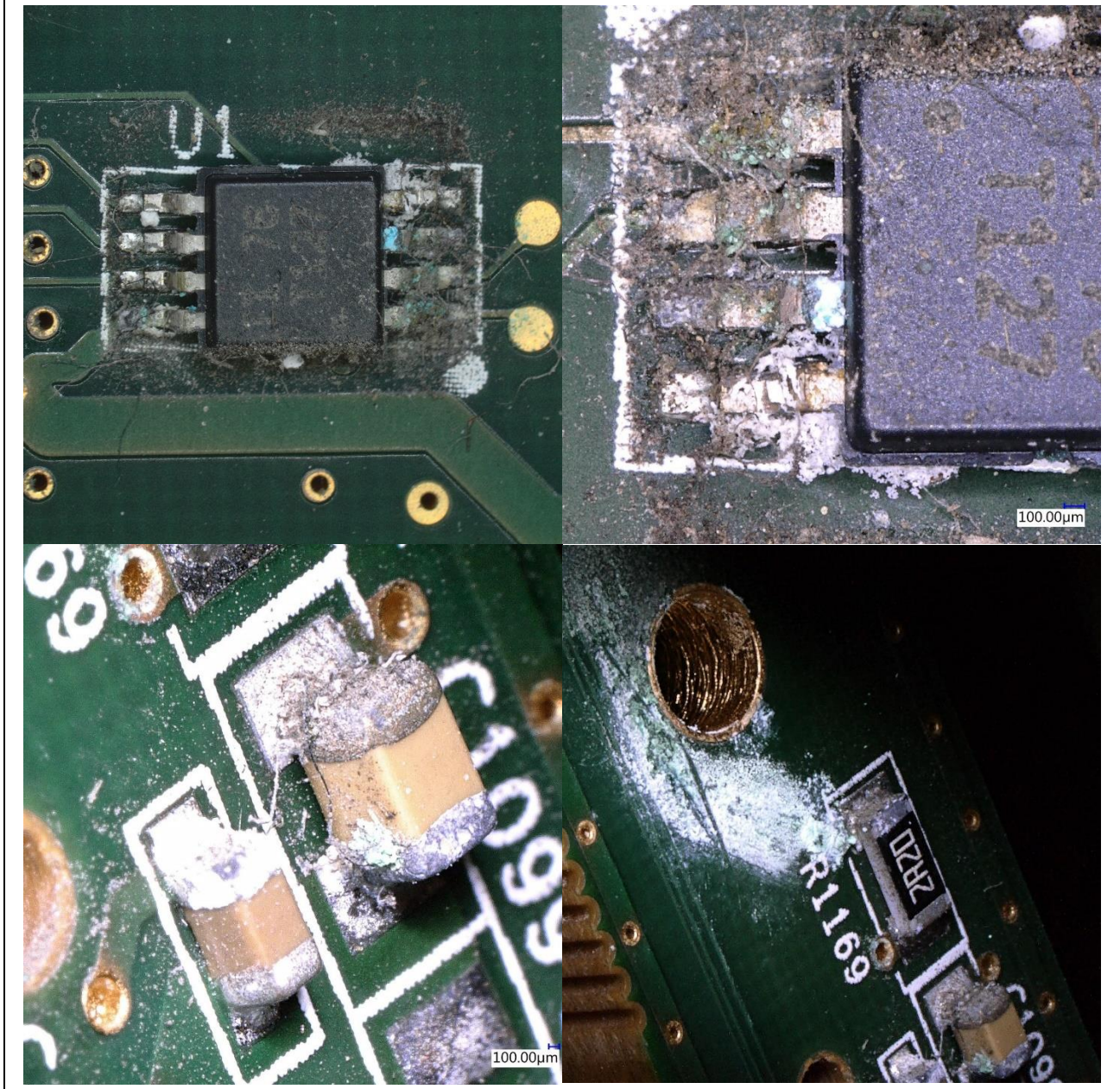
**Photo 2.** Representative image of the SVC-300 midplane assembly with evidence of corrosion visible without disassembling the device.



**Photo 3.** Representative images of the SVC midplane board assembly areas impacted by corrosion.

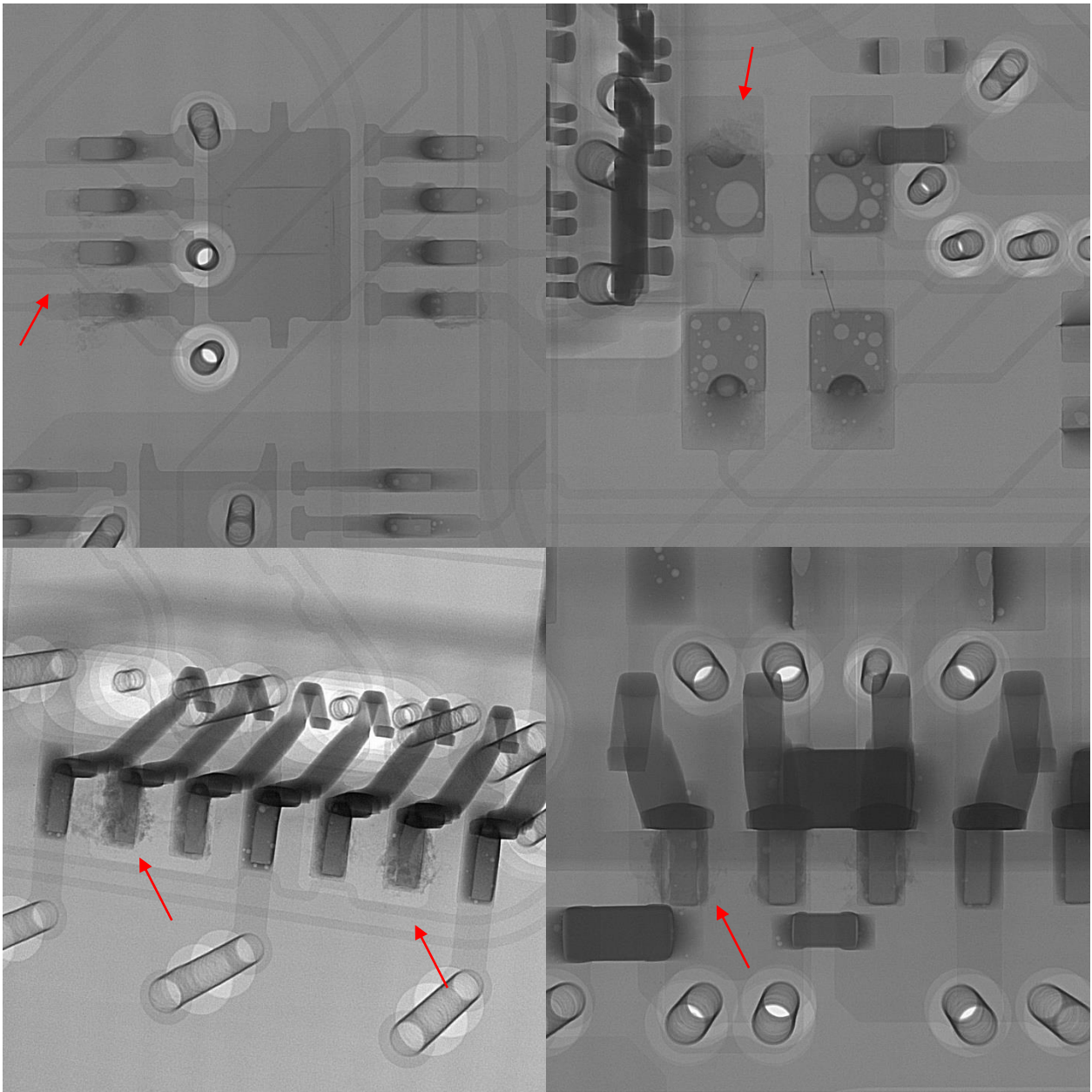


**Photo 4.** High magnification images of the components impacted by corrosion.



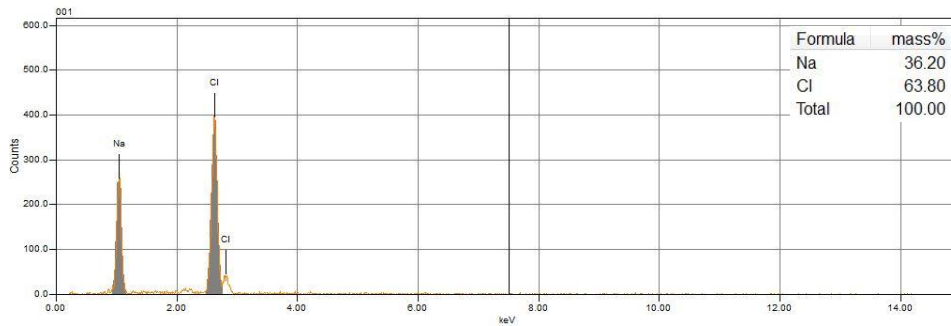
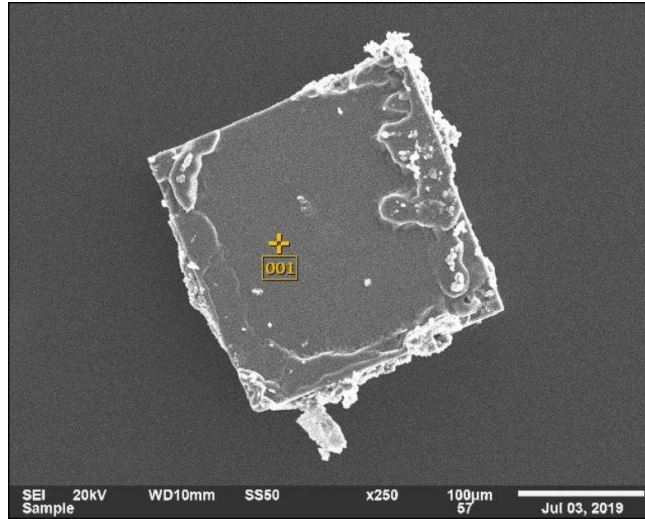


**Photo 5.** Representative X-ray images of the components impacted by corrosion.



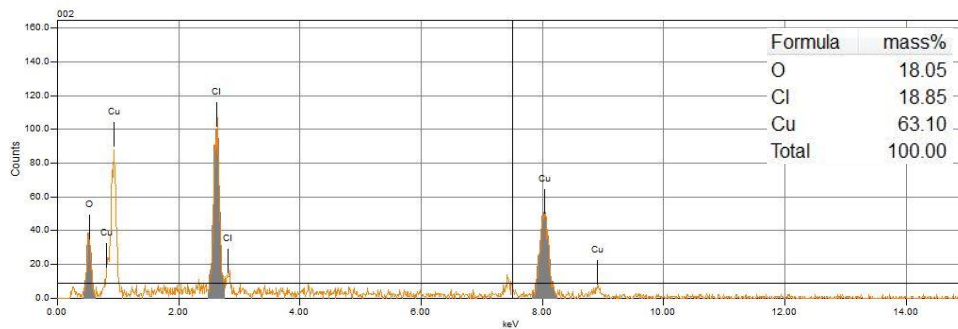
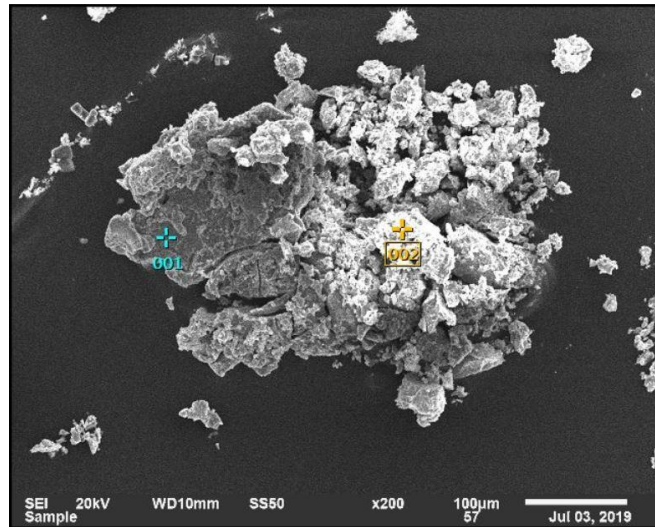


**Photo 6.** Scanning Electron Microscopy (SEM) & Energy Dispersive X-ray (EDX) analysis of a crystalline debris sample extracted from the midplane surface. The main elements detected were: Sodium (Na) and Chloride (Cl).





**Photo 7.** Scanning Electron Microscopy (SEM) & Energy Dispersive X-ray (EDX) analysis of a green debris sample extracted from the midplane surface. The main elements detected were: Copper (Cu), Chloride (Cl) and Oxygen (O).





## Ion Chromatography

The overall levels of surface contamination in  $\mu\text{g}/\text{in}^2$  for each anion detected are tabulated in Table 1 below.

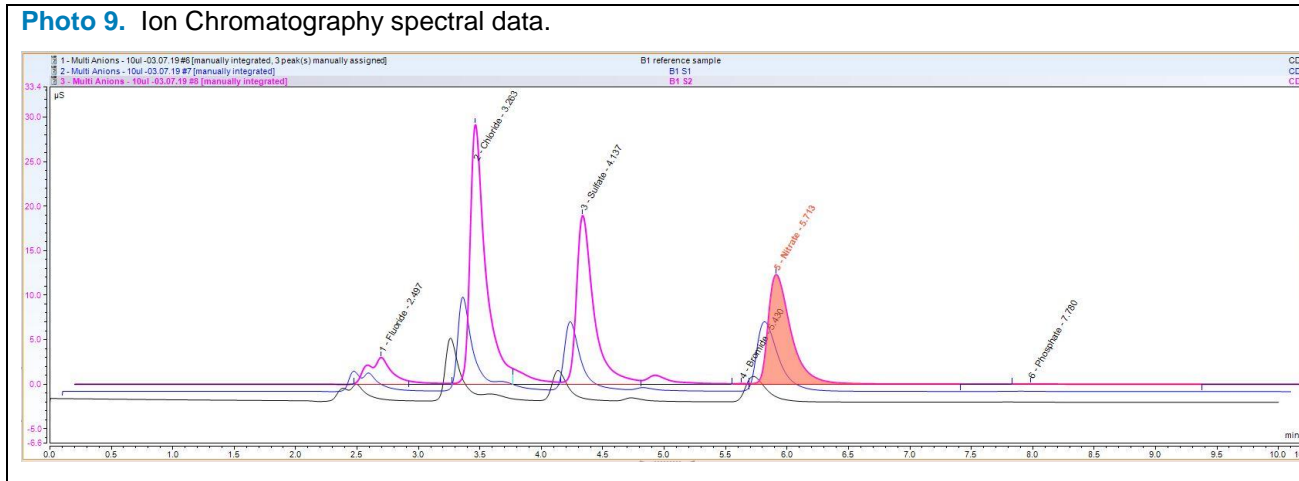


Table 1.

Description	Fluoride	Chloride	Bromide	Nitrate	Phosphate	Sulphate	WOA
	Board 1 S1	22.7	130.8	ND	565.2	11.1	196.7
Board 1 S2	37.9	732.2	ND	978.2	18.1	664.3	249.5
Allowable limits	1*	3*	7*	3*	3*	3*	25*

Localized/secondary sample extraction was performed, 0.2 in<sup>2</sup> areas surrounding components were washed with use of 10ml of DI water at 80°C for each sample.

Samples extraction positions:

SP SN: MTC007AD-GHRX-A00:

Reference sample extracted around ref des R1152

B1 S1 – ref des R1169

B1 S2 – ref des SAS\_11

\* EMC-ES-1027 Rev A04. Specification Allowable Limits for Assemblies, ND – not detected





## Analysis

- Inspection of the SVC-300 midplane assembly revealed extensive corrosion of the midplanes PCBA components, multiple exposed vias, SAS connector terminations and SAS connector pins.
- Inspection revealed high accumulation of particulate matter residue accumulated in multiple areas of the PCBA assembly.
- Analysis revealed highly corrosive Sodium Chloride (NaCl) crystals embedded into the assembly PCBA components as well as corrosion byproducts in presents of green residue observed in multiple areas of the midplane PCBA assembly.
- Corrosion co-product observed on PCBA surfaces were 'metal salts' (mostly hydrates of Copper (II) Chloride) which does have very good solubility in water, what may have led to situation that in environment with elevated humidity those 'metal salts' creates highly conductive debris, which may have led to electrical short conditions and by that could have contributed to the failure observed at customer site.

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**24<sup>th</sup> July 2019**

**COUNCILLOR A FITCH-TILLET - CABINET MEMBER FOR COAST**

For the period December June 25<sup>th</sup> 2019 to July 24<sup>th</sup> 2019

**1 Progress on Portfolio Matters.**

**Recruitment**

Head of Coastal Partnership East, Karen Thomas, has joined the team following a 4 week handover with Bill Parker who retired on July 4<sup>th</sup>. She joins the team with over 20 years of experience in flood and coastal management. Karen has been visiting the patch and working closely with team members, directors and Board members to understand the CPE vision and direction of travel. Locally, she has been supporting staff on the Bacton project and strategically she will be working with the team on a CPE Business Plan refresh in the autumn.

Adaptation officer **Anne Casey** has been co-funded by GYBC and NNDC to work on adaptation with communities at coastal risk. Her work will be split initially between Hemsby and North Norfolk communities and she will work with Suffolk engagement officers and Great Yarmouth engineers to share her skill across CPE.

Technical Officer **Sonja Seaton** is based in the NNDC office and she will be supporting on planning and licensing issues as well as developing her environmental skills to support CPE in Habitats Regs assessments- an increasing area of need as we work on local erosion approaches with communities.

**Project Updates**

Bacton to Walcott- permissions and consents are in place. TVO and Royal Haskoning have been on site since May undertaking preparatory works. Various permissions and consents are in place for sand re-nourishment to commence on the 14<sup>th</sup> July - weather permitting. A press launch is planned for the 18<sup>th</sup> July.

In April there was challenging social media attention regarding the sand martins and the netting we needed to use to minimise impact nesting in the vicinity of the sand nourishment. NNDC have followed the agreed monitoring and mitigation package agreed with NE and RSPB. Social media interest remains challenging however CPE and NNDC Communications and PR colleagues are working together to minimise negative media interest and

maximise the positive messages arising from this hugely important project for the local communities and economy.

Walcott NFRM project - this project has received funding from the RFCC to explore a 'set-back' solution for land affected by surface water flooding caused by wave over-topping at a coastal erosion frontage. CPE officers have worked closely with the local landowner to create a solution that will partially protect agricultural land and reduce the level of flooding to local residents properties. The work will be done in partnership with the Norfolk Rivers Internal Drainage Board who will carry out the work on our behalf- a great example of risk management authorities collaborating to deliver greater value for the taxpayer.

Phase 2 of the Cromer Coastal protection scheme and the Mundesley defence refresh are just being reviewed together to establish if we can undertake any joint procurement efficiencies. Tendering for these works is planned for September.

### **Ongoing Maintenance and Repairs Update**

Happisburgh rock relocation and ramp re-cut- completed April 2019. Minor works ongoing including beach debris clean up.



Ostend revetment repairs completed June 2019

The Mundesley OBC- tender document for designers is currently being written, hoping to go to tender in September

East Runton ramp improvement all works completed March 2019, all payments to Godfreys is completed.

Works on Cromer groyne.

### **Inspections and Maintenance update**

Safety Inspections- Asset inspections were completed along all beaches (Weybourne - Cart Gap) and MTC orders raised.

- Order in place for Promenade in Mundesley, trip hazards present on the east side.
- Order in place to cut back rebar along seawall in Walcott.
- Inspection of all beacons along the coast have been inspected, deciding what is the best way to get them all repaired.

- Ongoing monitoring and discussions with the Lifeguards in Sheringham in regards to the 'Quick Sand' on the West end of the beach (Next to groyne A7).

New signage Happisburgh to Walcott this is still ongoing, working with the safety team.

Sidestrand Cliff Slip- 25<sup>th</sup> June we had a significant cliff slip at Sidestrand which attracted national media interest. CPE used this event as a H&S opportunity with staff and public. Temporary signs are in place advising people of risk, these signs will be removed shortly.

We are benefitting from a Defra-funded Icarus project which is looking at the engagement and communication needs of communities at flood and coastal risk. They are working with CPE at Hemsby- and there will be shared learning opportunity through our coastal communities.

CPE are working with Assets team to obtain a MMO licence for works on Cromer Pier Legs. This is now in consultation and we are hoping to have a licence end of July/beginning of August.

A host of minor works throughout the system covered under MTC is ongoing.

## **2 Forthcoming Activities and Developments.**

Coastal Special Interest Group Field trip (SIG) 17<sup>th</sup>-19<sup>th</sup> September  
 ICE Conference (CPE Officers) 24-26<sup>th</sup> September  
 Visit from the East Solent Coastal partnership October (TBC)  
 NNCF 15<sup>th</sup> July  
 Deep History Coast launch 16<sup>th</sup> July  
 Wells Advisory Group of Wash and North Norfolk Marine Partnership 16<sup>th</sup> July  
 Bacton Media Launch 18<sup>th</sup> July  
 Bacton Sandscaping local liaison group meeting 22<sup>nd</sup> July

## **3 Meetings attended**

Halvergate Water Level Management Scheme June 14<sup>th</sup>  
 Flood and Coastal Erosion Risk Management Conference June 18-20<sup>th</sup>  
 CPE Board meeting 26<sup>th</sup> June  
 Water Resources East Event 1<sup>st</sup> July  
 Joint Norfolk Coast partnership and Broads Authority Meeting 4<sup>th</sup> July

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## CABINET MEMBERS REPORT TO COUNCIL

July 2019

### **COUNCILLOR VIRGINIA GAY - CABINET MEMBER FOR CULTURE AND WELLBEING**

For the period to July 2019

#### **1 Progress on Portfolio Matters.**

##### **North Norfolk Big Society Fund**

The Big Society Panel met on 3rd June 2019. One deferred and seven new applications totalling £59,536.83 were considered. The Panel awarded funding totalling £23,848 to five projects. One application was refused and two were deferred.

**Arts & Culture Fund** Annual budget £33,110. Maximum grant award £2,500. Four applications received for this round totalling £7,099, One application was ineligible so will not be presented to the Panel which meets in August.

**Community Transport Fund** budget £50,000. Five applications received for this round totalling £16,587 Panel meets in August.

##### **Sandscaping Community Fund**

NNDC is managing and administering, on behalf of Team Van Oord, a £25,000 grant fund for community projects in Paston, Bacton and Walcott. Team Van Oord is also offering volunteer time from their team to assist with community projects. Closing date for applications 24th July

**North Norfolk Help Hub** Multi agency engagement at the North Norfolk Help Hub continues to expand. Forty statutory and voluntary services are now actively working collaboratively as part of Hub network.

##### **Social Prescribing**

The three Living Well Officers have dealt with 71 referrals between 1.6.19 – 10.7.19. Total referrals to date stand at 662.

New funding has been established for Social Prescribing Link Workers, administered by Primary Care networks (PCNs). NNDC gave a presentation to the PCN 'Council of Members' on the role that NNDC currently plays in social prescribing and the opportunities for this to be expanded (utilising NNDC management resource, experience, recreational and leisure assets etc.). The Council of Members considered the opportunities and options for the effective and efficient establishment of Link Workers (connected to GP surgeries) and agreed for the PCN to discuss this further with NNDC in

relation to the Council's key role in the delivery of that service.  
Sports and Leisure Facilities

The Council's new leisure management contract has been in operation for three months and SLM (otherwise known as Everyone Active) have been using that time to install the new gyms and decorate the facilities with their own branding. The new leisure contract now includes the three dual use facilities based at Cromer, North Walsham and Stalham. The throughput figure (total visits) for June was 40,527. This is 2,897 visits above the current target.

### **Parkrun**

Our parkrun at Sheringham continues to be popular, with total of 2,603 registered runners and an average attendance at 141.3 runners each week. There has been a total of 345 events, with 9,033 different runners from 816 clubs taking part in 48,734 runs covering 243,670km.

### **Countryside**

The Green Flag at Sadler's Wood in North Walsham was not retained in 2018, with the judge at that time citing certain improvements that would be needed. The Countryside team have worked hard over the past year and consequently this year ***Sadler's Wood has regained its Green Flag***. Both Pretty Corner Woods and Holt Country Park have retained their Green Flags; so the Council can proudly boast three in total.

The Countryside service continues to promote and deliver high quality events at our outdoor facilities and these are ever popular, with most events selling out. This is no-doubt helped by high levels of activity on social media and innovative approaches.

A new Tea Room (Hetty's) at Holt Country Park has been let as a concession and it is proving extremely successful. Since opened, the park has seen an increase in visitor numbers, and parking income has increased by 18% over the same period last year.

### **Pier Pavilion Theatre**

The Pier Pavilion Theatre shows are buoyant, with income from tickets sales generally comparing favourably with last year, as follows.

Summer Show	+14.32%
Concerts	- 9.57%
Christmas 2019	+ 5.39%
Private hire	- 15.54%

The figures for the Summer Show are some of the best ever at this point in the season, no-doubt helped by the excellent TV coverage from the Antiques Roadshow and the BBC Christmas idents, but also from good reviews of



recent shows.

There have been some significant capital improvement works taking place to the theatre (between January and March), which meant that the theatre was closed during this period, accounting for some of the downturn in concert ticket sales and private hire bookings.

### **Sporting Centre of Excellence**

The third year of this programme has now been completed, with all of the participants showing great progress; many having been selected for County trials. Several of the running group have represented Norfolk at cross-country, track and sports hall athletics.

### **Sports Development**

A 'Sports Development and Physical Activity Strategy' is being formulated through engagement with a number of different stakeholders, with the following themes emerging:

- Mental health (especially for young people)
- Social isolation
- Long-term health Conditions
- Independent living
- Aspiration

Young people were engaged via the Youth Action Board in order to better understand the barriers to sport and physical activity, and inform the kinds of activities that might be delivered.

### **Beaches**

All six Blue Flag beaches are proudly flying their flags, with beach lifeguards now operating for the season at each location.



## CABINET MEMBERS REPORT TO COUNCIL

24 July 2019

### **COUNCILLOR G HAYMAN - CABINET MEMBER FOR COMMERCIALISATION**

For the period June to July 2019

#### **1 Progress on Portfolio Matters.**

**Public convenience improvements** – Works at Lushers Passage in Sheringham have now been completed and were re-opened in time for the Potty Festival held over the weekend of 6 and 7<sup>th</sup> of July.

The work programme for the remaining improvements (New Road – North Walsham, Stearmans Yard – Wells-next-the-Sea and Bridge Street – Fakenham) are currently being pulled together and will be advertised shortly. The designs are however currently being reviewed to ensure that all options for improving and making the most out of these assets have been considered.

The scheme is currently within the £600k budget originally approved and the tender prices will be monitored against the budget forecasts for the remaining works once received.

**Cromer office roof works** – the works to the glulam beams and roof glazing at the main administrative office in Cromer continue to progress well and the scaffolding to the southern elevation of the west wing has now been removed. The works commenced back in December and are scheduled to run for approximately 60 weeks with the project programme currently running on time despite some challenging weather conditions.

**Stirling Road, Sculthorpe** – the 2 properties previous acquired under a Compulsory Purchase Order (CPO) are being assessed to see if they can support the Council's housing aspirations in terms of local homes for local people.

#### **2 Forthcoming Activities and Developments.**

**Egmere** – an update paper is scheduled to come forward to Cabinet in September.

**New Road offices, North Walsham** – an initial meeting has been held between Cabinet Members, local Members and officers to discuss a review

of the options in relations to the New Road site, including the potential disposal to Wetherspoons. A further meeting is scheduled to assess these options at the start of September following with a report will be presented to Cabinet and Overview and Scrutiny for discussion.

**Holt, Grove Lane** – following the completion of the improvement works undertaken on the building by Fleur Developments a visit for Members is in the process of being arranged to be supported by a press release to support the improvement works undertaken.

**Leases, licences, acquisitions and disposals** – the current case load in respect of the Estates team is being reviewed to ensure that all pending property transactions provide best value for the Council and consider and take advantage of improved use of assets wherever possible.

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**3 Meetings attended**

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*A verbal update will be provided at the meeting.*

## CABINET MEMBERS REPORT TO COUNCIL

24 July 2019

**COUNCILLOR RICHARD KERSHAW - CABINET MEMBER FOR  
ECONOMIC & CAREER DEVELOPMENT**

For the period June to July 2019

### **1 Progress on Portfolio Matters.**

#### **Business Support**

The Economic Growth Team proactively works with the business community, providing support for business growth plans and helping to overcome any barriers to growth. In the financial year to-date, the team has engaged **74** business via business events and has had 'meaningful' engagement with a further **124** businesses. Typically, this might include support for businesses in respect of planned projects (e.g. sites/premises/extensions), assisting with recruitment needs (including apprenticeships, skills need etc.), supporting new start-ups and site visits with our larger employers.

#### **North Norfolk Skills and Careers Festival**

On 9 July, Paston College, in collaboration with NNDC, hosted the 'North Norfolk Skills and Careers Festival'. This event, now in its second year in this format, saw over **six hundred students** and over **forty exhibitors** in attendance, including North Norfolk businesses, training providers and local universities in attendance.

Local businesses often highlight difficulties in filling skilled roles, and aging workforces mean that businesses need to give more thought to succession planning. Equally, it is often apparent that many young people have a lack of knowledge of the range of careers that exist on their doorsteps, with some having lower than desirable aspirations. Many who leave the District for further education fail to return and thus contribute to the 'brain drain' of which North Norfolk and other peripheral areas are vulnerable. This event, and others that the Council delivers or supports, can help to improve the awareness of local opportunities and it gives young people the chance to directly engage with local employers.

## Visitor Economy

The Visit North Norfolk's (VNN) '*North Norfolk, Naturally*' campaign is now in its second year and twelve short films have been promoted so far. To date there have been in excess of **1.6 million film views**. The latest film can be viewed on VNN's home page: [www.visitnorthnorfolk.com](http://www.visitnorthnorfolk.com).

There remain four more films to shoot and promote, with the videos being shot at the relevant time of year so that a library of footage can be built up.

The partnership between VNN and the 'Where to go in North Norfolk' Attractions group has been renewed for 2019 and a separate marketing budget is being used to specifically promote attractions throughout the year (according to their seasonal opening times).

## Deep History Coast (DHC)

The DHC project will have its official launch on 16 June at the 'Mo' Sheringham Museum. A significant amount of work has already been undertaken by the DHC project team to get to this point but the launch represents the starting block for a year that will see the completion of the installation of the 'Discovery Points' that will make up the trail (Weybourne to Cart Gap) and the repurposed North Norfolk Information Centre, which will serve as a gateway for visitors wishing to explore and enjoy the local area.

Integral to this project will be the engagement of local stakeholders and businesses alike who will act as 'ambassadors' for the project. Presently **44** businesses have signed up to the 'ambassador' programme and it is anticipated that this number will continue to grow as the momentum builds post launch. We are particularly keen to talk to hospitality (food, drink and accommodation) businesses who are happy to act as advocates of the initiative and collaborate in the promotion of this destination. Interested businesses should be directed to Stewart Damonsing, Business Development Officer ([stewart.damonsing@north-norfolk.gov.uk](mailto:stewart.damonsing@north-norfolk.gov.uk), 01263 516334).

The Deep History Coast 'App' is now live and is available to download on the mainstream app sites. Imaginatively designed, the app will enable visitors to engage interactively with the local geography, helping to bring history to life. It aims also to encourage visitors to explore the lesser-known parts of the coast and to gain insights into a wide range of historical, environmental and topical issues of importance locally.

The marketing of the DHC will be year-round. The VNN website will serve as the main source of DHC material, activities and events. Content will include dedicated pages relating to the specific elements of the DHC (eg the Discovery Trail, fossil hunting etc.) and blog pages are being created to highlight topical activities specific to different audiences (e.g. top five family walks on the DHC) and the time of year. A teaser film has been created and

the second film 'Delve into the DHC' is in production. The final film, 'Exploring the DHC', will be shot in the autumn when the Discovery Points and Discovery Centre are complete. Visit Britain have been notified of the initiative and it is anticipated that appropriate representatives will attend a formal press visit that VNN will be hosting in the autumn.

## **2 Forthcoming Activities and Developments.**

### **North Norfolk Manufacturing Group**

North Norfolk District Council is joining forces with [New Anglia Advanced Manufacturing and Engineering](#) to launch the North Norfolk Manufacturing Group.

The group will meet quarterly and will be a powerful voice for manufacturing and engineering businesses in North Norfolk.

The group will provide members with the opportunity to make connections and grow relationships with other relevant businesses, including identifying collaborations, building supply chains and embedding best practice.

Interested businesses are welcome to attend the group's first meeting, which will be held at Raptor Aerospace, Scottow Enterprise Park, Lamas Road, Badersfield, NR10 5FB, on **Wednesday 17 July** (4pm).

For further information or to confirm attendance, businesses should email [economic.growth@north-norfolk.gov.uk](mailto:economic.growth@north-norfolk.gov.uk)

### **Coffee Means Business**

Commissioned by NNDC, Coffee Means Business is a monthly networking event hosted by Genix. These events, held at various venues across the District, provide the opportunity for local business representatives to meet like-minded people, hear interesting presentations and learn more about local business support activities.

The next event is on **16 July** (9:30am-11:30am) at Scarborough Hill County Inn, Old Yarmouth Road, North Walsham. Details can be found at: [www.genix.org.uk](http://www.genix.org.uk) or call **0800 096 3013**.

## **3 Meetings attended**





## **CABINET MEMBERS REPORT TO COUNCIL**

**25<sup>th</sup> July 2019**

### **COUNCILLOR NIGEL LLOYD - CABINET MEMBER FOR ENVIRONMENT**

For the period June 2019 to July 2019

#### **1 Progress on Portfolio Matters.**

##### General

James Wilson has left the council to take up a role as Head of Environmental Health at Great Yarmouth Borough Council – we wish him well in his new role. Recruitment has already completed an Emily Capps will start as Environmental Protection Manager on the 5<sup>th</sup> August.

Work associated with the IT implementation will be picked up with staff in the department with some backfill undertaken to ensure that front line services are maintained.

Work on the waste procurement continues, the bids are due back in for evaluation in early August.

The department has hosted a work experience student for a week, with work shadowing of officers from all of the teams and arrears of work being made available.

##### Environmental Services

Letters have been sent to all those garden bin customers who were not on direct debit. The letter included a paper direct debit mandate and we have seen good number of customers sign up for direct debit as a result.

We have provided additional support to a number of businesses in Sheringham affected by the sinkhole where their normal waste contractor have not been able to gain access.

The team have been supporting the waste procurement process by answering clarification questions submitted by the bidders.

Officers in the team have been working closely with Kier to ensure high standards of cleanliness are maintained with the influx of visitors at the start of the school holidays.

##### Civil Contingencies

The team have been running the debrief from the IT outage which affected services in order to identify lessons learned and an actions which may need to be taken.

The sinkhole in Sheringham continues to be an area of work for the team with the coordination of information between agencies and the public as required.

In conjunction with the Public Protection Team the Safety Advisory group has

been looking at public access events across the district to make sure they run safely. Alison Sayer attended the successful Tamil pilgrimage in Walsingham to provide advice and support to the event management and to inform the Safety Advisory Groups approach to other events at Walsingham.

#### Environmental Protection

An injunction has been obtained to control antisocial behaviour of an individual by limiting their access to certain locations and restricting certain behaviours.

Signs for the Public Space Protection Orders around dog control outside of the beaches and promenades have been erected. These have, despite being subject to previous consultation and reflecting what was requested by the communities, received adverse press coverage and in a few locations negative public reactions.

In addition to the successful return of goats to the coastal slope in Cromer for the Summer, a number of goats are involved in a pilot with the National Trust for conservation grazing on Inckleburgh Hill in West Runton.

The annual Air Quality report has been submitted to DEFRA.

#### Combined Enforcement

The Business Process Review activity, looking at the data flows for Council Tax visits and Long Term Empty Properties, is continuing

The team are supporting several significant planning cases which are progressing to enforcement action in addition to the normal workload of existing and new cases.

#### Public Protection and Commercial

Al Haaq's takeaway in North Walsham has been prosecuted for food hygiene and health and safety offences. The company pleaded guilty and was fined a total of £6,600, ordered to pay £1,500 costs and a £170 victim surcharge.

The team is busy with advice to the Safety Advisory Group on public events as well as preparing a number of cases for prosecution.

## **2 Forthcoming Activities and Developments.**

Following the IT outage debriefs the Civil Contingencies Team will be assisting service areas across the to review and update their continuity plans

Following several changes of staff recently there will be several recruitment processes undertaken to backfill essential posts. Following changes in staff a number of new officers will be trained to take part in the out of hours service provided by the Council

The remainder of signs PSPO's will be erected. An information and education campaign for each area will begin in the near future.

The merchandising for Goats on a Slope will be rolling out shortly and

officers are looking at attending local events to promote sales and raise awareness of the project.

### **3 Meetings attended**

I attend Portfolio Holder briefing meetings with the Head of Environmental Health on regular basis

I attended with the Head of Environmental Health an APSE conference on Climate Emergencies which was both useful and thought provoking.

I have undertaken a number of meetings with interested parties around the Climate Emergency and planning for the Environmental Forum

I attended the Norfolk Waste Partnership meeting, held at the Materials Recycling Facility in Costessy and, as well as discussing the future work of the Partnership, was able to tour the plant and see how the material collected in our recycling bins is sorted and separated so that it can be sold for recycling.

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## CABINET MEMBERS REPORT TO COUNCIL

24 July 2019

### **COUNCILLOR ERIC SEWARD - CABINET MEMBER FOR FINANCE, REVENUES & BENEFITS**

For the period June to July 2019

#### **1 Progress on Portfolio Matters.**

**Final Accounts** – as per my last update the finance team have now completed the 2018/19 draft accounts and these are available on the council's website via the 'accounts' page which can be accessed [here](#).

The Governance, Risk and Audit Committee (GRAC) and indeed wider Members received training on the accounts on the 9 July which was well attended prior to the review meeting scheduled for 23 July.

However while the external audit process commenced at the start of July as planned, the capacity issues previously flagged regarding Ernst and Young are now going to impact on the final sign off of the accounts.

At the present time it is anticipated that the GRAC will review the accounts and draft audit findings but the final sign off of the accounts will be done under delegation subject to a satisfactory final audit report.

#### **2 Forthcoming Activities and Developments.**

**Spending Review, Fair Funding Review and the Local Retention of Business Rates** – further to the detailed update back in June there is nothing further to add at the current time in relation to these ongoing reviews.

**Business rates** – a preliminary hearing date of the 4 November 2019 has been set to start to consider the High Court challenge which has been launched by 14 NHS Trusts. Officers will continue to monitor the position and provide updates as the case progresses. It is incredibly difficult at the present stage to try and assess the financial impact this would have on the Council due to the countywide business rate pooling arrangements. The pool does contain a £1m 'volatility fund' and the Council also has the Business rates Reserve which holds a further £2.4m to help mitigate against any financial impact should the case be won by the NHS. Further details can be found within the following article accessed [here](#).

**2019/20 Business Rates Pilot** – the monitoring of the business rates pilot is due to commence from August and this will enable us to see how the pilot is progressing. However as indicated within previous reports this additional one off income will only be taken account of once the final year end position is established.

**Medium Term Financial Strategy (MTFS)** – The MTFS will be presented to Members later in the autumn and will consider the financial challenges facing the Council over the next 4 years. This work will be used to inform the budget preparation for 2020/21.

**Budget training** – the finance team are looking to schedule in some further training sessions for Members on the budget process later in the year following the success of the sessions provided last autumn.

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**3 Meetings attended**

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Nothing further to report.

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## **CABINET MEMBERS REPORT TO COUNCIL**

**24 July 2019**

### **COUNCILLOR KAREN WARD - CABINET MEMBER FOR HOUSING**

For the period June to July 2019

#### **1 Progress on Portfolio Matters.**

##### **Affordable Homes**

We project that there will be 115 new affordable homes completed in 2019/20.

As at 30<sup>th</sup> June housing associations have delivered 25 of these homes on seven sites (two sites – 10 homes are subject to confirmation).

##### **Community Housing Fund (CHF)**

The Trimmingham steering group continues the process of becoming a formally constituted organisation. In July the group interviewed three prospective housing association partners and will confirm their choice of preferred partner later this month. Four other parishes are actively pursuing community-led housing ideas.

Our existing Community-led housing groups continue to deliver new affordable homes. In 2019/20 CHF monies have helped Homes for Wells provide 3 new homes and Stable Door to provide an extra home in Sheringham.

The Council has given the first CHF loan for pre-development costs to Homes for Wells to support a new exceptions housing scheme development for 12 homes in Warham. Homes for Wells are planning to use modular construction on the site.

##### **Exceptions Housing Sites**

Broadland Housing Association will complete 26 affordable homes on exceptions housing sites in Binham (14 homes) and Erpingham (12 homes) in 2019/20. These form part of a five site package including Great Ryburgh and Trunch which completed in 2018/19 and Edgefield which will be complete in 2020/21. In total these five schemes will deliver 61 new affordable homes for local people.

##### **Victory Housing Trust Stock Disposals**

In 2018/19 Victory Housing Trust (now part of the Flagship Housing Group) sold 16 homes to tenants under the preserved right to buy. These sales generated a capital receipt of £966,600 for the council.

In addition Victory Housing Trust made 45 private sales during the year.

### Housing Strategy

In preparation for a new Housing Strategy we are collecting together data on issues affecting housing in the district. These will include information about the existing housing stock, affordability and housing need.

### Housing Options Team – Customer Services

#### Team

Recently advertised 4 new temporary posts, these have been successfully filled and we have a start date of 14 August 2019 for 3 of the posts:

- Rough Sleeper Co-Ordinator – Steve Marsh (secondment from Environmental Health)
- Complex Health Worker - Carl Humphrey
- Housing Tenancy Sustainment Officer – Debbie-Anne Camp (secondment from Customer Services)
- Private Rented Sector Officer – Lesley Winston (secondment from Housing Options Team) start date to be confirmed as this post is being back filled

The team will shortly be moving location, exchanging with the Elections team and bringing the main parts of the housing service closer together.

### Your Choice Your Home

Total numbers on Housing List as at 15 July 2019 = 3031, of which:

- Housing Register Priority Card: 2
- Housing Register Band 1: 205
- Housing Register Band 2: 182
- Housing Options Register : 529
- Transfer Register: 2114

Lets 1 April 2019 – 30 Jun 2019 = 77

### Homelessness



Numbers Currently in Temporary Accommodation as at 15 July 2019 = 25

Number of new Approaches to the Service 1 April 2019 – 30 Jun 2019 = 250

Current Live Cases:

- Prevention Duties: 53
- Relief Duties: 35
- Main Housing Duty Accepted: 20
- Review: 2
- Triage: 46

01 April 2019 – 30 Jun 2019:

- Prevention cases Opened: 65
- Relief cases opened: 41
- Successful Prevention Outcome: 31
- Successful Relief Outcome: 10
- Refused Prevention & Relief Duties: 2

## **2 Forthcoming Activities and Developments.**

### Events Planned

A breaking ground ceremony will take place on 24<sup>th</sup> July for the new housing with care development in Fakenham. This development due to complete in 2020/21 will provide a mix of 30 affordable rent and 36 shared ownership homes for older people. The development will support independent living and each resident will have a care package tailored to their individual needs.

There are meetings in the diary with Cardea and Rentplus. Cardea help provide supported housing for vulnerable groups. Rentplus help fund rent to buy affordable housing. Both have potential to provide additional housing to meet the needs of local people.

## **3 Meetings attended**

### Events Attended

- Town and Country Planning Association Conference

- Local Government Association Conference.

## **CABINET MEMBERS REPORT TO COUNCIL**

**24 July 2019**

### **COUNCILLOR K WARD - CABINET MEMBER FOR PLANNING**

For the period June 2019 to July 2019

#### **1 Progress on Portfolio Matters.**

##### **Development Management Performance**

Figures for performance reporting are being calibrated for the qualifying period of the last 24 months in our new "In Phase" system. I am unable to report in full on those figures. I will report those details verbally to the meeting.

As reported in June figures were:

Speed: Majors at 92.4% and Non- major applications 94.2% were determined with statute periods or agreed time extensions.

Quality: Majors no appeal decision have been overturned; Non-major developments 0.9% (rising by 0.3%)

No fees were refunded as a result of requests made following failure to determine the cases in 26 weeks.

##### **Planning Policy**

Local Plan Review:

I reported a contemporary update on local plan matters in the June report, other than noting that the Local Plan Review consultation on the first Draft of the new Local Plan has now closed and that officers are collating those responses there is little to add to that earlier update.

Housing Delivery and Supply

For information I reported in June that:

*"This year was the first year when a new Housing Delivery Test(HDT) was applied by government. This test compares housing completions with the requirement for homes over a three-year period and failure to meet the test results in the introduction of various sanctions. Housing completions have remained at reasonably high levels (534 new dwellings in 2018-19) and NNDC passed the new test by some margin, delivering 126% of the housing requirement for the District. A new Five Year Land Supply Statement will be prepared shortly. This looks forward at likely*

*future rates of development and assesses if the supply of sites is sufficient to deliver the required growth. Early indications are that the position may be fairly marginal pending the preparation of the new Local Plan when new development sites will be released.”*

I have spoken with officers and note a report will be heard at the forthcoming working party on 22 July. We will continue to work through the preparation of the updating of the Five Year Housing Supply report and will update once compilation has been completed.

### **Major Developments**

The process of supporting consultation on Three National Infrastructure off shore wind energy projects is ongoing.

Work continues on the major housing development proposals for Roughton / Cromer, and also for Beresford Close, Holt. Officers have requested that members visit the Beresford Close, Holt in August ahead of a forthcoming Development committee report.

The development team are meeting with Trinity College and to update and negotiate on outstanding issues for the current planning application proposing circa 950 dwellings at Fakenham. Officers have agreed an extension of time period for the determination of this application with the applicants which runs until the end of July.

### **Building Control**

Incomes show a Year-end initial budget surplus circa. £30,000, First 3 months of 2019/20 surplus stands at 16,000

CIPFA guidelines indicate maintaining a balanced budget between 1 and 5 years max. Current 5-year surplus is approx. £180,000. Considerations include i) reinvesting a proportion back into the service; and or ii) proportionally reduce fees to run at a deficit to bring the surplus down. Report will be taken to consider reinvestment

The Hackitt Report was released on 6 June,2019, Government consultation has been released recommending undertaking all recommendations of Hackett Report. Final representations on this consultation close on 31/07/19. It remains proposed that high rise buildings can only be dealt with by LABC. NNDC are not directly affected as currently have no buildings greater than 6 stories. Scope within the consultation to increase the types of buildings as high risk which may later affect us. General change in industry strategy in relation to performance standards, risk assessments and proven qualification of surveyors that will have an effect on NNDC Building Control.

Current issues being faced by Approved Inspectors has led to 4 of them losing insurance cover, Aedis who operate in our area are one of these and 16 of their applications are currently being reverted to Local Authority Control. Numerous other Approved Inspectors have insurance renewals coming up and this situation could become exacerbated.

LABC and LGA anticipate an increase in workload to Local Authority's to be between 15-30% if the trend continues.

I am delighted to say that our Building Control team were nominated for 5 awards in the LABC for the eastern region, Church Farm Barn East Ruston won for the best extension (following its Graham Allen Success), and the Wells Malting theatre won best public building and Stow Mill was highly commended for best conversion. Those projects will go forward to the national LABC awards ceremony on 8 November. Details of the awards are via this link:

<https://www.labc.co.uk/awards/east-anglia-winners-and-highly-commended-2019>

This success follows on from regional success and national nominations last year, we can be proud of the collaborative working of our team with business partners and its recognition by the construction industry.

### **Conservation, Design & Landscape**

Officers have received and reviewed final drafts from Purcell in relation to the Glaven Ports Conservation Area Appraisals. The Planning Policy & Built heritage Working Party agreed recommendation on 15 April. Those recommendations were reported to Cabinet at the meeting of 8 July 2019, and were approved as follows:

1. *To adopt the four Glaven Port Appraisals for statutory planning purposes and for the Appraisal documents to become material considerations in the planning process.*
2. *To agree the proposed boundary changes as recommended in the draft Appraisal documents and that they be published in accordance with the Planning (Listed Buildings & Conservation Areas) Act 1990.*
3. *To agree the proposed Local Listings as identified within the draft Appraisal documents.*

As adopted the Glaven Ports Conservation Area Appraisals and local listings will be actively promoted as a material consideration within the development management process.

Nominations for the Graham Allen Design Awards closed on 8 July. Members will be requested to authorise an 8-member panel to be set up with provisional convening on 22 August and Awards being made on 10 October.

### **Planning Enforcement**

Arcady, Cley: Reviewed final formal submissions from owners / those directly connected to the work on site has been completed with Counsel and the investigating team. Notifications of proposed actions will follow to the owner; interested parties.

Melton Hall – Officers are looking to secure attendance with Historic England (HE) to explore compliance with the existing enforcement notices, compliance period for remediation works to the Engine House has now expired; remediation to The Bath House & Clock Tower are due on or before December 2019.

Beeches Farm: First compliance periods close on 17th July. On site investigations will be completed to confirm compliance / actions with those notices. Three further units have a longer compliance to 17 January 2020. This process has been subject to on-going monitoring, liaison and appropriate business support by officers from

Economic Development, Combined Enforcement, Eastlaw and Planning.

### **Software Introduction**

Progress within all commitments for the project remain good, our “Go Live” date is targeted to be in late November / early December 2019. Deadlines are being met and good progress being made with tasks being in hand before project plan deadlines arrive. I will work with officers to ensure that clear and timely communication to all stakeholders is made, business continuity and support our system users is essential to this process.

Backfilling resources has been made available with reallocation of roles for key staff moving forward in late July as the project plan requires those additional commitments from existing staff.

### **Recruitment**

Interviews have been completed and a contract has been offered for one of the vacant Senior Officer posts in the Major Developments Team. Contractor support is agreed for the vacant post until the end of July, this position is under review. Actions will seek to secure capacity within the team in the short term ahead of a review of recruitment.

The recruitment process for the vacant Senior Officer post in our Planning Policy team is to commence in mid-July.

## **2 Forthcoming Activities and Developments.**

Development Committee – 18 July (visiting member)

Planning Policy & Built Heritage Working Party – 22 July.

## **3 Events Attended.**

TCPA event on delivering affordable housing through the planning system - 9th July

LGA Conference – 8 / 11 July



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## Agenda Item

### Debt Recovery 2018-19

Summary: This is an annual report detailing the council's collection performance and debt management arrangements for 2018/19  
The report includes a:

- A summary of debts written off in each debt area showing the reasons for write-off and values.
- Collection performance for Council Tax and Non- Domestic Rates.
- Level of arrears outstanding
- Level of provision for bad and doubtful debts

Recommendations:

- 1) To approve the annual report giving details of the Council's write-offs in accordance with the Council's Debt Write-Off Policy and performance in relation to revenues collection.
- 2) To approve the updated Debt Write Off Policy (shown in Appendix 2)
- 3) To approve the updated Benefit Overpayment Policy and the use of High Court Enforcement Agents if considered necessary (shown in Appendix 4)

Cabinet member(s): Eric Seaward  
All All  
Contact Officer, telephone number, Sean Knight 01263 516347  
and e-mail: [Sean.Knight@north-norfolk.gov.uk](mailto:Sean.Knight@north-norfolk.gov.uk)

## 1 Introduction

- 1.1. The Corporate Debt Management annual report is one of the performance management measures to provide members with outturn figures for 2018/19 for the following:
- A summary of debts written off in each debt area showing the reasons for write off and values.
  - Collection performance for Council Tax and Non - Domestic Rates (NNDR).
  - Level of arrears outstanding
  - Level of provision for bad and doubtful debts

## 2. Background

- 2.1. Writing off bad debts is a necessary function of any organisation collecting money. The Council is committed to ensuring that debt write offs are kept to a minimum by taking all reasonable steps to collect monies due. There will be situations where the debt recovery process fails to recover some or all of the debt and will need to be considered for write off. The Council views such cases very much as exceptions and this report identify those debts.

## 3. Performance

3.1. Below are a summary of the Council's three main income streams and the level of debt associated with each, for the last four financial years.

Table 1

Income Area	Year/Date	Total Arrears at 31 <sup>st</sup> March All Years (after write offs)* (£)	Current Years Arrears Included (after write – offs)** (£)	% of Current Arrears v Net Debit	Provision for Bad/Doubtful Debt for all years (£)
Council Tax	2015/16	2,069,261	836,404	1.42%	762,413
	2016/17	1,998,329*	844,646**	1.36%	733,817
	2017/18	2,289,564	942,469	1.43%	755,756
	2018/19	2,297,629*	997,954**	1.40%	778,470

Income Area	Year/Date	Total Arrears at 31 <sup>st</sup> March All Years (after write offs)* (£)	Current Years Arrears Included (after write – offs)** (£)	% of Current Arrears v Net Debit	Provision for Bad/Doubtful Debt for all years (£)
NNDR	2015/16	343,855	153,179	0.62%	200,746
	2016/17	331,206*	134,548	0.52%	189,593
	2017/18	387,822	129,877**	0.51%	228,797
	2018/19	323,870*	192,064**	0.71%	195,124

3.2. \*This is the cumulative arrears (excludes costs) for all years including 2018/19.

3.3. \*\* This is the arrears figure as at 31/3/2019. Collection of the 2018/19 debt is ongoing and £194,938 council tax and £150,774 NNDR has been collected since 11 June 2019 against the previous 2018/19 year's arrears.

3.4. The table below shows the level of sundry debt outstanding at the year-end including the element of that debt which is attributable to housing benefit overpayments being collected by invoicing customers.

Table 2

Income Area	Year	Total Arrears at 31 <sup>st</sup> March All Years (after write offs) (£)	Net Debit Raised End of Year (£)	% outstanding against debit at year end (£)	Provision for Bad/Debt for all years (£)
Sundry Income	2015/16	1,282,697	6,356,269	20.18%	609,130

(including Housing Benefit Overpayments).	2016/17	1,540,486	6,328,603	24.34%	710,210
	2017/18	1,710,721	6,918,600	24.72%	794,015
	2018/19	1,330,004	5,579,524	23.84%	762,096

3.5. The table below shows the breakdown of 2018/19 level of sundry debt including the residual housing benefit overpayments in finance and the level of housing benefit overpayments in revenues outstanding at the year end and being collected by invoicing customers.

Table 3

Income Area	Year	Total Arrears at 31st March All Years (after write offs) (£)	Net Debit Raised End of Year (£)	% outstanding against debit at year end (£)	Provision for Bad/Debt for all years (£)
Sundry Income (including residual Housing Benefit Overpayments in Finance).	2018/19	*444,936	5,160,336	8.62%	129,930
Housing Benefit Overpayments in Revenues.	2018/19	**885,068	419,188	211%	632,166

3.6. \*The above figure includes 21 invoices over £5,000 totaling £258,296.72 and 6 of these invoices total £69 550 are residue housing benefit overpayments.

3.7. \*\* The above figure includes 12 invoices over £10,000 totaling £171,726 and 23 invoices over £5,000 totaling £165,379. There are invoices being repaid by Attachment to Benefit, Direct Earnings Attachment, Enforcement Agent or being collected through the County Court.

3.8. The Provision for Bad/Debt for Sundry Income for all years is £762,096 which includes £732,409 for housing benefit overpayments. £632,166 is the level of housing benefit overpayments in revenues and £100,243 residual housing benefit overpayments in finance.

Table 4

Income Area	Year/Date	Net Collectable Debit (£)	Number of Accounts (£)	Average Amount per Account (after adjustments) (£)	Total of all Years Arrears (£)
Council Tax	2015/16	59,066,218	53,737	1,099	2,069,261
	2016/17	61,902,431	54,172	1,143	1,998,329
	2017/18	65,861,821	54,530	1,208	2,289,564
	2018/19	71,201,165	54,938	1,296	2,297,629
NNDR	2015/16	24,854,602	6,631	3,748	342,572
	2016/7	26,115,380	6,865	3,804	331,206
	2017/18	25,544,969	7,174	3,561	387,822
	2018/19	27,210,079	7,334	3,710	323,870

Sundry Income	2015/16	6356,268	5,723	1,111	1,282,285
	2016/17	6,328,732	5,833	1,085	1,540,486
	2017/18	6,918,600	5,433	1,273	1,710,721
	2018/19	5,579,524	6,093	1,870	1,329,966

Table 5

Income Area	2015/16	2016/17	2017/18	2018/19	Target 2018/19
Council Tax	98.6%	98.7%	98.74%	98.72%	98.4%
NNDR	99.3%	99.36%	99.40	99.15%	99.1%

3.9. There have been a number of changes over the past few years that have impacted on council tax charges. From April 2013 support for council tax was localised. The Government reduced the level of funding that it had previously provided to cover the cost of the support (council tax benefit). All those of working age who had previously been on 100% benefit had to pay a minimum of 8.5%. In addition some people on benefits were also affected by other welfare reform changes – e.g. under occupation of properties in the social sector, the benefit cap and Universal Credit, putting additional pressure on incomes. In addition to the welfare changes there were a number of technical changes to council tax. These included an increase in the charge for empty properties, a reduction in the second homes discounts and those properties undergoing structural repair and alteration. These changes impacted on the level of council tax to be collected and the ability of some residents to pay. The target for council tax collection continues to be challenging given the above.

3.10 There are no longer national indicators for the collection of Council Tax and Non-Domestic (Business) Rates. The performance indicator (PI) is retained as a local PI, and continues to be monitored monthly. An important part of debt management is to ensure that bills are sent out accurately and timely and that council tax and business rate payers are aware of any appropriate discounts, exemptions, reliefs and benefit entitlement they may be entitled to. Information is sent with the annual bills and is shown on our web site with service information being provided on these. The ongoing promotion of Direct Debit also forms an important part of debt management where 74% of council tax payers are paying by direct debit and 37% of NNDR customers pay by direct debit.

3.11 The Government has made the Small Business Rate Relief (SBRR) scheme more generous from 1 April 2017. Small businesses with a Rateable Value below £12,001 are now entitled to receive 100% relief (increase funded by Government). Small businesses with a Rateable Value between £12,000 and £15,001 may now be entitled to receive a percentage reduction in their rates bill. There has been a number of new relief schemes to help small businesses with Non-Domestic Rates over the past few years.

#### 4. Write-Offs

4.1. The table below shows in summary the amounts of debts that have been written off over the last four years.

Table 6

<b>Income Area</b>	<b>2015/16 (£)</b>	<b>2016/17 (£)</b>	<b>2017/18 (£)</b>	<b>2018/19 (£)</b>
Council Tax	179,556	123,931	116,965	141,522
NNDR	48,142	48,950	47,404	135,839
Sundry Income (includes residual Housing Benefit write-offs)	162,794	16,113	17,038	11,380
Housing Benefit	79,207	56,121	42,160	37,070

4.2. The table below details the category of debts that have been written off over the year 2018/19 (includes costs) for all years.

Table 7

<b>Category</b>	<b>Council Tax(£)</b>	<b>NNDR(£)</b>	<b>Sundry Income(£)</b>
Unable to collect Uneconomic/ bailiff unable to collect	84	9	7,194
Debtor deceased	18,841	0	10,652
Debtor absconded	36,635	2,010	5,945
Debtor in bankruptcy Or liquidation or other Insolvency proceedings	65,663	60,114	17,917
Debt cannot be proved (conflict of evidence)	13,627	1,990	-5
Ill health & no means	292	35,678	0
Undue hardship	1,165	4,841	104
Debt remitted by the Court	0	0	0
Irrecoverable	5,215	31,197	6,452
Detained/Prison	0	0	192
Other	0	0	0
Totals	141,522	48,450	48,450

4.3 The level of Council Tax debts, Non-Domestic (Business) Rates debts and Sundry Income invoices written off has reduced since last year. The debts that have been written off are principally debts from insolvency, debtor deceased and people absconding. Whilst every effort is made to trace debtors there is a number of debtors that cannot be traced and the debt has to be written off.

## **5. Implications and Risks**

5.1. The information gained from this report will help improve monitoring and our ability to consider the risks in a more accurate way.

## **6. Financial Implications and Risks**

6.1. The Council is already required to make provision for bad and doubtful debts. The additional information gained from this report will help improve monitoring and our ability to consider the appropriateness of the provisions in a more accurate way.

## **7. Sustainability**

7.1 This report does not raise any issues relating to Sustainability.

## **8. Equality & Diversity**

8.1 The Debt Management & Recovery Policy takes account of the impact that getting into debt can have on people and their families, so it also encourages people to pay, and aims to provide reasonable facilities and assistance for them to do so.

8.2. Before writing off debt, the Council will satisfy itself that all reasonable steps have been taken to collect it and that no further recovery action is possible or practicable. It will take into account the age, size and types of debt, together with any other factors that it feels are relevant to the individual case. All write-offs are dealt with in the same fair and consistent way in line with equality and diversity issues.

## **9. Section 17 Crime and Disorder considerations**

9.1 This report does not raise any issues relating to Crime and Disorder considerations.

## **CORPORATE DEBT MANAGEMENT AND RECOVERY POLICY**

### **INTRODUCTION**

Effective debt management is crucial to the success of any organisation. It is essential that this authority has clear policies and strategies to help prevent debt in the first instance and then manage the recovery of debt where prevention has failed. If the Council is to achieve its aim of first class resource management, then it must seek to recover all debts due and sustain collection rates. It also has a key role in the prevention of debt, and in providing advice and assistance to clients where there is genuine hardship.

This policy has therefore been designed to address these concerns. Its implementation aims to deliver measurable service improvement and adherence to recognised good practice. Members need to be confident that debt is being managed within the parameters set by this document.

The following policies have been prepared within this framework:

Debt Write -Off policy as shown in Appendix 2.

### **POLICY AIMS**

The key aims of this policy are as follows:

- ◆ To identify debtors as early as possible, and consider fully the debtors circumstances and ability to pay, and so distinguish from the outset between the debtor who won't pay, and the debtor who genuinely can't pay.
- ◆ To work with the client to clear the debt as soon as possible. To ensure a professional, consistent and timely approach to recovery action across all of the Council's functions.
- ◆ To cost effectively pursue all debts owed to the Council, seeking to maintain and improve on the levels of income collected by the authority.
- ◆ To promote a co-ordinated approach towards sharing debtor information and managing multiple debts owed to the Council. To actively work alongside approved advice agencies to seek early identification of clients who are failing to meet multiple debt liabilities.
- ◆ To only write debt off once all avenues have been exhausted for the recovery of debt. This is in accordance with the Council's write-off policy.
- ◆ To treat individuals consistently and fairly regardless of age, sex, gender, disability, ethnicity, race or sexual orientation, and to ensure that individual's rights under General Data Protection Regulations (GDPR) and Human Rights legislation are protected.

## **SUPPORTING THE COUNCIL'S CORPORATE PRIORITIES**

This Policy supports the Council's drive towards continuous improvement whilst recognising equality and diversity issues. It is reflective of the values and standards adopted by this Council within the Corporate Plan and contribute towards the following priorities:

**First Class Resource Management** – To manage the Council's resources efficiently and effectively and to make sensible choices in setting priority led service budgets which do not burden council tax payers with unnecessary or unjustifiable costs.

**Better Access to Council Services** – To improve customer service through all access channels, and to move towards a fully integrated front office with multi-agency enquiry-handling capacity.

The Policy also supports the wider aim of improving service provision through partnership working by seeking to maximise the benefits of external debt advisory agencies.

## **DEBTS COVERED BY THIS POLICY**

The main section involved in debt recovery is Finance.

The debts involved are primarily:

- Council Tax
- National Non Domestic Rates
- Overpaid Housing Benefit
- Sundry Income

The policy will apply to all sections of the Council and focus on collecting the charge set rather than how the charge is arrived at. Ability to pay is a paramount concern when considering debt recovery. For Council Tax a discretionary scheme (Council Tax Support) is provided on application, which is designed to offset the effects of low income on ability to pay.

Charging policy, statutory or discretionary will never completely remove the problems of people and families on low incomes. The approach to recovery must therefore be sensitive to individual circumstances and take into account multiple debts owed to ensure that arrangements are manageable. The primary aim remains the recovery of debt and improved data sharing will support this aim.

## **THE LEGAL AND POLICY FRAMEWORK FOR RECOVERY**

The Council has a legal duty to ensure cost-effective billing, collection and recovery of all sums due to the Council. This policy is in addition to existing legislation and will provide a framework for procedures to be developed and improved.

This debt recovery policy is concerned primarily with the recovery of debts prior to legal action being taken, but the principles should still be applied wherever appropriate even if litigation has commenced.

## **Local Taxation**

Council Tax recovery procedures are laid down by statute in The Council Tax (Administration and Enforcement) Regulations 1992 and subsequent amendments.



National Non-Domestic Rates recovery procedures are laid down by statute in The Local Government Finance Act 1988 and subsequent regulations and amendments.

The Council appoints Enforcement Agents to recover local taxation arrears in accordance with an enforcement protocol. Changes to legislation came in from April 2014 under The Taking Control of Goods (Fees) Regulations 2014 nationally standardising fees and charges and an enforcement protocol for bailiffs. Since this date, bailiffs became known as Enforcement Agents. The changes to the legislation are to ensure that the rates and charges added by the Enforcement Agents are transparent and nationally set making it easier for debtors to understand the consequences of non-compliance and the powers available to Enforcement Agents. The Enforcement Agent Code of Practice & Enforcement Agent Instructions with the statutory fees recoverable is shown in Appendix 3.

### **Housing Benefits**

Housing Benefit overpayments are reclaimed in accordance with Regulations 98-105 of The Housing Benefit (General) Regulations 1987 (as amended) And Sections 105 & 106 of the Welfare Reform Act 2012 and Social Security Overpayment and Recovery) Regulations 2013. The Benefit Overpayment Policy sets out the basis under which these debts are recovered and is shown in Appendix 4.

### **Miscellaneous Income**

Sundry Debt arrears are collected within a well-established framework, but written guidelines are required. On certain debts, interest may be charged for late payment. The debtor will be made aware of any additional costs in advance so that they have the opportunity to avoid this wherever possible. Customers will also be made aware of legal fees and costs that will be incurred for non-payment.

## **THE POLICY**

- Full names, contact address and a phone number will be established wherever possible prior to service provision or invoicing/billing.
- All Council bills and invoices will be raised as soon as practicable on a daily basis and will include clear, relevant and full information as to:
  - What the bill is for;
  - When payment is due;
  - How to pay;
  - How to contact us if there is a query in relation to the bill or in relation to making payment.
- All letters and reminders will:
  - Be written in plain English;
  - Explain fully what has been agreed and the consequences of non-payment;
  - Include appropriate contact details.
- Debtors will be encouraged to make prompt contact if they disagree with a bill or have difficulty in making payment on time. Contact can be made by:
  - Website
  - Email
  - Telephone
  - Letter
  - In person at the Council Offices.

- Problems and bill discrepancies raised will be resolved as quickly as possible to prevent unnecessary delays in payment and incorrect debits.
- All debtors seeking help due to financial difficulties will:
  - Be given the opportunity to have their ability to pay assessed by the relevant collection unit;
  - Be invited to provide details of their means by listing their income and expenditure. (Evidence to confirm the accuracy of the means statement will be requested if necessary);
  - Be invited to use the money and debt advice services available from the Citizens Advice Bureau (CAB);
  - Be asked if they have other debts owing to the Council that they also wish to be considered;
  - Be given access to the Council's interpreter service if required.
- If legal proceedings have already commenced, consideration will be given to whether the debt can firstly be attached to earnings or benefits, the priority of the debts owed and the level of repayments currently being made.
- If a specific recovery action has already commenced e.g. attachment of earnings or the debt has been passed to an Enforcement Agency, the action taken will usually continue. However, any arrears not included in the action will be considered in line with existing arrangements and this policy.
- If it is found that the debtor has the ability to pay, but refuses to pay, then recovery action will continue promptly within the existing arrangements for the type of debt.
- If it is found that the debtor is suffering severe hardship or has difficulty managing their own affairs, the following will be considered:
  - Can we reduce the debt? Are they entitled to take up relevant benefits, discounts, exemptions, reliefs or any other reductions to minimise the potential for debt accrual?
  - Does the debtor owe money to other Council services? If so the debtor will be advised that, with their consent, all their Council debts may be taken into consideration when deciding on an arrangement. The advantage to the debtor in making a common arrangement is that they may save time and costs. However, it is for the debtor to decide if this is an option they want to pursue.
- If a debtor takes up the offer to deal with all Council debts collectively, the various services will communicate the debtor's details confidentially between themselves and will endeavour to take a holistic approach to collection without prejudice to their own service. An officer will be identified as a single point of contact for the debtor and will act as a liaison between services.
- Where there is no continuous liability a special long-term arrangement may be made according to the ability to pay and the existing recovery provisions such as an attachment of earnings.
- Where liability is continuous e.g. Council Tax, NNDR any arrangement made will normally require payments over and above the on-going monthly liability. Future instalments must be paid when due as a condition of the arrangement.

Longer term arrangements for older arrears will be strictly monitored and reviewed. If there is no improvement by the review date and if the amount payable cannot be reduced (by awarding Council Tax Support or other reliefs, discounts, exemptions etc.), the Council will reserve the right to continue with legal action, and in the case of Local Taxation, obtain a Liability Order from the Magistrates' Court. This is to protect the Council's interests and prevent the debt from becoming statute barred and irrecoverable. Nevertheless regular contact with the debtor will be made and part payments will be accepted to reduce the overall debt. Furthermore it is not in the debtor's best interest to have a long term arrangement when liability is continuous, since the level of debt will increase as time goes by and the debtor's situation deteriorate rather than improve.

- If a debtor is receiving Income Support or Job Seekers Allowance, this will usually limit the ability to pay to no more than the amount that can be paid directly to creditors by the Department of Work and Pensions (DWP). Where appropriate, a separate agreement will be made for additional debts and Liability Orders depending on the individual's circumstances.
- Debtors given time to pay will be advised to contact the Council immediately should they experience a change of circumstances affecting their ability to pay. This is to discuss the options available to prevent recovery action and additional costs.

If a debtor fails to co-operate by:

- Refusing to provide details of their means, and/or
- Not consenting to multiple debts being dealt with together, and/or
- Failing to pay a special arrangement on time without contact, then recovery action will be taken promptly in the normal way.

### **LIMITATIONS ON DEBT RECOVERY**

All Enforcement Agents appointed will work to an agreed Enforcement Agent Code of Practice & Enforcement Agent Instructions as shown in Appendix 3.

### **PROCEDURES AND TRAINING**

This policy will be made available to all staff dealing with income collection and recovery. This will be reinforced with training and management supervision of all staff involved in collecting debt.

### **MONITORING**

Each section will be responsible for ensuring that this policy is adhered to and effective. Management information will be required for each debt stream on a monthly basis to be co-ordinated by the Revenues Section in a format to be agreed.

Revised June  
2019

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## DEBT WRITE OFF POLICY

1. This forms part of the Council's Corporate Debt Management and Recovery policy (Appendix 2).
2. The Council is committed to ensuring that debt write offs are kept to a minimum by taking all reasonable steps to collect monies due. There will be situations where the debt recovery process fails to recover some or all of the debt and will need to be considered for write off. The Council views such cases very much as exceptions and this document provides the framework within which procedures must be documented and followed.
3. The Debt Management and Recovery policy takes account of the impact that getting into debt can have on people and their families, so it also encourages people to pay, and aims to provide all reasonable facilities and assistance for them to do so. Before writing off debt, the Council will satisfy itself that all reasonable steps have been taken to collect it and that no further recovery action is possible or practicable. It will take into account the age, size and types of debt, together with any other factors that it feels are relevant to the individual case.
4. The Council will only consider write off in the following circumstances:

Category	Requirement	Action
De-minimus / Uneconomic to collect	Debts less than £25.00 would not be cost effective to pursue. Sundry Income Debts of £100 plus which have been returned from tracing agents and where legal costs will exceed the debt.	Submit for Write Off
Debtor deceased – No Estate	Insufficient funds in estate to discharge debt.	Submit for Write Off
Debtor absconded / Unable to Trace / Detained or Imprisonment *	All attempts to trace debtor have failed. Including tracing agent for debts over £25.00. Including long-term imprisonment (12 months) or more.	Submit for Write Off
Debtor in bankruptcy or liquidation or other insolvency proceedings including Debt Relief Orders**	A claim against the debtor has been lodged with the administrators. No dividend is to be paid or the balance after the dividend is submitted.	Submit for Write Off
Debt cannot be proved (conflict of evidence)	An explanation should be given as to why recovery cannot be made.	Submit for Write Off
Ill Health & no means	Written evidence of one of the following criteria: 1. Terminal illness and limited means 2. Where payment would cause further ill health 3. Old age and frailty and no financial	Submit for Write Off

## Appendix 2

	assistance 4. Severely mentally impaired and no financial assistance 5. Long term hospitalisation or residential care and no means to pay	
Undue hardship and debt remaining following negotiated settlement.	Where the debtor can provide written evidence of genuine financial difficulty, showing evidence of inability to pay even small instalments, or that such payment will cause undue hardship.	Submit for Write Off
Debt remitted by the Court	Action in the Magistrates Court has resulted in the Magistrates remitting the debt, leaving the Council with no alternative but to write off the amount.	Submit for Write Off
Irrecoverable / Out of Jurisdiction***	The debtor has moved out of legal jurisdiction or the debt has been returned nulla bona and all other recovery avenues have failed.	Submit for Write Off

*\* If a debtor's whereabouts become known after the write-off has been approved, then the debt should be written back on.*

*\*\* If a dividend is subsequently paid, then the debt should be written back on.*

*\*\*\* If the debtor subsequently moves back into legal jurisdiction, then the debt should be written back on.*

5. Debts will normally only be considered for write off where the account is "closed" (i.e. no recurring debt). Only in exceptional circumstances will amounts on "live" (i.e. ongoing accruing debt) accounts be considered for write off. Such cases must demonstrate that further recovery action will not achieve collection of the debt.
6. The Head of Finance will be accountable to Cabinet Committee for the effective management of debt write offs and will ensure that appropriate performance management arrangements are introduced across all Council service and debt areas.
7. Decisions on the write off of individual debts will be taken in accordance with the Council's Scheme of Delegation. They must also comply with all relevant statutory requirements and those of the Head of Finance or designated representative(s).
8. Cabinet Committee will receive an annual report from the Head of Finance summarising performance on debt write offs during the previous year.
9. Each Service Head will be responsible for the initial recovery of debt within their service. Where the debt is collected through Sundry Income the Head of Finance will be responsible. Once recovery action is required this must be passed to the recovery section who will then take ownership of the debt.
10. The Heads of Service will be responsible for the regular review of debts and will consider the need for write off of individual debts within their jurisdiction, monthly.

11. Negotiated settlements generally result in the need for a write off. Any negotiation of a settlement at court will be the responsibility of the Court Officer, as such situations cannot be planned and we need to respond immediately. Any other negotiated settlement will require approval according to the Scheme of Delegation i.e. the write off amount is the sum being remitted through negotiation.
12. Prior to write off being proposed, the debt will be reviewed to ensure that no Further recovery action is possible or practicable.
13. Following the appropriate investigation, those debts still considered irrecoverable will be proposed for write off. The following information needs to be provided for each debt to the officer who authorises the write offs:
  - Debtors name
  - Debtors address
  - Description of debt
  - Period of debt and / or date of invoice
  - Amount to be written off
  - Reason for write offSupporting documentation must be retained and available that shows:
  - Evidence to support write off
  - Recovery history
  - Details of tracing and enquiries carried outIn considering a debt for write-off the following conditions will apply:
  - Each case will be considered on its merits
  - Each request will be supported by relevant documentation
  - Each case will receive authorisation from the appropriate authorised officer
14. Appropriate records of all authorised write offs will be maintained and reviewed periodically against live caseload. This will enable any trends to be identified and will support the review of the Policy every 12 months.
15. Authorisation levels are reflected in the Scheme of Delegation within the following parameter.

Section Manager / Team Leader	up to £2,000
Head of Service / Revenues Manager	up to £10,000
Section 151 Officer or Deputy Section 151 Officer	up to £20,000
Head of Finance or Chief Executive in consultation with the Portfolio Member	over £20,000
16. The Head of Service will record all write-off decisions, and provide a summary to the Head of Finance. This will be available for further Scrutiny, for Audit purposes and for reporting to Cabinet.
17. The Head of Corporate Finance will submit an annual report to Cabinet identifying the following:
  - A summary of debts written off in each debt area showing reason for write-off, values and number of cases.
  - Collection performance for each service area
  - Level of arrears outstanding
  - Level of provision for bad and doubtful debts

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**Enforcement Agent Code of Practice**

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Any Enforcement Agent engaged by this Council shall adhere strictly to the provisions contained in the appropriate legislation relevant to taking control of goods and any other instructions laid down by this Council as may be in force at the relevant time.

The Enforcement Agent will not raise or charge any costs or fees in excess of the costs and fees allowed under the regulations in force as shown in the table below:-

Schedule of Enforcement Fees (other than under a High Court Writ)

Fee Stage	Fixed Fee	Percentage fee (regulation 7): percentage of sum to be recovered exceeding £1500
Compliance Stage	£75.00	0%
Enforcement Stage	£235.00	7.5%
Sale or disposal stage	£110.00	7.5%

The above figures are not including VAT.

The Enforcement Agent shall not represent himself as an employee or representative of the Council, unless directly employed by the Council.

- The Enforcement Agent shall not follow any irregular practices with regard to taking control of goods or attempting to take control of goods, or in the execution of warrants and shall not cause nuisance or trespass in the execution of his duties.
- The Enforcement Agent may conduct his business out of normal office hours, (8:30 - 5:00 ) but shall at all times consider the reasonableness of the time and the debtor's personal and business movements.

- The Enforcement Agent shall not discriminate against or in favour of a debtor on the grounds of ethnic origin, sex, religion, status, race, colour, creed or disability.
- No removal of goods is to be undertaken without prior authorisation, preferably in writing, by the Client, against the long term sick, the disabled (either mental or physical) those in hospital, those recently bereaved, those on Income Support, or those where in the opinion of the attending Enforcement Agent to do so would cause the Council unwarranted publicity.
- All Enforcement Agents are required to be Certificated Enforcement Agents of the County Court and either corporate or individual members of CIVEA or working towards it and shall not have, nor permit any of his personnel to have, any criminal convictions or disqualification including those under the Rehabilitation of Offenders Act 1974 and shall sign a declaration to that effect.
- Debtors are to be given a minimum 14 days notice before enforcement visits commence.
- The Enforcement Agent shall indemnify the Council against any and all actions arising from any act or omission not occasioned by the Council and those where the Enforcement Agent was aware that there was an act or omission prior to the action taking place.
- Cases where the taking control of and removal of “Tools of the Trade” over the statutory £1350 limit is being sought shall be referred on a case by case basis to the Revenues Team Leaders/Revenues Manager. No such removal shall take place without this referral having been made.
- Whilst permitted in legislation, visits are not to be made on Sundays.

Revised June 2019

- **Enforcement Agent Instructions**




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## 1. General

1.1 It is the Council's policy to be firm yet fair when dealing with our taxpayers.

1.2 Although the Council's preferred method of recovery is Attachment of Earnings or Benefits the Council's Policy is that the most appropriate method shall be used from information available to recover the sums due.

1.3 No method of recovery shall be used which is either not in the Council's best interests or which may bring the Council into disrepute. At all times an attempt should be made to minimise the detrimental effect on the family of the taxpayer whilst ensuring the debt is paid. Special care shall be taken when dealing with vulnerable groups i.e. the elderly, the long term sick, the disabled (either mental or physical) those in hospital, those recently bereaved, or those on Income Support/Job Seekers Allowance Income Based.

1.4 If there is a genuine inability to pay and the debt is small the Enforcement Agent should pass the information and circumstances to the office so that an informed decision as to the appropriate action can be made.

## **2. ENFORCEMENT AGENT WORKING PRACTICES.**

2.1 The Contractor shall not sub-contract the provision of the service or any parts thereof to any person.

2.2 Work shall be issued to the Enforcement Agent electronically.

2.3 The Enforcement Agent shall conduct his/her affairs in accordance with statutory requirements and comply with the [North Norfolk District Councils Code of Conduct for Enforcement Agents](#), Enforcement Agent Guidelines, Enforcement Agents Code of Practice, and any Nationally approved Code of Practice.

2.4 All visits shall be carried out in accordance with legislation.

2.5 The Enforcement Agent shall commence processing all cases issued to him within 3 days of instruction unless otherwise agreed by the Council.

2.7 The Enforcement Agent shall, on each visit to a debtors premises, present his identification without being requested to do so once it has been confirmed that he is speaking to the debtor.

2.8 The Enforcement Agent shall thoroughly and accurately complete the appropriate visiting documentation provided to him by his employer.

2.11 The Enforcement Agent shall seek completion of signed controlled goods agreements where required.

2.12 The Enforcement Agent shall have regard to the Council's [Special Arrangement Policy](#) when considering entering into Controlled goods agreements with the debtor.

2.13 Goods taken into control shall be detailed on the appropriate Enforcement Agency documentation. In the case of electrical goods, serial numbers shall be listed on the inventory.

2.14 In exceptional circumstances, i.e. where the Council or the Enforcement Agent is aware of a debtors imminent intention to move away or another Enforcement Agents' imminent involvement in one of our cases, the normal process will be by-passed and immediate action to take control of/remove goods to secure the Councils' position shall take place.

2.17 The Enforcement Agent shall provide sufficient and accurate evidence, including a nulla bona certificate, in cases where required.

2.18 The Enforcement Agent shall obtain authorisation from Sean Knight, Carl Copping or Trudi Grant prior to the removal of goods taken control of.

2.19 The Enforcement Agent shall attend Court to act as witness if so required.

2.20 The Enforcement Agent shall immediately inform Sean Knight, Carl Copping or Trudi Grant of any cases of physical or verbal abuse or where any action could lead to an official complaint or legal challenge being directed at the Council.

2.21 The Enforcement Agent shall be notified by the Council within five working days of the posting to an individual's account of payments received or amendments made which alter the balance of any Liability Order currently being processed by him/her.

## COUNCIL'S SPECIAL ARRANGEMENT POLICY

- When making special payment arrangements the Enforcement Agent shall endeavour to ensure the arrangement ends within the same financial year, or does not exceed a period of 12 months, having sought approval from a member of the Revenues Team.
- Debtors can be offered the option of weekly or fortnightly instalments instead of monthly.
- If the debtor requests that the instalment profile is extended over a year end or twelve month period written or verbal authorisation shall be sought from a member of the Revenues Team
- Remember when making these arrangements to notify the Debtor that the new year's instalments will need to be paid when due.
- All arrangements shall be made subject to the debtor signing a controlled goods agreement.
- Any failure by the debtor to maintain the special arrangement shall result in further recovery action being taken.

Revised June 2019

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## **BENEFIT OVERPAYMENT POLICY**

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- 13.0 DECISION NOTICES
- 14.0 RECOVERY OF OVERPAYMENT DEBT

### **BENEFIT OVERPAYMENTS POLICY**

#### **1.0 COUNCIL RESPONSIBILITIES**

1.1 The Council recognizes that overpayments of benefit do occur. In order to reduce the loss to public funds the Council ensures that firm but fair action must be applied in the administration of overpayments. Positive action in the recovery of overpayments has a deterrent effect. However, in the overpayments process and that of recovering any overpayment of benefit the Council has the responsibility to:

- a) Act in accordance with Primary Legislation (being that of an Act of Parliament, Order or other Statutory Requirement);
- b) Comply with the requirements of Secondary Legislation (being that of the Housing Benefit Regulations, Claims and Payment Regulations, Decision Making and Appeals Regulations etc);
- c) Comply with any changes to the above stated Primary or Secondary Legislation;
- d) Identify the overpayment promptly;
- e) Stop the overpayment continuing;
- f) Classify the overpayment correctly;

- g) Determine if the overpayment is recoverable;
- h) If recoverable:  
Determine from whom recovery should be sought, and  
Determine the most appropriate method of recovery;
- i) Notify claimants and other affected persons of any decision in accordance with the regulations;
- j) Ensure implementation of effective financial control during the overpayments process.
- k) Pursue debt by the most effective recovery method.

## **2.0 BEST PRACTICE**

- 2.1 This policy reflects best practice in the procedure for dealing with and the recovery of overpaid housing benefit.
- 2.2 The policy should be flexible in its approach to recovery of overpayments. Each case will be considered on its own merits. The Council recognises that a policy, which, for example, requires recovery in all cases or where recovery is always made from specific categories of claimants, is unlawful.
- 2.3 This policy has regard for the rights of individuals and obligations of the Council under the provisions of the Human Rights Act 1998.

## **3.0 APPLICATION OF THE POLICY**

- 3.1 The policy should be applied to all cases where an overpayment of benefit may occur and all identified recoverable overpayments; that is any amount of housing benefit which has been paid, but to which there is no entitlement whether on initial decision or on a subsequent revised or superseded decision. In most cases overpayments can arise in consequence of:
  - a) Payments being made in advance;
  - b) Late disclosures of changes in circumstances;
  - c) Errors made by the claimant in completing the application form or subsequent review form;
  - d) Claimant fraud;
  - e) Official errors made by the Council or other Statutory Benefits Departments; Overpayments in the case of e) above are only recoverable if the claimant or person from whom recovery is sought could reasonably have been aware that the overpayment was occurring at the time when the overpayment occurred.

## **4.0 IDENTIFICATION OF OVERPAYMENTS**

- 4.1 The Council will endeavour to act on any information received in relation to a claimant's change of circumstances within service target of having sufficient information to identify an actual or potential overpayment which has occurred or may be occurring.
- 4.2 Such action should, in the first instance, include suspending further ongoing payments of incorrect benefit.
- 4.3 The Council will endeavour to identify any changes of circumstances, resulting in an overpayment by:



- a) Identifying communications from the DWP notifying of Income Support or Income based Jobseekers Allowance having stopped.
- b) Identifying communications from fraud sections requiring action;
- c) Identifying incoming post that indicates a change of circumstances.
- d) Identifying internal post from area and other NNDC offices which indicates a change of circumstances

## **5.0 DECISIONS ON RECOVERABILITY**

- 5.1 In all cases where an overpayment of benefit has arisen NNDC will have regard for legislative procedures in deciding whether an overpayment is recoverable?
- 5.2 In doing so the Council will consider whether an official error caused or contributed to the overpayment.
- 5.3 The Council will have regard for legislative requirements in deciding to recover any overpayment or part thereof, which was caused by official error, or to which an official error materially contributed.

## **6.0 CLASSIFICATION OF OVERPAYMENTS**

- 6.1 All overpayments, whether recoverable or not, must be classified by an officer of the Council who is appropriately trained to sufficient standards that will allow for the correct application of the law in this decision making process.
- 6.2 Officers responsible for the classification of an overpayment must record the classification and reasons for it on file.

## **7.0 WHO SHOULD THE OVERPAYMENT BE RECOVERED FROM?**

- 7.1 Before recover action is undertaken, in each case consideration should be awarded to the relevant facts of the individual case. This may mean that further specific information will need to be obtained from affected parties prior to a decision being made. Recovery should be made from the most appropriate person who may be:
  - a) The claimant, or
  - b) The person to whom the payment was made, or
  - c) The person who misrepresented the material fact or failed to disclose the Fact or
  - d) The partner of the claimant. However regulations provide that this can only be the case where the partner was living as a member of the claimant's family at the time of the overpayment and at the time of the decision being made in respect of recovery.
- 7.2 Recovery of fraudulent overpayments should, in the first instance, be sought to be made from the person who misrepresented or failed to disclose material facts giving rise to the overpayment.

## 8.0 METHOD OF RECOVERY

8.1 Appropriate means of recovery should be considered in all cases under **Regulation 102 of the Housing Benefit Regulations 2006**. Recovery action should be taken by one of the following methods:-

- a) **Ongoing housing benefit deductions;** - The Regulation prescribes the maximum weekly deduction that can be made to recover an overpayment from ongoing entitlement. There are prescribed rates of deduction depending on whether the overpayment has arisen as a result of fraud or not. These rates may be up-rated annually by the Department for Work and Pensions on the 1<sup>st</sup> April.
- b) **Deductions from other DWP benefits** – Where there is no ongoing entitlement to Housing Benefit recovery can be sought from an attachment of other DWP welfare benefits through the Payment Deduction Programme. This is the electronic method of requesting an attachment of benefit.
- c) **Deductions from housing benefit payments made by other local authorities;** – If a debtor has moved to another Council area and is in receipt of Housing Benefit there, a letter can be sent to the Authority requesting that they make deductions from the claimants ongoing benefit entitlement at the suitable rate. The Housing Benefit overpayment would be passed to a Sundry Debtor to create an account in order for payments to be credited to NNDC.
- d) **Invoices** – An invoice will be raised for overpayments which cannot be recovered from ongoing Housing Benefit. Invoices will be raised for overpayments of £25 or more. The first principle will be to seek payment in full. Where a claimant can show that this is unaffordable, then instalments will be negotiated, by officers in accordance with the Corporate Debt Policy and Department for Works and Pensions best practice guidance.
- e) **Direct Earnings Attachment** – The Welfare Reform Act 2012 allows NNDC to ask employers to make deductions from the employees pay. Where a debt is at invoice stage, the debtor will be sent a reminder. Where the debt remains outstanding, the debt can be recovered directly from the debtor's earnings.
- f) **Collection of Overpayments from Landlords** – Where the claimant is no longer entitled to Housing Benefit, the overpayment will be sought from the landlord where they have failed to report a material change which they would have reasonably expected to realise had occurred. The overpayment will be invoiced. Where the landlord fails to settle the account the overpayment will be recovered directly from future Housing Benefit payments for other current tenants. The current tenants are protected and the deduction counts as their rent payment. This is referred to as Blameless Tenant recovery.
- g) **Debt Collection Agencies** – where an invoice has been raised and the payment has not been received the debt can be passed to a debt collection agency to collect.
- h) **Court action** - where an invoice has been raised and a reminder issued and non-payment of the debt continues the debt can be passed to legal services for action in the County Court via a County Court Judgement. A Claim Letter will be sent to the debtor first as a pre-warning that County Court action will take place. This gives the debtor a further opportunity to dispute the debt, or advise the authority that they are seeking financial assistance.
- i) **Recovery action (Post County Court Judgement)** – the HB overpayment is registered as a judgement of the court. Unpaid debts can be recovered by a number of enforcement methods – warrant of execution, attachment of earnings, third party debt order, charging order, bankruptcy or High Court Enforcement (see 8.2 below).

The Council will determine the most appropriate option for recovery of the debt.

Recovery action will commence after taking into consideration the claimants eligibility to underlying entitlement or a new claim pending. This will allow for the claimant to provide further information or make any reapplication for housing benefit, thereby reducing any overpayment, in addition to allowing time for the affected persons to register any appeal rights that they may wish to enact, and or to reach a mutually acceptable arrangement for the recovery of the overpayment.

- 8.2 From 12<sup>th</sup> April 2018, we now have access to a new recovery tool called the Housing Benefit Debt Service (HBDS). This is administered by the DWP and allows us to retrieve debtor's employment, self-employment, private pension information and address details directly from the HMRC.

Following the introduction of HBDS, we anticipate more debts being recovered via a Direct Earnings Attachment. Where these recovery options do fail and we are unable to engage with the debtor and once a County Court Judgement has been obtained, we are able to consider use of High Court Enforcement. This is where a Writ of Execution (a cost to NNDC of £66 if not successful) will be obtained from the High Court authorising a High Court Enforcement Officer to recover the amount owed by the debtor or take sufficient goods to be sold at auction to raise what is owed. The Enforcement Agent will not raise or charge any costs or fees in excess of the costs and fees allowed under the regulations in force as shown in the table below:-

Schedule of Enforcement Fees (other than under a High Court Writ)

Fee Stage	Fixed Fee	Percentage fee (regulation 7): percentage of sum to be recovered exceeding £1000
Compliance Stage	£75.00	0%
First enforcement Stage	£190.00	7.5%
Second enforcement Stage	£495.00	0%
Sale or disposal stage	£525.00	7.5%

The above figures are not including VAT.

- 8.3 In respect of ongoing housing benefit deductions, the standard rates should be applied as per the amounts laid down by Regulations, unless having regard to the health and/or financial circumstances and/or housing risk or need of the person from whom recovery is sought a lesser sum is deemed appropriate. Regulations provide that in all cases a minimum of 50p per week housing benefit must remain in payment.
- 8.4 Where recovery is sought from a bankrupt, recovery should be sought via ongoing benefit entitlement or from other prescribed benefits before considering any court action.

8.5 Where the case involves the death of a claimant, the deceased's representative or executor should be approached to seek recovery from the estate. However, the overpayment should not be recovered from ongoing benefit deductions from the surviving spouse.

8.6 'Excess Council Tax Benefit/Support ' will be added back onto the Council Tax account and collected in accordance with the Council Tax recovery Regulations.

## **9.0 PERIOD OF OVERPAYMENT CALCULATION**

9.1 The period over which the overpayment is calculated should be from the start date of the overpayment.

## **10.0 CALCULATION OF OVERPAYMENTS**

10.1 Where an overpayment is identified the Council will invite claimants to provide sufficient information to establish any underlying benefit entitlement.

10.2 The Council will endeavour to carry out the calculation of the overpayment within 14 days of its receipt of any written notice of change and any further information that is reasonably required for the correct administration of the overpayments procedure as is required by regulations.

## **11.0 MAXIMUM AMOUNT**

11.1 The full amount of the overpayment should be recovered, unless after having regard to the health and or financial circumstances and/or housing risk or need of the person from whom recovery is sought, a lesser amount would be more appropriate.

## **12.0 MAXIMUM PERIOD OF RECOVERY**

12.1 In all cases the overpayment should be recovered as quickly as possible. However, the maximum period over which the debtor should be allowed to repay the overpayment is that of six years.

12.2 The maximum period of six years may be exceeded if the method of recovery is deductions from ongoing benefit entitlement of other DWP benefits, having regard to the maximum deductions allowed by the regulations.

## **13.0 DECISION NOTICES**

13.1 All decision notices must be dated and issued to all the "affected persons" as prescribed by regulations within 14 days of the Council having reached that decision.

13.2 All decision notices must fully comply with the requirements of legislation, including the reasons for the decision, the right to request a statement of reasons and time limits for doing so, the affected person's right of revision/appeal and time limit for doing so.

13.3 Copies of the actual decision notice must be retained on file for a period of not less than 13 months in order that they may be retrieved and produced in the event of a future review/appeal/complaint or civil proceedings.

## **14.0 RECOVERY OF OVERPAYMENT DEBT**

14.1 The Council will seek to recover all recoverable overpayments of benefit in its statutory duty to reduce any loss to public funds. In doing so the Council will have regard for:

- a) The period of time that the debt may take to be recovered;
- b) The effect of recovery on the affected person from whom recovery is sought;
- c) The ability to repay of the affected person from whom recovery is sought.

14.2 All methods of recovery may be considered at any time, having regard for the circumstances of any individual case.

14.3 The Council may reconsider the methods used to recover overpayments at the end of each financial year for effectiveness and efficiency.

## **15.0 Policy Performance**

15.1 From April 2005 there are three performance measures that Councils have to report quarterly on to the Department of Works & Pensions in relation to overpayments:-

- The amount of HB overpayments recovered during the period as a percentage of the total amount of HB overpayments identified during the period.
- The amount of overpayments recovered during the period as a percentage of the total amount of HB overpayment debt outstanding at the start of the period plus amount of HB overpayments identified during the period.
- The amount of overpayments written off during the period as a percentage of the total amounts of HB overpayment debt outstanding at the start of the period plus amount of overpayments identified during the period

Revised June 2019

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## OVERVIEW & SCRUTINY ANNUAL REPORT 2018/19

Summary: The report aims to provide Council with a better understanding of the role of the Overview & Scrutiny Committee, provide insight into the work of the Committee in the year 2018/19, and to highlight some of the key issues it has considered.

Options considered: N/a.

Conclusions: The Committee fulfilled its remit and had a very active year. There were some changes in membership during the year, including a change of Chairman. With a new Administration in place it is likely that 2019/20 will bring fresh challenges for the Committee, including input into the development of a new corporate plan. The Committee also welcomes ten newly elected Members following the May 2019 election.

Recommendations: **1. It is recommended that Council notes the report and affirms the work of the Overview & Scrutiny Committee.**

Reasons for Recommendations: To inform Council of the work of the Overview & Scrutiny Committee in 2018/19.

Cabinet Member(s): N/a  
Ward(s) affected: All

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### 1. Introduction – Purpose of the Committee

1.1 The Overview and Scrutiny Committee is the Council's watchdog, ensuring that the Cabinet is held to account and is carrying out the Council's aims, as well as getting the best value for money as a result of its decisions. Originating from the Local Government Act of 2000, Scrutiny Committees not only keep an eye on the Council, but can also review the work of other bodies such as the Police, our utility providers and the voluntary sector.

1.2 As outlined within the Council's Constitution, the Committee's terms of reference are as follows:

- To scrutinise and review decisions or other actions taken with respect to non-executive functions.
- To make reports or recommendations to the Full Council or to the Cabinet about one or more particular issue(s), service(s) or matter(s), which affects North Norfolk and its residents. Reports or recommendations may be carried out on whatever issue, service or

matter the Scrutiny Committee thinks fit and may be carried out on any subject if the Full Council or the Cabinet requests it to do so.

- To carry out best value reviews.
- To act as the Council's Crime and Disorder Committee.
- To produce an annual report to Council on the work of the Committee over the year.
- To ensure effective scrutiny of the treasury management strategy and policies.

1.3 The remit of the Overview and Scrutiny Committee also includes undertaking policy review and development, monitoring performance management, promoting community well-being and improving the quality of life in the District. Scrutiny is Member-led and independent of political party arrangements. At North Norfolk District Council, the Overview and Scrutiny Committee is chaired by a member of the opposition. Scrutiny should always be viewed as a function which belongs to and benefits the whole council.

## 2. Committee Background

2.1 Subsequent to minor changes following a change in the political control of the Council, the Overview & Scrutiny Committee comprised the following Members:

Chairman – Cllr S Hester	Cllr N Pearce
Cllr A Claussen-Reynolds	Cllr N Smith
Cllr B Smith	Cllr P Bütikofer
Cllr B Hannah	Cllr P Grove-Jones
Cllr J English	Cllr R Reynolds
Cllr M Knowles	Cllr V Gay

2.2 Who participates in Scrutiny:

- The Chairman and Vice Chairman of the Overview and Scrutiny Committee take a pro-active role throughout the process, attending pre-agenda meetings and steering and scoping the direction of questioning and investigation.
- Overview and Scrutiny Committee Members – Scrutiny is different from other committees in that it calls for Members with investigative and creative minds who are prepared to “do their homework” out of the Council Chamber and think outside of the usual committee framework, tailoring the method of review to suit the topic.
- Cabinet Portfolio Members are invited to attend meetings of the Committee to present and answer questions on Reports relevant to their portfolio. The aim is that the Portfolio Member should have an opportunity to contribute to any issues relating to their portfolio.
- All non-Executive Members of the Council are also invited to attend, in order to ask questions or suggest potential topics for scrutiny.
- Officers are involved in a number of ways – those directly involved in supporting the scrutiny process and those who are called to compile Reports for the Committee.
- Invitees and Witnesses can be called not just from within the Council, but from partners and utilities providers.
- The public are welcome to attend meetings of the Committee with a provision that allows members of the public the ability to submit questions



up to 24 hours in advance of meetings, in order to highlight areas of concern that they would like to see addressed by the Committee.

### **3. Committee Role and Responsibilities**

- 3.1 Scrutiny of Decisions made by Cabinet “Call-ins” - The Overview and Scrutiny Committee can “call in” a decision which has been made by the Cabinet but not yet implemented. This enables the Committee to consider if the decision is appropriate, and it may recommend that the Cabinet reconsiders the decision.
- 3.2 Comment on Budget Proposals/Budget Monitoring - Draft Budget reports, budget monitoring and the Medium Term Financial Strategy are all cyclical items on the Overview & Scrutiny Committee’s Work Programme.
- 3.3 Pre–Scrutiny - This enables greater co-ordination between the Cabinet and Scrutiny work programmes, ensuring Overview and Scrutiny Committee input into key agenda items, thus reducing the likelihood of Call–ins.
  - Commenting on and providing input into Corporate Priorities.
  - Contributing to the development of Draft Policies.
  - Looking at key agenda items before they go to Cabinet.
- 3.4 Performance Monitoring - This is a quarterly item for the Committee that acts as a useful tool for highlighting service areas and issues that may require further investigation. They are equally important for showing areas of the Council’s work which are going particularly well.
- 3.5 Presentations - The Committee may request presentations from external bodies on items of interest. These are usually followed by a Q&A session to gain further insight into the chosen subject.
- 3.6 Reviews - The Committee may choose to look at a topic in depth and over a period of time. This could be undertaken by the whole Committee as a rapid review or by a Task and Finish Group over a set period of time, usually lasting six months.
- 3.7 Petitions - The Committee considers petitions received from members of the public which can be submitted electronically or by hard copy.

### **4. Work of the Committee 2018/19**

- 4.1 2018/19 was a busy year for the Committee with two Task & Finish Group reviews, two Working Groups, a rapid review of the local plan, multiple presentations ranging from organisations such as the Norfolk Constabulary to the NHS Norfolk & Suffolk Foundation Trust, and a call in of a Cabinet decision on Egmore Enterprise Zone. Please see below for further details of the work of the Committee in 2018/19:
  - Beach Huts and Chalets Task & Finish Group: Early in the municipal year, the Committee resolved to establish a Task & Finish Group in order to undertake a six month review into the Council’s Beach Huts and Chalets. The Review culminated in a range of recommendations that were subsequently approved by Cabinet, including a new pricing

structure, an online bookings system, improvement of maintenance procedures and service improvements for key collection/drop-off.

- **Market Town Initiative Working Group:** The MTI Working Group was established through Overview & Scrutiny as it was determined that a Scrutiny sub-committee would provide the most suitable apparatus to judge and monitor applications to the fund. The £400k fund aimed to reinvigorate North Norfolk's four inland Market Towns of Fakenham, Holt, North Walsham, and Stalham with £100k available to each town. The Working Group made funding recommendations of £274,162.97 in the 2018/19 municipal year.
- **Asset Management Working Group:** The Committee resolved to establish an Asset Management Working Group as a scrutiny sub-committee, in order to undertake reviews of the Council's potential and existing asset commercialisation projects. During 2018/19 the AMWG reviewed the business case for the Egmore Enterprise Zone and made a range of recommendations to Cabinet on the project.
- **Call-in:** The committee expressed concerns about some aspects of Cabinet's decision regarding the Egmore Enterprise Zone. Members resolved to issue a call-in of the decision at the September meeting of Cabinet. The Call-in recommendations were subsequently rejected by Cabinet.
- **Sheringham Primary School Parking Task & Finish Group:** As a result of a Councillor Call for Action from the local Member, the Committee resolved to establish a Task & Finish Group to review traffic and parking concerns raised by residents in the vicinity of Sheringham Primary School. The Group was limited to an initial three month time-limit leading up to the Local Elections held in May 2019. Prior to the election the Group met on five occasions in which time it resolved to co-opt two members of the public as representatives of the School and residents. A range of potential options were considered, and an Interim Report was produced to hand over its findings the new Overview & Scrutiny Committee post-election.
- **Rapid Review of the Local Plan:** When setting the Work Programme, the Committee resolved to undertake a pre-scrutiny Rapid review of the Draft Local Plan prior to its initial publication for consultation. The review took place over a full day and resulted in several recommendations on housing, the environment and resourcing of the Planning Policy Team, which were all in-turn accepted by Cabinet.
- **Crime and Disorder:** The Committee requested a presentation on online scams by the Police and Crime Commissioner for Norfolk in conjunction with the Superintendent for the district. The presentation led to a thorough Q&A with several service improvement suggestions put forward by Members, thus fulfilling the role of the Council's crime and disorder Committee.
- **Budget Scrutiny/Monitoring & Financial Strategy:** Throughout the year, the Committee reviewed Budget Monitoring, Treasury Management Strategy, Capital Strategy, Investment Strategy, and Medium Term

Financial Strategy Reports in line with its responsibility to provide financial oversight for the Council. In addition to an ongoing programme of finance training, Budget Scrutiny Training was arranged to align with the publishing of the draft budget in December 2018, which allowed Committee Members a chance to review the budget simultaneously.

- Performance Management: The Committee received quarterly Reports on the performance of the Council, which it used to identifying specific areas of success or concern. Tourism figures were routinely discussed as a key economic concern for the district that resulted in the Committee receiving a briefing on Tourism in the district.
- Review of Public Convenience Strategy/Opening Times: The Public Convenience Strategy and Opening Hours were taken to the Committee as separate items with Scrutiny approving recommendations to Cabinet to fund service improvements such a renovations and extended opening hours.
- Briefings: During 2018/19 the Committee requested several briefings in order to provide insight and updates on topics including the NHS Norfolk & Suffolk Adult Mental Health Strategy, staff recruitment at NNDC, leisure & locality services offered by NNDC, NNDC corporate branding, and the Better Broadband for Norfolk service run by Norfolk County Council.

## **5. Conclusions**

- 5.1 2018/19 was a very active year for the Committee with unexpected issues arising in addition to the Committee's agreed Work Programme, including a call-in of a major commercial investment proposal from Cabinet and a Councillor Call for Action. Significant challenges also arose from unexpected changes in the political administration of the Council, and subsequent changes in the leadership of the Committee. Importantly, despite these challenges the Committee continued to exceed its obligations and provide valuable input and oversight to the Council.
- 5.2 The Scrutiny Officer that entered the role at the start of the 2018/19 municipal year has settled comfortably into the role, and now seeks to enhance both the effectiveness and profile of the Committee amongst Councillors, Officers, and across the district.
- 5.3 Challenges remain for the year ahead, with major changes to the political makeup of the Council following the May 2019 Local Elections, which has resulted in a significant change to the membership of the Committee. This has resulted in only one former Member of Scrutiny being appointed to the Committee. Whilst this may limit continuity, it could provide an opportunity for the Committee to take a fresh approach, focusing on high level strategic projects as commercialisation comes to the forefront. Furthermore, the corporate priorities of the Council may undergo significant changes, which will require considerable input from the Committee, both in the context of pre and post scrutiny reviews.
- 5.4 With predicted future budget deficits of approximately £2m, the Committee will be required to play an important role in identifying the Council's appetite for

commercialisation, monitoring the Council's budget, and continuing to review the viability of the Council's existing and future assets.

- 5.5 In Summary, the Overview & Scrutiny Committee played an important role for the Council in the 2018/19 municipal year, and its importance will continue to develop in the coming year.

## SHERINGHAM LEISURE CENTRE REDEVELOPMENT

**Summary:** The report explains the history of the Sheringham Leisure Centre project to date, where the stage has been reached to Award the main construction contract, which would allow completion of the new leisure centre in early 2021.

The broad financial position of the project is explained, along with the reasons for the need for additional budget in order to allow the Award of the contract.

Tender prices were above the estimated budget and due to site complications during the groundworks, the contingency is insufficient to cover the additional costs.

**Options considered:** Given the stage the project has got to and the Council's historic, and Members' recent, commitment to this facility, a cessation of the project has not been considered.

The option for a redesign in order to reduce the costs has been undertaken (value engineering) however any fundamental changes would diminish the quality and value of the facility and might jeopardise the Sport England grant. At this stage in the project it is not considered financially beneficial to redesign and re-tender due to the delays and consequent cost increases.

The only realistic alternative would be to abandon the new build and thus forego the costs expended so far.

**Conclusions:** The project to build a new leisure centre to replace the ageing Splash at Sheringham has now reached the point where the Council can award the construction contract.

However, during the design and tender stages of the project, the costs have risen significantly above the identified budget and, if the project is to proceed, Full Council will need to approve the additional budget before the construction contract can be awarded.

- Recommendations:**
- 1. That Council approves the additional borrowing requirement of £2.03m for the Splash leisure Centre project to increase the approved budget to £12.7m.**
  - 2. That delegated authority is given to the Head of Finance and Assets to adjust the detailed**

financing of the scheme if required to maximise the value for the tax payer

3. That, assuming 1) above is approved, Council approves the formal award of the construction contract to Bidder B who provided the most economically advantageous compliant tender.
4. That the project be taken forward under a new system of governance, as a pilot of the Council's project Management methodology, with officers leading on the delivery and implementation, providing frequent status updates to the portfolio holder and regular updates to Cabinet.

Reasons for Recommendations:

1 and 2 – to provide sufficient budget for the project

3 to enable the contractor to start work on building the new leisure centre.

4 to ensure effective project management and governance

**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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<p>Cllr Greg Hayman - Assets          Cllr Andrew Brown – Special Projects          Cllr Virginia Gay – Leisure          Eric Seward - Finance</p>	<p>Ward(s) affected          Sheringham, but this is a facility designed to serve all residents of North Norfolk</p>
<p>Contact Officer, telephone number and email:          Nick Baker – 01263 516221 <a href="mailto:nick.baker@north-norfolk.gov.uk">nick.baker@north-norfolk.gov.uk</a>          Duncan Ellis – 01263 516330 <a href="mailto:duncan.ellis@north-norfolk.gov.uk">duncan.ellis@north-norfolk.gov.uk</a></p>	

**1. Introduction**

1.1 Members will be aware from previous Council reports that the project to design and construct a leisure centre to replace the ageing Splash Leisure

Centre in Sheringham, was commenced in mid-2017. An earlier study had shown that the Splash was beyond its design life, was deteriorating and was extremely expensive to run. Also that significant demand existed for a swimming pool based facility at this location.

- 1.2 Following production of an Indoor Sports Facilities Strategy for the district, a feasibility study for this site and a business case, Council approved a budget, appointment of external professional advisors (Leisure Consultants, Architects, Quantity Surveyors/Client-side construction advisors) and for the project to move into the design stage which would allow the Council to then tender the construction works.
- 1.3 The basis of the original budget approval was to provide a replacement for Splash with a new wet Leisure Centre on the same site, based on at that time, concept designs prepared by our appointed architects, Saunders Boston (SBA) with advice on the Leisure content led by FMG Consulting. This budget was approved at full Council in December 2017 at **£10,667,139 (£10.67m)**.
- 1.4 External funding was sought from Sport England, who were also involved in advising the project team and whose clear recommendation was that the existing Splash centre should remain open whilst the new facility was built
- 1.5 Enabling development was to be proposed on part of the existing Splash site, to provide capital or revenue funding towards the project. However, due to the need to keep the old facility open during construction, this will not be completed until after the new leisure centre is opened. Provision of a hotel is the preferred option, given the lack of such a facility in Sheringham, and the economic benefits this is likely to bring, as well as the financial contribution this would make to subsidising the new build. A housing development on the site could however be considered.
- 1.6 The project has been managed by an officer/consultant project group and overseen by a Member/Officer Board. Such arrangements had been used for previous major projects and the Member representation was politically balanced.
- 1.7 A project plan was developed, with project management split between the Council for the overall project, and our construction consultant, Real Consulting, for the specialist elements of the build, including procurement and design processes. These groups generally met monthly to maintain progress and oversight of the project.

## **2. Project Position**

- 2.1 A design was worked up for the new facility, based on the proposed facility mix set out in the feasibility study as required to meet the calculated user demand.
- 2.2 Planning Approval for the project was obtained in late summer 2018.
- 2.3 A replacement skate park was agreed as site of the existing one was needed for the new build, in order to maintain the operation of the existing Splash. The new skate park was completed during winter 2018/19 allowing the site

access and constitution preliminaries to commence as phase one of the scheme (civils work).

- 2.4 The civils work was tendered prior to letting the main construction contract. This maintained progress, saving approximately six months on the overall build time, whilst final designs were worked up further to allow the full contract tender to proceed in parallel.

These works are progressing, with the various utility and highways works due for completion in late July.

- 2.5 The main construction tenders were returned in late March. Our project management consultants undertook the OJEU Compliant Procurement process, eventually shortlisting 2 contractors. Interviews were held in late April and subsequently the contractor providing the most advantageous tender was identified as 'Preferred Bidder' and is now awaiting formal award of the contract.

- 2.6 During the development of the scheme a number of issues have arisen which have significantly increased the likely cost of the project. These are detailed in the financial section below; however, they fall broadly into three categories:

- *Ground conditions*  
Despite having a budget for ground works along with a contingency to cover unexpected items, the onsite conditions proved to be more challenging than anticipated and this increased the cost of the initial ground works.
- *Design requirements*  
These were partly driven by the need for the facility to comply with Sport England requirements for grant funding and partly for the building to be of a design quality for the Council's requirements, both in terms of Planning and of future usage.
- *Tender Price Returns*  
These were much higher than anticipated and well over the construction inflation, which had been allowed for in the original business case. There were a number of issues which impacted on this such as the actual size of the project which was slightly too large for a number of local contractors and not large enough to interest bigger national firms. The impact of Brexit, whilst considered, was also extremely hard to anticipate until the tender prices were returned. These were always going to be estimates and until it was known how competitive the tender process was going to be, and the tender prices returned, it was not possible to estimate with any greater level of accuracy.

- 2.7 Project Board Members were advised of any changes to the project plan and budget. The Head of Finance and Asset Management has advised further below on the total capital budget shortfall of c£2m.

- 2.8 Following the completion of the tender process, the construction costs are now known and, if approved, this will represent the final build cost for the design that was tendered, including certain savings that were made through 'value engineering' at the tender stage. The risk and volatility currently being



experienced in the construction industry apparently accounts for the higher than anticipated cost.

## 2.9 Design

The final design, based on the Sport England model for active leisure provision provides the following facilities:

- 25m, six lane pool
- 13m learner pool, with a moveable floor
- splash pad
- 50 station gym
- 24 station spin studio
- 2 multi-use dance/exercise studios

## 3. Preferred bidder

3.1 A formal two stage OJEU tender process was followed which provides the opportunity for all those companies interested to initially respond. We had 17 initial requests for the Stage 1 tender documents, of which 9 formally responded. These were scored against the evaluation criteria set out in the tender documents and 5 Contractors selected to provide a tender. Of these 5, 1 was local to Norfolk, 1 based in Cambridge and the other 3 were national companies.

3.2 Experience of developing 'wet' leisure centres was considered of paramount importance. During the 10-week tender period:

- the local Contractor pulled out as they won a significant project and could not resource our bid process
- one of the national Contractors pulled out also due to a large workload elsewhere
- the price of the third bidder was way too high and they were therefore not taken to the next stage

3.3 The top 2 bids were appraised and each was requested to suggest design amendments that would help bring the contract price down (a value engineering exercise (VE)). Interviews were held with both suppliers. Following the VE process the final submitted prices were as follows;

- Bidder A            £11.3m
- Bidder B            £10.9m

On that basis, Bidder B was selected as 'preferred bidder' until the contract is formally awarded.

## 4. Moving Forward

4.1 If the Council chooses to significantly modify the design, we would at this point have to declare a 'void procurement', and start another process. This would cause substantial delays, which would inevitably impact upon price.

It should be noted that under the Leisure Management Contract the cost of a delay to the opening of the new Splash facility, would be c£13k per month (c£156k per annum) (although this figure would need to be finalised and agreed with the leisure contractor, Everyone Active).

- 4.2 Leaving the design unchanged, would allow immediate award of the main construction contract following a Full Council decision, with mobilisation on site as soon as practicable thereafter, allowing the new facility to open in early 2021, with the enabling development to follow soon after.
- 4.3 A review of the way the Council manages projects is ongoing and this project will be the subject of some changes in that regard. There is a need to improve clarity of decision making within projects, so that officers and members are able to both fulfil their roles and for adequate scrutiny to be provided as the project progresses.
- 4.4 The project to build a new leisure centre to replace the ageing Splash at Sheringham has now reached the point where the Council can award the construction contract.
- 4.5 However, during the design and tender stages of the project, the costs have risen significantly and, if the project is to proceed as currently proposed, Full Council will need to approve the additional budget if the construction contract is to be awarded.

## **5. Implications and Risks**

- 5.1 A number of reputational risks exist for the Council in projects such as this, typically around the following areas:
- Access to the existing facility during construction of the new one, especially on a constrained site such as this; this has been mitigated by providing a limited number of car park spaces adjacent to the existing facility whilst work proceeds, and through a lease agreement with Kingsland Engineering for the use of their car park, which is a very short walk away;
  - Noise, dust and other nuisance issues arising from a major construction project, which will be mitigated by good work practices on site and good communication between the Council, contractor and local residents and businesses;
  - Communication of progress and issues arising from the construction. This has been mitigated by the development of a Communication Plan for the project, keeping a general update for stakeholders whilst focussing on key stages of the project;
  - The change in facility mix and, whilst this has largely run its course with consultation and historical communication, there are still some underlying concerns from users who would prefer the facility on this site to have remained a leisure pool rather than one where health related active leisure can be more prominent.

## **6. Financial Implications and Risks**

### ***Budget Cost Projection Reconciliation***

- 6.1 The basis of the original budget approval was to provide a replacement for Splash with a new wet Leisure Centre on the same site, based on at that time, concept designs prepared by our appointed architects, Saunders Boston (SBA) with advice on the Leisure content led by FMG Consulting. This budget was approved at full Council in December 2017 at **£10,667,139 (£10.67m)**.

- 6.2 Since that date the design has developed and options for the exact location of the new centre on the site explored. To enable the existing Splash facility to remain operational, earning income and maintaining user numbers, throughout the new build construction, it was agreed to locate the new facility at the front of the site.
- 6.3 This became the only viable option due to the many physical site constraints, particularly the need to retain the existing access road into the site and to retain the current level of users.
- 6.4 The new site location has contributed significantly to the increase in capital budget forecast, together with the influence of Sport England requirements, additional design requirements and the current contracting market.
- 6.5 The detailed budget movements compared with the original forecasts can be found within Appendix A but a high level summary is provided within the table below.

	<b>Budget (£m)</b>
Original budget	10.67
Client design changes	0.17
Site conditions	0.75
Design	0.35
Sport England requirements	0.27
Contractor tender returns	0.57
Contingencies & allowances	0.41
Cost model contingency & inflation	(0.49)
<b>Total budget requirement</b>	<b>12.70</b>
<b>Additional budget required</b>	<b>2.03</b>

- 6.6 As can be seen from the table above and from Appendix A, there are a number of issues which have impacted on the original budget projections and form the basis for additional funds to support an anticipated final project cost of circa **£12.7m** which would require additional budget of **£2.03m**.

#### ***Options for Addressing the Shortfall***

- 6.7 Options have been considered to address this shortfall, which essentially centre on using reserves, redesigning the building and possibly, gaining improved value from the enabling development.
- 6.8 Advice has been provided by the Head of Finance and Asset Management, on the use of reserves for addressing the shortfall with an opportunity cost of £2m @3.3% = £66k per annum assuming the funds are not replaced.
- 6.9 If the Council were to borrow to cover the additional costs, the interest costs would equate to c£610k over the period. Coupled with the requirement to repay the principal sum of £2m, this would equate to an average annual cost of **£87k** per annum although members should note the phasing of

repayments is higher initially (£106k in year 1) and reduces over the life of the loan as the principal is repaid (£68k in the final year). This assumes a 30 year loan from the PWLB at 2.0% on an Equal Instalments of Principal (EIP) basis.

6.10 A redesign is certainly possible; however, officers are advised that this would give rise to the following:

- In very broad terms, to achieve a £2m reduction in cost, it would be necessary to significantly reduce the building size (at least 25%), which would have knock-on reductions to what could then be provided in terms of active leisure options within the building.
- This would then affect the cost of the leisure management contract, with higher revenue costs, although until a revised design was put to the contractor, it is impossible to estimate what these increases would be.
- As the £1m Sport England grant is predicated on the business case originally presented, a redesign could jeopardise this grant.
- Such a re-design may require a new planning permission. In addition, any new design would need to be tendered, with likely further inflation in market over the intervening period.

6.11 Officer advice therefore, is that much, if not all, of the financial saving from a redesign of the leisure centre could be eroded by resulting cost increases and lost grant. Potential re-design costs would also be significant.

6.12 The original business case assumed a net receipt for this development land of c£750k. As it is unclear at the present time which option will be taken forward, it is recommended that we continue with the assumption of a £750k equivalent capital value (ie either capital and or ongoing revenue combinations). However, it is recommended this should be with the caveat that, should the ultimate receipt for the disposal/redevelopment returns is lower than we make up any shortfall from other capital receipts, reserves or borrowing as required.

## **7. Equality and Diversity**

7.1 The facility will be fully accessible, with facilities for those with disabilities over and above those required by the Building Regulations. Pool access has been approved by Sport England and a Changing Places facility provided for within the design.

## **8. Section 17 Crime and Disorder considerations**

8.1 Whilst there are no s17 implications directly arising from the construction of the facility, it is recognised that active leisure plays an important role in providing an optional activity for those who may otherwise be drawn into anti-social behaviour.

ID	ELEMENT	IMPACT	COST £	BUDGET £
<b>Original NNDC budget approval December 2017</b>				<b>10,667,139</b>
<b>A</b>	<b>CLIENT DESIGN CHANGES</b>			
1	Increase in budget allowance for Splash pad	Client change to increase scope of Splash pad from Cost Model allowance of £30k	70,000	
2	Inclusion of solar thermal on roof	Client change – improves energy costs and sustainable item, 5-7 year pay back	100,000	<b>170,000</b>
<b>B</b>	<b>EXISTING SITE CONDITIONS</b>	<b>Site not selected at Cost Model stage</b>		
1	Additional ground investigation	ground, infiltration and contamination testing increased due to poor quality of site conditions	85,000	
2	Environment Agency/Lead Flood Authority	requirement to limit off site surface water collection. Retention on site via increased granular sub base to 600mm thick across whole car park areas	150,000	
3	Requirement for porous Asphalt	Environment Agency/Lead Flood Authority requirement to aid on site retention	160,000	
4	Existing drainage diversion, away from build footprint	Existing drains run through centre of site, currently serving Norfolk Homes and others. Rerouted foul and surface water drains along northern boundary	90,000	
5	Diversion of numerous existing services, away from building footprint	running across site and proposed new entrance. Diversions include cost of Utility companies Cadent(gas), Anglian Water, UKPN and BT	120,000	
6	Poor ground conditions	requirement for ground Stabilisation to improve quality of bearing to avoid whole site piling	105,000	
7	New site entrance off highway	Due to site constraints (retained Splash, AW pumping station and services) new layout builds over existing access. New S278 works on highway required	40,000	<b>750,000</b>
<b>C</b>	<b>DESIGN</b>			
1	Foundations and substructure	Increased design solution due to poor ground conditions - increased bases sizes, number of and strip foundations deeper	200,000	
2	Mechanical and Electrical installations	Choice of specific suppliers and manufacturers to protect robust design intent limited Contractor choices - partly offset by Value Engineering post tender returns	150,000	<b>350,000</b>
<b>D</b>	<b>SPORT ENGLAND REQUIREMENTS</b>			
1	Cascade steps to moveable floor	Sport England Requirements (to support SE funding)	55,000	
2	Increase in size of village change and group change rooms	Sport England Requirements (to support SE funding)	90,000	
3	Pool safety cameras	Sport England Requirements (to support SE funding)	45,000	
4	Increase in locker provision	Sport England Requirements (to support SE funding)	40,000	
5	Additional lift	Sport England Requirements (to support SE funding)	40,000	<b>270,000</b>
<b>E</b>	<b>CONTRACTORS TENDER RETURN</b>			
1	Loss of local contractors from tender list	2 local contractors failed to pre qualification and another withdrew during the tender period. Impacting on the benefit of local market rates	180,000	
2	Preferred Contractor living away costs	Preferred contractor is New castle based and will set the project team up in Sheringham, additional costs incurred include travel, hotels and subsistence	190,000	
3	Increased cost of mechanical and electrical installations	Specialist sub contractors all higher returns than budget allowance within Cost Model	200,000	<b>570,000</b>

<b>F</b>	<b>CONTINGENCIES AND ALLOWANCES</b>			
1	Technical advisor role	Client side role created post tender, in lieu of Clerk of Works	45,000	
2	Construction contingency	Allowance created following tender returns to deal with construction phase variations @ 2%	200,000	
3	Client contingency	Allowance created for any client changes or additional scope during the construction phase or operational fit out	75,000	<b>320,000</b>
			<hr/>	
<b>G</b>	<b>COST MODEL CONTINGENCY AND INFLATION</b>			
1	Contingency	Omission of Cost Model original contingency	- 240,000	
2	Inflation	Omission of Cost Model original inflation	- 250,000	<b>490,000</b>
			<hr/>	
		<b>Anticipated Final Project Cost £</b>		<b>12,607,139</b>
			<b>Circa</b>	<b>£12.6m</b>