

CABINET

Minutes of the meeting of the Cabinet held on Monday, 12 April 2021 at the remotely via Zoom at 10.00 am

Committee

Members Present:

Mrs A Fitch-Tillett
Mr G Hayman
Mr N Lloyd
Miss L Shires

Ms V Gay
Mr R Kershaw
Mr E Seward
Mr J Toye

Members also attending:

Officers in Attendance:

Chief Executive, Democratic Services Manager and Democratic Services and Governance Officer - Scrutiny

Also in attendance:

Press and Public

Apologies for Absence:

Mrs S Bütikofer (Chair)

53 ANNOUNCEMENT ON THE DEATH OF HRH THE DUKE OF EDINBURGH

The Chairman, Cllr Seward, opened the meeting by saying that it was with great sadness that we heard of the death of His Royal Highness Prince Phillip, the Duke of Edinburgh on Friday. He asked all Members to join him in observing a minutes' silence.

The Chairman then said that on behalf of all Members and Officers of North Norfolk District Council he would like to express his deepest sympathies to Her Majesty The Queen and The Royal Family on the death of His Royal Highness, Prince Philip, The Duke of Edinburgh.

The legacy he left is enormous. The Duke of Edinburgh's Award, which he founded in 1956, has inspired generations of young people to help others and instilled in them a vision for citizenship and a desire to serve their communities and a trailblazer, ahead of his time championing conservation along with his commitment to raising awareness for the future of our planet.

As we move into the period of recovery from the pandemic, we will need fortitude and a deep sense of commitment to serving others. Throughout his life, Prince Philip displayed those qualities in abundance. He concluded by asking Members to take inspiration from the example he provided.

54 MINUTES

The minutes of the meeting held on 15th March were approved as a correct record.

55 PUBLIC QUESTIONS AND STATEMENTS

None received.

56 ITEMS OF URGENT BUSINESS

None received.

57 DECLARATIONS OF INTEREST

None.

58 MEMBERS' QUESTIONS

None received.

59 RECOMMENDATIONS FROM PLANNING POLICY & BUILT HERITAGE WORKING PARTY

The Portfolio Holder for Planning, Cllr J Toye, introduced this item. He explained that the Norfolk Strategic Planning Framework had been discussed in depth by the Working Party, and an additional recommendation had been agreed regarding surface and foul water drainage. Cllr A Fitch-Tillett, seconded the proposal, saying that she particularly supported the additional recommendation and welcomed closer co-operation on flooding issues.

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

RESOLVED:

Norfolk Strategic Planning Framework

1. That the *Norfolk Strategic Planning Framework and Statement of Common Ground 2021* and the Agreements contained therein are endorsed by North Norfolk District Council
2. That the Council supports and welcomes the commitment to continued co-operative working and periodic review of the framework
3. Subject to the inclusion of an improved agreement in relation to surface and foul water drainage

60 RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE

The Chairman of the Overview & Scrutiny Committee, Cllr N Dixon, introduced this item. He said that there had been a lengthy timeline, starting in December 2019, to get to this point and that the earlier version that had come forwards had not been ready for pre-scrutiny. He added that there had been a lot of discussion at the Overview & Scrutiny committee meeting about the change from a policy to a strategy and this had led to a lack of clarity over structural issues of content, all linked to the core purpose of the document. He said that there was still a lot of work to be done, hence the wording of the recommendation. He concluded by saying that this piece of work had taken considerable resource so far and he said that there could be merit in having a standard template that could be customised for future policy / strategy documents.

The Chairman thanked Cllr Dixon for his comments. He said that he noted the suggestion about a template and advised Members that officers were already working on including the amendments suggested by Overview & Scrutiny Committee into the revised Equality, Diversity and Inclusion Strategy with the aim of bringing it back to the next meeting of Cabinet for consideration.

RESOLVED:

NORTH NORFOLK DISTRICT COUNCIL EQUALITY, DIVERSITY AND INCLUSION STRATEGY 2021-2025

That the Strategy, or Policy, is progressed through the next stages of development, subject to the consideration of amendments suggested by the Overview & Scrutiny Committee.

61 RECOMMENDATIONS FROM GOVERNANCE, RISK & AUDIT COMMITTEE

The Chairman invited Cllr J Rest, Chairman of Governance, Risk & Audit Committee to introduce this item. Cllr Rest requested the Democratic Services Manager to read out the recommendations. He said that he had nothing further to add.

The Chairman confirmed all members of Cabinet had now received a copy of the final report and that a review of the project governance framework was considered and approved at the last meeting of Cabinet on 15th March.

Cllr V Gay said that work had already begun to address the recommendations arising from the Assurance Review of the Cromer Sports Hub Project. The Constitution Working Party, of which she was Chairman, had considered the Local Government Association (LGA) Model Councillor Code of Conduct at their meeting in February, and it was hoped that this would be adopted by the Council and across the Norfolk authorities. The new Code broadened the definition of Members' interests.

The Constitution Working Party had also considered matters relating to contract procurement exemptions as these procedures were laid down within the Constitution. There was an ongoing audit review into this and the Working Party was due to receive an update on this at their meeting on 13th April. She concluded by saying the matter of members' attendance at exempt/ private meetings of committees would also be considered at the meeting of the Working Party on 13th April.

RESOLVED:

North Norfolk District Council - Assurance Review of Cromer Sports Hub Project:

1. To recommend that all members of Cabinet receive a copy of the final report.
2. That Cabinet reviews the Council's project governance framework to ensure that it is robust enough to address the concerns raised by the assurance review and by the Governance, Risk & Audit Committee.

62 NORTH NORFOLK DISTRICT COUNCIL'S ACTIONS IN THE RECOVERY PHASE OF THE CORONAVIRUS PANDEMIC

The Chairman invited the Chief Executive to introduce this item. He began by saying that following a peak in early January, the number of Covid infections had continued to fall steadily in North Norfolk, and in the rolling 7 days to 6th April 2021, there were 5.7 recorded cases in the District, per 100,000 population, ensuring that North Norfolk had one of the lowest rates of local authority areas in England.

At 25th March 2021, 66% of the District's population over the age of 16 – some 61,100 people have had their first vaccination, meaning the District had one of the highest rates of vaccination nationally with many people in the oldest age cohorts and some health and social care staff now also receiving their second dose of the vaccine, giving increased protection from infection, severity of illness and hospitalisation.

Following the Government's announcement regarding the roadmap out of lockdown, the Council had been supporting and advising local businesses on re-opening. Looking ahead, preparations were being made to accommodate large numbers of visitors to the District in the coming months. Demand for holiday lets was very strong at the moment. Consequently, the fogging of public conveniences would continue and additional COVID Support Officers were also being employed by the Council over the summer months, paid for through funding made available to the Norfolk Public Health Team's Controlling Outbreak Management Fund budget. They would provide advice to businesses in the coming weeks and help with managing the high number of visitors over the summer.

The Chief Executive went onto say that officers were discussing with local partners whether additional temporary / peak season parking capacity could be provided in the key resort towns of Cromer, Sheringham and Wells and the provision of more litter bins, street and beach cleansing services. Additional support was also being provided to hospitality venues regarding the use of outdoor space. He added that good progress was being made regarding the local elections on 6th May 2021, so that polling stations could be fully Covid-safe.

He went onto say that the Council was holding discussions with the Norfolk Public Health Team about a programme of asymptomatic surveillance testing for owners and staff of local businesses in the retail, tourism and hospitality sectors over the coming months as these sectors employed large numbers of staff in younger age groups unlikely to receive a vaccine until the mid to late summer. Regular Lateral Flow Testing of this workforce would therefore give confidence to business owners and customers.

The Chairman invited comments and questions.

Cllr J Toye thanked all of the officers who continued to work tirelessly putting effective preparations in place for an influx of visitors.

Cllr R Kershaw said that he had been working with the Chief Executive and Gold Command for the last few months and he was impressed by how quickly the District Council had responded to requests from the Clinical Commissioning Group (CCG) and Public Health England. He agreed that the planning for the summer season was well thought out and was progressing well.

RESOLVED unanimously

To note the Council's actions during the period December 2020 – end of March 2021 in responding to the ongoing Coronavirus Pandemic, including

supporting businesses during the extended third all-England lockdown, working with partners to support delivery of the local vaccination programme and preparing the District for the forthcoming tourist season.

63 UK COMMUNITY RENEWAL FUND

The Chairman introduced this item. He said that the Government had announced two new funding programmes were announced - the UK Community Renewal Fund and the Levelling Up Fund, which were now being promoted as a fore-runner of the UK Shared Prosperity Fund to be launched in 2022. North Norfolk was one of 100 priority areas able to submit proposals for funding through the UK Community Renewal Fund. Four areas in Norfolk were eligible to bid for funding from an overall 'pot' of £220m. Projects with a value of up to £3 million could be supported per area, with 90% of the funding for revenue spend and spend to be incurred by 31st March 2022. Locally in Norfolk, the programme will be led by the County Council, with bids for project funding to be submitted by lead authorities by 18th June 2021.

The Chairman said that it was important that NNDC seized this opportunity and work with the County Council and local MPs on this project. He added that it was a long-term project that would get the preparatory work underway in the growth towns of Fakenham and North Walsham, increasing the opportunity of future funding from other streams such as the 'Levelling Up' fund.

The Chief Executive said that this was a big opportunity for the Council. Many other eligible authorities already had strategic boards in place as they had been involved previously in similar schemes such as the Future High Streets fund. NNDC did not have anything similar in place and there was therefore a recommendation to establish a Strategic Stakeholder Board and Steering Groups for North Walsham and Fakenham to support project development and oversee programme delivery. These should be established as a matter of priority so that key partners were aware of the opportunities and could endorse proposals before the submission was put to the County Council in May 2021. He went on to say that North Walsham and Fakenham had been identified for strategic growth within the Council's Local Plan. The Council's funding bid would seek to build upon proposals for new housing and economic growth to be accommodated at scale at these locations through new Urban Extensions supported by good quality community infrastructure – including new link roads, health and education facilities, leisure and green infrastructure and business investment / employment opportunities, which would also support the extensive rural hinterlands to both towns.

Cllr R Kershaw, Portfolio Holder for Economic Development, thanked the Chief Executive for the speed in which he had pulled the report together.

Cllr C Cushing said that, as a local member for Fakenham, he welcomed the proposals. He asked the Chief Executive for more information on the Strategic Board and the Steering Groups, specifically who would be appointed to them and their roles and the deadline for when they would be up and running. The Chief Executive replied that the Strategic Board would operate at a district-wide level. It would involve lead members from the political groups, the two MPs and representatives from the economic, business, environmental and education sectors. It would have a maximum of 24 representatives. Regarding the steering groups, he said that representatives would be drawn from the town councils, chambers of trade, education and voluntary sector. They would also be of a similar size. The District Council would provide administrative and

secretariat support. It was hoped to establish them imminently, if the recommendations were supported.

Cllr Cushing sought clarification on where the steering group would report to. The Chief Executive replied that they would report to the Strategic Board.

The Chairman said that he would expect local members for each town to be involved with the steering groups. He would expect them to be informed and consulted as work on the funding bids progressed.

It was proposed by Cllr R Kershaw, seconded by Cllr J Toye and

RESOLVED

To agree that in developing any proposals, the Council establishes a Strategic Stakeholder Board and Steering Groups for North Walsham and Fakenham to support project development and oversee programme delivery

Reason for the decision:

To realise opportunities to secure UK Government funding into North Norfolk to support investment in projects which meet priorities outlined in the Council's Corporate Plan as they relate to provision of housing, economic growth, environment and climate change

64 FAKENHAM URBAN EXTENSION - A148 ROUNDABOUT

The Chairman invited the Chief Executive to introduce this item. He said that the project proposed to fund the construction of a roundabout on the A148 and associated infrastructure (yet to be agreed), which would act as a catalyst for the commencement of the Urban Expansion of Fakenham. He explained that £0.5m had been agreed from the Norfolk Business Rates Pool, to be match funded by NNDC (£0.5m), which gave an initial capital pot of £1m. The second bid submission for a further £0.4m had also now been approved from the Norfolk Strategic Fund and required further match funding from NNDC of £0.4m and would bring the total capital pot, subject to NNDC match funding approval, to £1.8m. Based on the potential capital contribution of £1.8m and the anticipated delivery of the A148 roundabout scheme within the next 18 – 24 months, that the affordable housing contribution rate could increase to around from the current level of 16.5% to 17.5%/18.5% (subject to finalisation and agreement) as it would address any concerns regarding a lack of viability and de-risk the site for house builders.

Cllr Cushing welcomed the proposals. He asked whether the delivery of the scheme was dependent on the sale of the land by Trinity College first, in order to develop the infrastructure, or could it be developed separately. The Chief Executive replied that he understood that the land would be sold in tranches and delivered in phases and that the roundabout could therefore be developed separately first.

Cllr J Rest said that he welcomed the proposals and the early delivery of the scheme as it showed that the Council was committed to the wider development of the site.

It was proposed by Cllr R Kershaw , seconded by Cllr N Lloyd and

RESOLVED:

To agree a capital budget of £1.8m to support the enabling infrastructure works and to release of £0.9m match funding from the Delivery Plan Reserve as the Council's match funding element, with the balance of the funding to be provided externally through the Norfolk Business Rates Pool (£0.5m) and the Norfolk Strategic Fund (£0.4m).

Reason for the recommendation:

To support the viability and early delivery of housing through the Fakenham Urban Extension.

65 INFORMATION, ADVICE & ADVOCACY SERVICE

Cllr V Gay, Portfolio Holder for Wellbeing, introduced this item. She explained that a review of the Information, Advice and Advocacy (IAA) services delivered in North Norfolk by Norfolk Citizens Advice (CA) took place in December 2020. The review highlighted areas of concern which needed to be addressed and which it was felt could influence the amount of funding offered to Norfolk CA in the future.

The intention was to continue to provide the service across the District, maintaining the face to face service whilst addressing the lack of engagement with young people, as this had been very low. The funding proposals for Norfolk CA would therefore ensure the continuation of face to face IAA services in three key towns across North Norfolk. It will also contribute towards the expansion of the phone and digital offer which will all benefit residents in North Norfolk. She explained that the reduction in Norfolk CA service costs as a result of ceasing outreach services in areas of low use would enable NNDC to offer funding to other Voluntary, community and social enterprise (VCSE) organisations that provide specialist IAA support to young people or those who were unable to access support by Norfolk CA's generic IAA service.

Cllr Gay concluded by saying that Norfolk CA were supportive of this approach and were fully committed to continue working in partnership with NNDC in the delivery of IAA services. She thanked them for their input.

It was proposed by Cllr V Gay, seconded by Cllr J Toye and

RESOLVED:

1. To award a conditional grant of £55,000 to Norfolk CA towards for the provision of generic IAA services in North Norfolk.
2. In consultation with the portfolio Holder for Culture & Wellbeing to award the remainder of the IAA budget (£11,710) to identified VCSE organisations to enhance IAA services to young people in North Norfolk and / or a VCSE organisation that provides specialist IAA support to residents in North Norfolk who may not be able to access or be supported by generic services IAA services.

NCC are currently undertaking a comprehensive review of the IAA services they commission. This will result in a tender process and recommissioned countywide IAA services with potentially different service providers from 1st April 2022. Until the outcome of the tender process is known it is considered that the NNDC IAA grants should only be awarded for one year from 1st April 2021. to 31st March 2022.

Reason for the recommendation;

To ensure the IAA funding awarded by the Council enables the continuation of generic IAA services in North Norfolk.

To preserve a face to face generalist Advice Service in designated locations across District.

To ensure the IAA funding awarded by the Council contributes towards the provision of specialist IAA services to young people and / or residents in North Norfolk such as who may not be able to access or be supported by generic IAA services.

The allocation of NNDC IAA funding from 1st April 2021 – 31st March 2022 will enable future provision of IAA services in North Norfolk to complement recommissioned NCC services

66 PUBLIC SPACE PROTECTION ORDERS (PSPOS) REVIEW & CONSULTATION: DOG RESTRICTIONS ON BEACHES, PROMENADES AND WIDER DISTRICT

Cllr N Lloyd, Portfolio Holder for Environmental Services, introduced this item. He explained that in April 2017 cabinet approval was granted regarding the creation of a number of PSPOs across the district, following a wide consultation process. Included in these proposals were 8 orders regarding the prohibition of dogs off leads and bans on beaches in all of the District's main beach and promenade areas. In addition, a single order was granted to prohibit dog fouling on all public land in North Norfolk.

The 9 orders (identified in section 1.3 of the report) became live on May 1st 2018 and were due to expire on the 1st May 2021. In accordance with section 60 of the Anti-social Behaviour, Crime and Policing Act 2014 the Council could continue and renew orders for a further 3 years if sufficient justification exists to do so. Included in this was a requirement to consult on the Councils intentions. Cllr Lloyd explained that the consultation would occur between 29th March 2021 and 18th of April 2021. The consultation was open to all the public, local Town and Parish Councils, NNDC members, Local MPs, and relevant County Councillors. He concluded by saying that there were no proposals to change the existing orders as it was felt that they worked well in enforcing and controlling dog activity.

Cllr Hayman, in seconding the recommendations, said that they were very timely as the District opened up again following lockdown. He said that it was important that dog owners respected and recognised these orders as the Council wanted to show that the District was clean and safe.

The Chairman said that the banning of dogs on beaches was crucial to the maintaining of the Blue Flag status on several beaches.

It was proposed by Cllr N Lloyd, seconded by Cllr G Hayman and

RESOLVED:

That Cabinet approve the renewal of all those PSPO's within the report.

Reasons for the decision:

- Without these orders in place the Council has no authority to

legally enforce in these areas. All the areas specified in this report are fundamental to the protection and enjoyment of the districts public spaces, specifically the beach and promenade areas.

- The PSPOs are instrumental in maintaining the recognised quality of the district's bathing areas, this includes supporting the Blue Flag designations. The criteria for awarding a Blue Flag states that "Dogs must be excluded from the award area of the beach during bathing season".
- Although we have a legal duty under the regulations to consult, our decision to continue with the order does not represent a change, and thus the consultation responses identified in the 2017 Cabinet report still have relevance. On these grounds and in view of their importance, it would be prudent to approve the continuation of the orders.

67 COUNCIL ACTIVITY IN RELATION TO THE REGULATION OF REGULATORY POWERS ACT 2000 (RIPA)

The Chairman invited the Director for Communities to introduce the report. He explained that it provided an update for members on the use by the Council of the Regulation of Investigatory Powers Act 2000 (RIPA). The Act required that the Council published a policy and procedures for its activities in this area, which laid out a framework for authorising certain methods of surveillance which may be necessary during activity undertaken by the Council. This requirement was discharged through the Regulation of Investigatory Powers Act 2000 Policy and Procedures document ("the Policy")

The Council was required to keep the Policy under review and was subject to periodic inspection in relation to this and any authorised activity by an external body. He added that the external body had changed since the last update to members from the Office of the Surveillance Commissioners (OSC) to Investigatory Powers Commissioner's Office (IPCO).

Since the last update report to members there had been no authorisations issued for the use of either Covert Human Intelligence Sources (CHIS) or Directed Surveillance (DS) activities as there were no applications made during the period.

The Director for Communities went onto explain that following an inspection by the OSC in 2017 the Policy was updated to cover all of the points raised during that inspection and to reflect accepted good practice contained in the government guidance and relevant codes of practice. The Policy contained a number of defined roles against which specific officers were named. A number of staff named in these roles left the Council in late 2019 and early 2020 and, whilst temporary arrangements to retain compliance were put in place, it was identified that further training was required to enable offices fulfilling these roles to be competent. This training was booked for May 2020, however due to Covid19 restrictions it had to be postponed, with subsequent attempts to rebook during the year thwarted by further restrictions or Trainer availability. This training had now been rebooked for 27th/28th May 2021 both for those new to specific roles and some general refresher training for those officers who need awareness of the regulations.

As part of the package offered by the training firm, they conducted a review of the Policy documentation and identified any areas where the document could be improved to reflect current best practice or any legislative changes. The delay to the

delivery of training had also delayed this work, as they were typically delivered at the same time. The Policy would therefore be updated at the end of May 2021.

AGREED

To note the activities undertaken under the Regulation of Investigatory Powers Act 2000 and the outcome of the recent Investigatory Powers Commissioner's Office inspection

68 DISPOSAL OF A PROPERTY

The Chairman reminded members that the report and appendix was exempt and if they wished to discuss it in detail they would need to go into private business. He asked the Monitoring Officer to update Cabinet on the situation regarding the purchase. She informed them that the Council had acquired a property under a voluntary arrangement following non-compliance of an Urgent Works Notice under section 54 Planning (Listed Buildings and Conservation Area) Act (1990). Following a feasibility study and options appraisal, Officers supported a disposal of the property. In accordance with the Council's Disposal policy, the property had since been advertised for sale on the open market seeking offers from potential purchasers and an offer had been received some time ago and there was no information to suggest that there was any uncertainty about moving forwards.

It was proposed by Cllr E Seward, seconded by Cllr R Kershaw and

RESOLVED:

To approve the disposal of the property as outlined in the exempt appendix.

Reason for the decision:

The disposal is in accordance with the Council's Disposal policy and the offer is deemed to be the best consideration reasonably obtainable.

69 EXCLUSION OF PRESS AND PUBLIC

70 PRIVATE BUSINESS

The meeting ended at Time Not Specified.

Chairman