

Cabinet



Please contact: Emma Denny

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Thursday 29th April 2021

A meeting of the **Cabinet** of North Norfolk District Council will be held in the Council Chamber - Council Offices on **Monday, 10 May 2021** at **10.00 am**.

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Due to the pandemic, members of the public who wish to attend the meeting to ask a question or speak on an agenda item are requested to notify Democratic Services by 5pm on the Thursday before the meeting so we can ensure that you are accommodated safely. Alternatively, if you do not wish to attend the meeting, you can submit a question in writing. The deadline for this is 5pm on the Friday before the meeting takes place. 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: Mrs S Bütikofer, Mrs A Fitch-Tillett, Ms V Gay, Mr G Hayman, Mr R Kershaw, Mr N Lloyd, Mr E Seward, Miss L Shires and Mr J Toye

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. TO RECEIVE APOLOGIES FOR ABSENCE

2. MINUTES

1 - 10

To approve, as a correct record, the minutes of the meeting of the Cabinet held on 12 April 2021.

3. PUBLIC QUESTIONS AND STATEMENTS

To receive questions and statements from the public, if any.

4. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972

5. DECLARATIONS OF INTEREST

11 - 12

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest (see attached guidance and flowchart)

6. MEMBERS' QUESTIONS

To receive oral questions from Members, if any

7. RECOMMENDATIONS FROM PLANNING POLICY & BUILT HERITAGE WORKING PARTY

The following recommendations were made at the meeting of the Planning Policy & Built Heritage Working Party held on 19th April 2021:

Local Plan Draft Policy Approaches to Sustainable Development.

Recommendations: To endorse the revised Policy below delegating responsibility for drafting such an approach, in addition to that of finalising the associated policies to the Planning Manager:

SD7 – Renewable and Low Carbon Energy

North Walsham Western Extension: Public Engagement

Recommendations: That delegated authority is given to the Planning Manager on the final timing and content of public engagement material following consultation with the Chair of the Planning Policy and Built Heritage Working Party and North Walsham Members.

8. RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE

To consider any recommendations referred to the Cabinet by the Overview & Scrutiny Committee for consideration by the Cabinet in accordance within the Overview and Scrutiny Procedure Rules.

The following recommendation was made by the Overview & Scrutiny Committee at the meeting held on 21st April 2021:

RESOLVED

1. To recommend to Cabinet that consideration is given to developing and including a Charter Mark system setting standards across the spectrum of environmental improvements sought, such as: Energy Conservation; Renewable Energy Generation and Storage; Water Capture, Usage and Quality; Flood Prevention and Mitigation, Reductions in Single Use Materials and Carbon Capture projects. Such a system should link up with relevant Planning Policy standards, include an annual award/recognition scheme and seek accreditation with an external environmental body.
2. To recommend to Cabinet that consideration is given to increasing the educational and public engagement opportunities to promote active commitment to the Charter and the wider climate change agenda.

To endorse the draft Environmental Charter for consultation with the Environment Forum, prior to a revised draft being considered by Cabinet and Council for adoption.

9. OFFICER DELEGATED DECISIONS MARCH TO APRIL 2021

13 - 18

Summary: This report details the decisions taken by Senior Officers under delegated powers from 1st March 2021.

Options considered: Not applicable.

Recommendations: **To receive and note the report and the register of officer decisions taken under delegated powers.**

Reasons for Recommendations: The Constitution: Chapter 6, Part 5, sections 5.1 and 5.2. details the exercise of any power or function of the Council where waiting until a meeting of Council or a committee would disadvantage the Council. The Constitution requires that any exercise of such powers should be reported to the next meeting of Council, Cabinet or working party (as appropriate)

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)

Delegated decision forms – as completed by the relevant officer

Cabinet Member(s) All	Ward(s) affected All
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Contact Officer, telephone number and email:
Emma Denny, Democratic Services Manager, 01263 516010

10. ENVIRONMENTAL CHARTER

19 - 28

Summary: North Norfolk District Council’s (NNDC) Corporate Plan commits to the delivery, and adoption, of an Environmental Charter.

The draft Environmental Charter is based on evidence and views contributed at engagement events and has been formulated with the input of a wide range of officers and members, through a series of workshops. The draft document appended to this report has now been shared with external stakeholders via the Environment Forum.

Options considered: To endorse the Environmental Charter

To not endorse the Environmental Charter, however, this contradicts the Council’s Corporate Plan objectives.

Conclusions: The Environmental Charter is an important step in the Council’s approach to dealing with the Climate Change Emergency declared in April 2019. Born out of public and stakeholder proposals garnered at the Council’s ‘Environment Forum’ the Environmental Charter is a public facing document which sets out NNDC’s path towards environmental excellence and a net-zero carbon emissions future.

Recommendations: **To approve the Environmental Charter.**

Reasons for Recommendations: NNDC’s Corporate Plan commits to delivering an Environmental Charter. Once approved the Environmental Charter will become an adopted Council document which will enable this element of the Corporate Plan to be delivered whilst

simultaneously reinforcing NNDC's commitment to addressing the climate change emergency, which it declared in April 2019. Engaging with the Environment Forum has completed the circle of engagement as the concepts within the Charter are derived from input provided at the first Forum workshop.

Cabinet Member: Cllr Nigel Lloyd	Ward(s) affected: District Wide
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Contact Officer: annie.sommazzi@north-norfolk.gov.uk

11. APPRENTICESHIP SCHEME

29 - 34

Summary:

This report provides information on apprenticeships in the council and the use of our Apprenticeship Levy monies. It specifically asks for consideration to be given to the allocation of £200,000 of reserve monies from the Delivery Plan reserve, to assist Directorates with the funding of apprenticeship salaries. This will enable the Council to continue to grow its apprenticeship offer, investing in the futures of our young people and ensuring that the Council continues to develop and grow the skills that the organisation needs now and in the future, whilst at the same time maximising the use of our levy monies.

Options considered:

Consideration has been given to using current staffing budgets to fund apprenticeship salaries, but this is not feasible in all cases as many Departments do not have the budget available to them to do this.

We have also considered encouraging Managers to always explore the apprenticeship option if a vacancy arises. However in some cases, the level of skills and technical knowledge required to fill a particular vacancy would not always support this.

In both of these examples the number of apprenticeships that we could offer overall would be reduced and we would be less able to support young people in the District into work.

We do have the opportunity under Apprenticeship Levy rules to transfer out up to 25% of our levy monies to an

employer(s) of our choice. However we are a small authority and our levy pot is small (£36,300 pa) Transferring out money would reduce the Council's opportunity to invest in the skills that it needs for the future, as well as limiting our ability to think more creatively about how we plug our hard to fill vacancies.

Allocating some monies from reserve funds to help support Directorates to recruit apprentices will allow the Council to develop the skills it needs for the future whilst at the same time providing job opportunities for our young people. This would be at a time when their career opportunities have been severely limited and impacted by the Covid pandemic. Allocation of reserves to assist with the funding of apprenticeship salaries has worked successfully in the past and many of our apprentices have gone on to secure permanent employment with the Council.

Conclusions:

This report provides information in regard to apprentices and the Apprenticeship Levy. It provides information on our current situation and makes a recommendation that further reserve monies should be set aside to ensure that the Council can continue to provide opportunities for Apprentices. The current pandemic has directly affected young people's career opportunities. This will provide an opportunity for us to invest in the futures of our young people in the District as well as providing the Council with a key resource for the future, building the skills and knowledge that we will need, helping to recruit into hard to fill vacancies and assisting with succession planning.

Recommendations:

It is recommended that Cabinet sets aside a contribution of £200,000 to assist with the funding of apprentices salaries. This contribution should be allocated from the Delivery Plan Reserve.

Reasons for Recommendations:

The release of the reserve monies will allow the Council to continue to grow our apprenticeship offer, investing in the futures of the young people in the district and will also ensure that the Council is developing the skills and talent that it needs now and in the future.

Cabinet Member(s) Sarah Butikofer	Ward(s) affected All
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Contact Officer, telephone number and email:
Janella Hadlow – 01263 516024. Janella.hadlow@north-norfolk.gov.uk

12. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution:

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 of Part I of Schedule 12A (as amended) to the Act.”

13. PRIVATE BUSINESS

14. URGENT BUSINESS - LEISURE CONTRACT - PROPOSED EXTENSION TO THE DEED OF SETTLEMENT TO REFLECT THE ONGOING IMPACT OF COVID19 ON THE PERFORMANCE OF THE LEISURE OPERATING CONTRACT. 35 - 42

Summary:

Due to the further COVID19 related restrictions on the sports and leisure facilities, and the uncertainty of when the facilities will be able to operate at pre-COVID capacity, the Council has been approached by the Leisure Operating Contract Operator, Everyone Active, for further financial support, in line with Government guidance. The proposal to extend the Deed of Settlement, agreed for the 2020/21 financial year, caps the maximum cost to the Council. These figures have been independently scrutinised by FMG who have confirmed that they are realistic and in line with other local authorities nationwide.

Options considered:

1. Do not extend the Deed of Settlement.
2. Extend the Deed of Settlement but negotiate lower capped monthly figures.
3. Extend the Deed of Settlement based on the proposed figures.

Conclusions:

The Leisure Contract is in its third year of a ten-year contract. The contract took significant resource to procure and represented good value for money; it was not possible to foresee the impact that COVID19 would have on the performance of the contract when it was let. Agreeing the extension of the Deed of Settlement is in accordance with current Government guidance and removes the potential for contractual claims by the Operator. Extending on the monthly capped figures proposed by the Operator removes the risk of further contractual claim or failure during the period, limits the financial liability of the Council and provides certainty for the Operator.

Recommendations: **That Cabinet extend the Deed of Settlement with Everyone Active based on the proposed figures for the financial year 2021/22.**

To finance any financial liability which becomes due from the Delivery Plan Reserve.

Reasons for Recommendations: To mitigate the risk of claim on the contract and to limit the financial exposure of the Council.

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)

Procurement Policy Note - Supplier relief due to COVID-19 (PPN 02/20) Procurement Policy Note – Recovery and Transition from COVID-19 (PPN 04/20)
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Cabinet Member(s) Virginia Gay	Ward(s) affected All
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Contact Officer, telephone number and email:
Karl Read, 01263 516002, karl.read@north-norfolk.g