

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

CABINET

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

Committee

Members Present:

Mrs A Fitch-Tillett
Mr G Hayman
Mr N Lloyd

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

Members also attending:

Cllr C Cushing
Cllr J Rest

Officers in Attendance:

Chief Executive, Director for Communities, Democratic Services Manager and Democratic Services and Governance Officer - Scrutiny,

Apologies for Absence:

Cllr S Butikofer
Cllr L Shires

53 ANNOUNCEMENT ON THE DEATH OF HRH THE DUKE OF EDINBURGH

The Chairman, Cllr E Seward, opened the meeting by saying that it was with great sadness that he 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

Declarations of Interest at Meetings

When declaring an interest at a meeting, Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate to any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

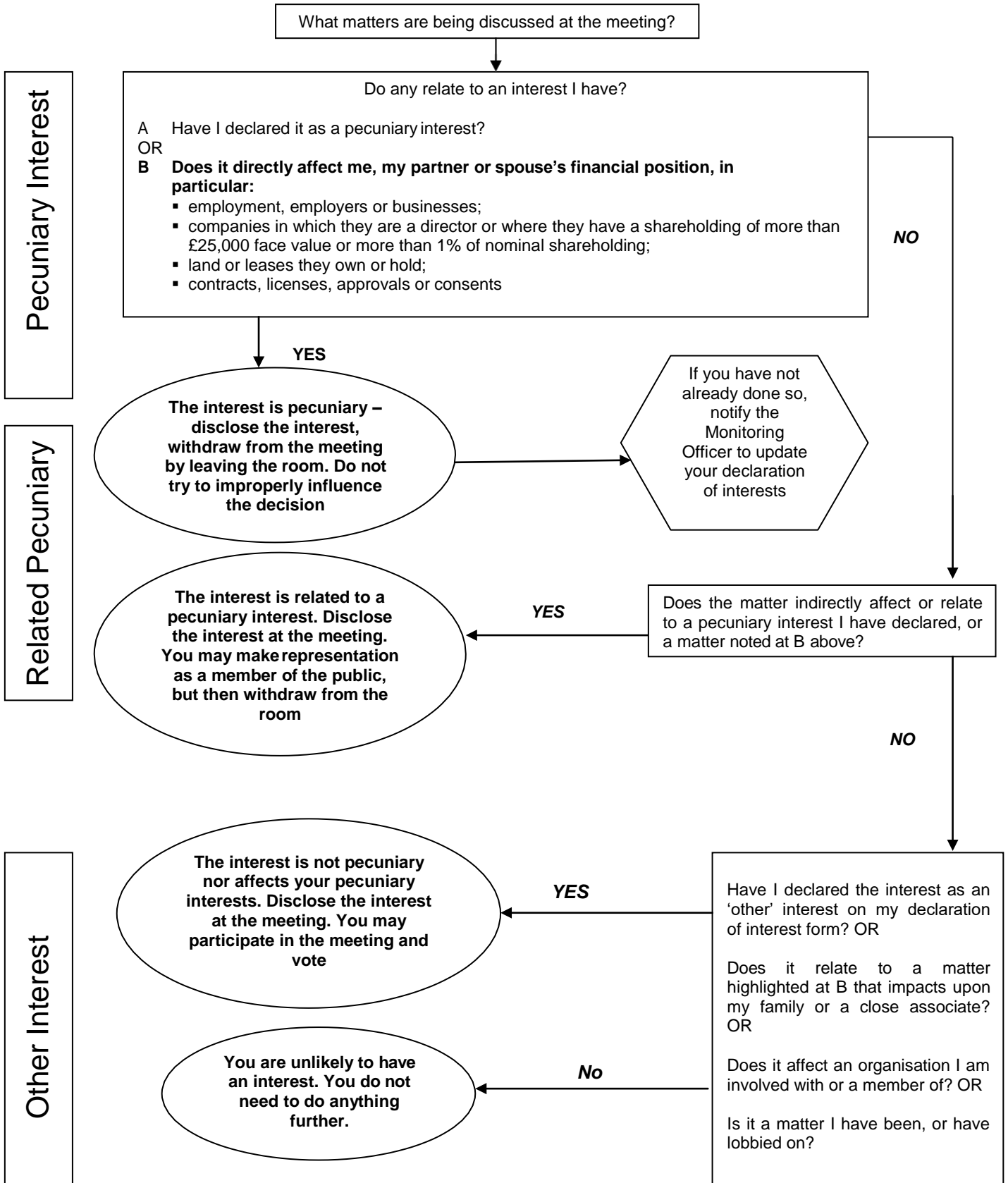
FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DEVELOPMENT COMMITTEE MEMBERS SHOULD ALSO REFER TO THE PLANNING PROTOCOL

Declarations of Interest at Meetings

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



Officer Delegated Decisions (March – April 2021)

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
Contact Officer, telephone number and email: Emma Denny, Democratic Services Manager, 01263 516010	

1. Introduction

1.1 Officer delegated decision making process.

The officer delegated decision making process has been refreshed in light of the Covid-19 pandemic so that decisions that need to be made quickly can be. The reporting of decisions taken in this way has been strengthened, so it is clear that it is an officer decision that is being made, and the consultation requirements around those decisions. These decisions are available to the public through the website and are reported to Members through a weekly information bulletin. Key decisions are reported to Cabinet. The process for reporting and consulting on these decisions is contained in the Constitution at Chapter 6, 5.1 and 5.2 and the publication of these decisions is a legal requirement.

2. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

- 2.1 Following the outbreak of the Covid 19 pandemic, the Council had to realign its resources and the committee meeting cycle was reviewed and adapted to accommodate the business coming through. Committee meetings are being held remotely for the foreseeable future. All decisions taken under delegation from mid-March 2020 onwards are recorded on the Council's website: <https://www.north-norfolk.gov.uk/tasks/democratic-services/officer-delegated-decisions/>

3. Consultation

- 3.1 The Constitution requires that for the exercise of any power or function of the Council in routine matters falling within established policies and existing budgets, where waiting until a meeting of the Council, a committee or working party would disadvantage the Council, an elector or a visitor to the District, then the officer exercising the power must consult with the Leader, the relevant portfolio holder and if it relates to a particular part of the District, the local member.
- 3.2 For the exercise of any power or function of the Council, which in law is capable of delegation, in an emergency threatening life, limb or substantial damage to property within the District, the senior officer shall consult with the Leader or the Deputy Leader. The Covid 19 pandemic was considered to fall within this category.
- 3.3 Overview and Scrutiny Committee will receive the delegated decisions list at their meetings so they can fully understand why they were taken and assess the impact on the Council.

4. Financial and Resource Implications

As many of the decisions taken by officers under delegated powers were key decisions there is a financial impact. Details are outlined in the signed form.

5. Legal Implications

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that all decisions, including those taken by officers, must state:

- The decision taken and the date it was made
- The reasons for the decision
- Details of options considered and rejected and the reasons why they were rejected
- Declarations of interest and any dispensations granted in respect of interests

Officers taking a decision under delegation are required to complete a form.

6. Conclusion and Recommendations

Several decisions, including key decisions, have been taken by senior officers under delegated authority during the Covid 19 pandemic. Each decision has been recorded and a summary is provided at Appendix A

Recommendation:

Cabinet is asked to receive and note the register of officer decisions taken under delegation.

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Record of Decisions taken under Delegated Authority (Appendix A)

Delegated Power being exercised;	Key Decision y/n	Officer exercising Delegation	Details of decision made	Consultations undertaken	Date of decision	Date Reported to Council/Cabinet
<p><i>Chapter 6; Full delegation to Chief Officers</i></p> <p><i>Section 5.1: routine matters</i></p> <p><i>Section 5.2 Emergency powers</i></p>				<p><i>Section 5.1 : Leader or Portfolio Holder/Local Member</i></p> <p><i>Section 5.2: Leader or Deputy Leader</i></p>		
Section 5.1	No	Assistant Director – Sustainable Growth	To provide a total of £25,000 in financial support to Visit North Norfolk towards the costs of the work the brand manager has undertaken during the periods when VNN have been unable to gain income from membership (£9,000) and a contribution towards the new website provision (£16,000).	S.5.1 – Portfolio Holder	31 Mar 21	10 May 2021
Section 5.1	No	Director for Resources	That there be an extension of a Deed of Settlement, to provide a sum of £44,412 for the month of April 2021 and £32,407 for the month of May 2021 (total £76,819) to cover the identified losses suffered by SLM (Everyone Active) for those two months to support the Council’s leisure contractor with its immediate and longer term cash flow issues following the continuing restrictions on the opening of	S.5.1 – Portfolio Holder	31 Mar 21	10 May 2021

Record of Decisions taken under Delegated Authority (Appendix A)

			leisure facilities in the District. Pending returning the matter to Cabinet to consider a longer period of extension.			
Section 5.1	No	Director for Resources	To approve purchase of land at £90,000 (as agreed by Cabinet on 23 Feb 2021)	S5.1 & S5.2	18.03.21	

Environmental Charter

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.

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)

N/A

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

1. Introduction

1.1 In April 2019 NNDC declared a climate change emergency.

Having considered the views of stakeholders, residents and community groups at the 'Environment Forums' held in 2019 NNDC committed to the development of an Environmental Charter and Action Plan with the view that these documents would outline the Council's route towards achieving environmental excellence and net-zero carbon emissions by 2030.

1.2 A draft Environmental Charter was prepared earlier this year and has been informed by a series of workshops with staff and Members. The document accordingly reflects the input from a wide range of internal stakeholders. *Please see the Environmental Charter in Appendix One of this report.*

1.3 The Environmental Charter was written assuming the definition of charter as 'a formal document which describes the rights, aims or principles of an organisation'.

1.4 The Environmental Charter comprises three main sections, each with differing aims and principles. These are summarised as:

- delivering change across the Council's own internal estates and operations in order to achieve environmental excellence and net-zero carbon emissions by 2030;
- the Council as a community leader and influencer, supporting and enabling our communities, stakeholders, businesses and residents to address the challenges presented by the climate change crisis; and
- how residents/citizens can act in support of the Council's environmental aims and make a difference in their own neighbourhoods to address the climate change crisis.

2. Current position

- 2.1 During the internal engagement process with both officers and Members the contents of the draft Environmental Charter were developed and discussed. The overall document was well received and support from staff and Members for the principles, aims and ambitions of the Environmental Charter were overwhelmingly positive.
- 2.2. Feedback from these sessions has informed the draft Environmental Charter and the final draft version of the document is appended to the report (see Appendix One). The engagement workshops also elicited many ideas as to how the Charter's aims can be achieved and this will help inform the development of an action plan.
- 2.3 The draft Environmental Charter was considered by Overview and Scrutiny committee which made the following recommendations:

Recommendation One

'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'.

In the implementation of the Environmental Charter officers will devise a means by which standards can be promoted to ensure widespread adoption of the provisions within the Charter.

Recommendation Two

'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'.

The draft Environmental Charter includes the following pledges:

"We will inspire citizens throughout North Norfolk by delivering a climate change public engagement programme which will seek to improve 'carbon literacy' across the District"

"We will inspire a new generation of carbon reduction champions – young or old we want to help everyone to reduce their carbon footprint"

In communicating the Charter, officers will use innovative ways, such as online events and Greenbuild, to promote and ensure active commitment to the Charter and the wider climate change agenda.

- 2.4 An Environment Forum session on the 23rd April considered the draft Environmental Charter and subsequently participants were invited to provide

feedback. A summary of the feedback will be provided at the meeting together with any recommended changes.

3. Corporate Plan Objectives

3.1 The table below demonstrates how the Environmental Charter will meet key corporate priorities as contained within the Corporate Plan:

Corporate plan objectives	How the Environmental Charter supports Corporate Plan Objectives
<p>Objective 4</p> <p>Developing an Engagement Strategy to set out how we will consult with our customers and our local Communities</p>	<p>The Environmental Charter is a valuable communication too which will be used to engage with residents, parish councils and community groups on the climate change crisis.</p>
<p>Objective 4.4</p> <p>Establish Environment Panels</p>	<p>The Environment Forum initially proposed that NNDC should adopt an Environmental Charter. The Environment Forum met on the 23rd April 2021 and considered the emerging Environmental Charter.</p> <p>The Environmental Charter specifically references the role that Environment Forums play in increasing environmental awareness within the District.</p>
<p>Objective 1.1</p> <p>Establish a framework by which the Council can work with interested parties as climate champions</p>	<p>The Environmental Charter explicitly references this Corporate Plan ambition by pledging to support a new generation of climate champions. This will be established by engaging with residents, communities and business groups across the District.</p>

<p>Objective 5</p> <p>Planting 110,000 trees – one for each resident</p>	<p>The Environmental Charter explicitly references this Corporate Plan ambition and advocates tree planting projects as an effective way in which to promote biodiversity within the District.</p>
<p>Objective 7.5</p> <p>Implement local community waste reduction measures, e.g. community fridges.</p>	<p>The Environmental Charter references the reduction in single use plastics, composting schemes and general waste reduction.</p>
<p>Objective 3</p> <p>Undertaking an audit to establish the Council’s baseline carbon footprint</p>	<p>The Environmental Charter pledges to carry out a baseline carbon data report and to provide annual reports which update progress</p>
<p>Objective 2.1</p> <p>Formulate a Local Plan that supports the transition to a low-carbon future</p>	<p>The Environmental Charter references a range of the low carbon policies contained within the draft Local Plan.</p>

4. Financial and Resource Implications

- 4.1 There are limited/no financial implications resulting from the formulation or adoption of the Environmental Charter.
- 4.2 Despite this, the financial implications of the specific actions that will be taken in order to deliver the Environmental Charter will need to be considered at a later stage. These will be presented in the format of an Action Plan and will sit alongside the Council’s carbon emission baseline information.

5. Legal Implications

- 5.1 N/A - whilst the Environmental Charter is a formal document it is not legally binding

6. Communication Implications

6.1 The Environmental Charter is an important tool for NNDC to use to communicate with residents, businesses, community groups and interested parties the work that is being done, and will be done, to address the climate change emergency in North Norfolk.

6.2 The Environmental Charter is a public facing document which will clearly set out the '*aims and principles*' that NNDC will uphold in order to address the climate change emergency.

7. Risks

7.1 The Council is morally obliged to act upon its declaration of the Climate Emergency; this Charter is the manifestation of that. It will also be expected to proactively deliver the pledges made within the Charter and it is anticipated that this will be scrutinised by pressure groups, private individuals and interested parties.

7.2 Failure to take action on the pledges contained within the Environmental Charter may expose the Council to reputational damage.

7.3 Failure to deliver a timely and well considered Environmental Charter may also expose the Council to reputational damage.

8 Equality and Diversity

No matters relating to equality and diversity arise from the contents of this report.

9 Section 17 Crime and Disorder considerations

This report raises no matters of concern to crime and disorder.

10 Sustainability implications

No matters relating to sustainability arise from the contents of this report.

11 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.



Our Environmental Charter

North Norfolk's environment contributes to the quality of life of local residents and plays a vital role in supporting the local visitor economy, as well as playing host to a wealth of natural and cultural assets and biological diversity. The Council has declared a **climate emergency** and therefore puts environmental considerations at the heart of its service delivery.

Our Environmental Charter states our commitment to action in order to **achieve net-zero carbon emissions by 2030**, showing how we will use our own resources wisely to set a direction through: our own actions; working with partners; and influencing others.

Chapter One

The steps that **we** are taking to achieve **net-zero carbon emissions** across our own estate and operations by **2030**

Chapter Two

What we will do as **community leaders** to meet the challenges of the climate change emergency **across the District**

Chapter Three

What **you** can do to **address the climate emergency** and help to promote **environmental excellence**

Chapter One

Our Environmental Charter

In April 2019 North Norfolk became the first district council in Norfolk to declare a climate change emergency. Since then we have pledged to achieve net-zero carbon emissions across our own estate and operations by 2030. To deliver this ambitious target we pledge to take the following important steps...

We will **Measure**:

- We will **measure** and publish **emission baseline data** for the council's estate and operations
- We will **measure** on an **annual basis** the progress we have made to reduce the council's carbon emissions and will **publish the findings**

We will **Manage**:

- We will **manage fossil fuel consumption** by reducing the carbon footprint of all our operational buildings to achieve net-zero carbon emissions by 2030
- We will **manage the carbon footprint** of our contractors by evaluating their emissions and carefully considering who we work with
- We will **manage waste** by becoming a single-use plastic free council by 2023
- We will **manage staff travel** by developing a council transport scheme which will promote online meetings and access to environmentally friendly modes of transport such as lift-share schemes, electric cars, bicycles and public transport

We will **Mobilise**:

- We will **mobilise** council staff and partner organisations through a **communication programme** which will promote and raise awareness of the steps the council is taking to tackle climate change across its estate and operations
- We will **mobilise all council staff** to implement this charter and respond to the climate emergency in the performance of their roles

Chapter Two

Our Environmental Charter

To meet the challenges of a climate change emergency we are going to need to be outward looking. Beyond the actions that we take to achieve net-zero carbon emissions across our own estate and operations we will also work alongside residents, businesses, schools and community groups to nurture meaningful progress within the District, therefore **we pledge to...**

We will **Invest**:

- We will invest in **'sustainable communities'** by providing grants of up to £15,000 for green initiatives which local town and parish councils and community groups can apply for
- We will invest in **community transport schemes**, which help residents to access local services
- We will invest in measures which **increase biodiversity** within the District such as **planting 110,000 trees by 2023**
- We will invest in local initiatives by providing advice, support, networks and/or the resources required to **enable green growth**

We will **Support**:

- We will support opportunities for **Active Travel schemes** that enhance walking and cycling infrastructure across the District
- We will support **the implementation of the 10 point plan** for a Green Industrial Revolution by ensuring that we are best placed to secure funding for investment within North Norfolk
- We will support **the emerging clean energy sector** by working with partners to enable innovative projects such as hydrogen energy and community renewable energy schemes

We will **Inspire**:

- We will inspire **citizens** throughout North Norfolk by delivering a climate change public engagement programme which will seek to improve 'carbon literacy' across the District
- We will inspire **businesses** within the District by providing a platform to promote 'green business' activities at council run events such as the annual Greenbuild event
- We will inspire **a new generation** of carbon reduction champions – young or old we want to help everyone to reduce their carbon footprint

Chapter Three

Our Environmental Charter

You can **take part**

- You can **take part by joining** in with public consultations and local events such as 'the big tree giveaway' and the 'Environment Forum'
- You can **take part in practical actions on climate change** by joining an environmental campaign, community group or activities in your own local community
- You can **take part in supporting local businesses** that are proactively making changes to improve the local environmental and reduce their own carbon footprint

You can **Share**

- You can **share news** about council events, local activities and environmental campaigns
- You can **share information** about climate change and environmental challenges with friends and family

You can **Sign Up**

- You can **sign up to personal pledges** to commit to changing your own actions to ones that will have a more positive impact upon the environment
- [You can sign up](#) to **find out** about to find out news, events and things that you can do to take action to address the climate change and environmental crisis.

Growing Apprenticeships and making the best use of NNDC's Apprenticeship Levy.

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
Contact Officer, telephone number and email: Janella Hadlow – 01263 516024. Janella.hadlow@north-norfolk.gov.uk	

1. Introduction

- 1.1 In April 2017 the Government introduced the Apprenticeship Levy. The aim of the levy was to provide an incentive to employers to increase the number and quality of apprenticeships. The levy is payable by any organisation with a pay bill of over £3m per annum. North Norfolk District Council is therefore required to pay the levy.
- 1.2 Each month we pay 0.5% of our pay bill into the levy which equates to roughly £33,000 pa. The payment applies whether we have apprentices or not. The Government tops up these funds by 10% each month. The money we pay into the levy pot is used to fund apprenticeship training (levy monies cannot be used to fund apprentice's salaries). After 24 months any unused levy is lost (this is taken on a rolling basis).
- 1.3 In addition to the payments we have to make, Local authorities must also have regard to a Public Sector Apprenticeship target. This target has been set at an average of 2.3% of staff as new apprentice starts over the period April 2017 to end of March 2021. It has recently been confirmed that this target is set to continue into 2021 and beyond. Given that we currently have 18 members of staff currently undertaking some form of apprenticeship training we are on track to achieve this target when we have to report again in September 2021.

- 1.4 Since the introduction of the levy the Council has taken a proactive approach to ensure that our Levy monies are fully utilised. We saw it as an opportunity to invest in young and (not so young) people's development, providing a range of opportunities, whilst at the same time providing the Council with the skills, knowledge and experience that we need now and in the future. Many of our apprentices have gone on to secure permanent jobs with the Council.
- 1.5 Following the setting aside of £300,000 by Members in 2017 we introduced a bid process for our managers. This was to enable managers, who were struggling to find the salary budget to fund an apprenticeship to bid for help with salary costs. This money had now been used but the demand from our managers for more apprentices is increasing.
- 1.6 In the recent budget announcements (March 2021) the Government has announced incentive payments of £3,000 for each new apprentice that an employer recruits between 1st April and 31st September 2021. This payment is applicable to all apprentices of all ages.
- 1.7 For information: Apprentices and the Apprenticeship levy are not linked to the Governments Kickstart scheme. This scheme was introduced to provide funding to create new job placements for 16-24 year olds on Universal Credit who are at risk of long term unemployment. The main difference between Kickstart and an apprenticeship is that Kickstart is a short term scheme focused on general employability, while apprenticeships are longer term and centred around specialist technical skills.

2. Current Situation

- 2.1 The numbers and range of apprenticeships that we offer has grown over time. To begin with many of our apprenticeships were at level 2/3 (see attached document for explanation on different levels) and were mainly Business Administration or Customer Services apprenticeships.
- 2.2 As the numbers of providers and the range and level of apprenticeships increased so has our offer. We provide apprenticeship training to new staff that we recruit but we also use apprenticeship training to develop our existing staff. For example, 8 members of staff are currently completing their level 5 management apprenticeship.
- 2.3 The table below shows the number and level of the apprenticeship training that we are currently providing.

Apprenticeship	Level	Number on Apprenticeship
Maintenance Operative	Level 2	1
Business Admin	Level 3	4
Software developer	Level 4	2
Welfare and Benefits	Level 4	2

Practitioner		
HR Consultant/Practitioner	Level 5	1
Operations and Dept Manager leading to CMI Qualification	Level 5	8
Surveying	Level 6	1

2.4 Other apprenticeships that we have had in the past include; Civil Engineering degree apprenticeship (Coastal), Digital Marketer and Leisure operations.

Future Apprenticeships

2.5 Many new apprenticeships have been developed over recent years and universities are increasing their apprenticeship offer. For example, apprenticeships are now available in planning, (Chartered Town Planner degree apprenticeship and Masters qualification (Level 7)) Environmental Health, (Environmental Health practitioner (Level 6) and Health and Safety Environment technician (Level 3) to name a few.

2.6 The following departments have expressed an interest in taking on an apprentice if assistance with some salary costs were available.

- Planning – PPU
- Environmental Health
- CDU/PA shared Resource
- Human Resources
- Democratic Services
- Legal
- Revenues
- Housing
- Economic Growth

3. Corporate Plan Objectives

Investing in apprenticeships will help the Council to ensure that it is equipped for the future and that it fulfils its objective of supporting young people into work. If we carefully prioritise where and what apprenticeships we provide we will be able to:

- Recruit into areas where vacancies are difficult to fill, for example in planning.
- Ensure that the Council has employees with the right skills and knowledge it needs to help delivery of the Corporate Plan.

- Provide for Succession planning.
- Invest in the futures of young people in the District

4. Medium Term Financial Strategy

The proposal will allow us to maximise the use of our levy monies. As our current apprenticeships end we will need new opportunities available to ensure that we continue to use our levy money effectively.

5. Financial and Resource Implications

As outlined above the Council contributes £33,000 pa to the levy pot, with the 10% government top up this equates to a total annual funding pot of £36,300. Being able to offer further apprenticeships will mean that we can make maximum use of our levy monies, reducing the risk of losing this money back to central government for no return.

Funding of £200,000 is therefore requested from the Delivery Plan Reserve to support the Council's apprenticeship programme. £200,000 would allow for the recruitment of approximately 6 new apprenticeships (taking an average length of an apprenticeship as 18 months on the highest apprenticeship salary pay band) The number of apprenticeships would increase or decrease slightly depending on the age of the apprentice recruited and the length of the apprenticeship.

6. Legal Implications

There are no legal implications as a direct result of this report

7. Risks

Investing in the futures of young people in the district is a good news story and particularly relevant following the Covid pandemic, where it has been recognised that it is the lives and careers of young people that have been directly affected. Ensuring that we are maximising the use of the levy to its fullest extent both now and in the future is something that the Council can be proud of and should be celebrated.

The negative press that could come with lack of investment in apprenticeships, loss of our levy monies for no return and the failure to reach the public sector target is to be avoided if at all possible.

8. Sustainability

As mentioned above, recruitment of apprentices will help to ensure that the Council has the workforce that it needs to sustain itself in the future. It will help us with succession planning as well as recruiting into areas with hard to fill vacancies.

9. Climate / Carbon impact

Whilst we are not able to definitively say that our pool of apprentices would live locally. Experience has shown us that due to the relatively low wage rate and the high cost of travel most of our applicants do come from the Local area. By recruiting local people for local jobs we can ensure that the amount of travel to and from work is reduced thereby reducing carbon emissions.

10. Equality and Diversity

The Council is an equal opportunities employer and has a number of duties and obligations under the Equality Act 2010. We ensure that any recruitment process we undertake is a fair one and that any applicant will not be excluded on the grounds of sex, gender reassignment, pregnancy, maternity, race, marital status, disability, age, religion, belief or sexual orientation.

11. Section 17 Crime and Disorder consider

None

12. Conclusion and Recommendations

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.

In so doing, the Council will be investing in the futures of our young people but will also be 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.

It is therefore recommended that the Council sets aside a further contribution of £200,000 to assist with the funding of apprentices salaries so that we can continue to grow our apprenticeship offer and maximise the use of our apprenticeship levy. This contribution should be allocated from the Delivery Plan Reserve.

Agenda item 4 – 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.

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:	<ol style="list-style-type: none">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.

Agenda item 4 – Urgent Business

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)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/874178/PPN_02_20_Supplier_Relief_due_to_Covid19.pdf

Procurement Policy Note – Recovery and Transition from COVID-19 (PPN 04/20)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/891154/PPN_04_20- Recovery_and_Transition_from_COVID-19.pdf

Cabinet Member(s) Virginia Gay	Ward(s) affected All
Contact Officer, telephone number and email: Karl Read, 01263 516002, karl.read@north-norfolk.gov.uk	

1. Introduction

- 1.1 The Council has a contract with SLM, brand name 'Everyone Active', to operate and manage the six sports and leisure centres across the District.
- 1.2 As well as the Council's own leisure facilities at Fakenham Sports and Fitness Centre, Victory Swim and Fitness Centre and on building completion the new Reef Leisure Centre at Sheringham, the contract also includes the three dual use sports centres based at Cromer, North Walsham and Stalham High School sites.
- 1.3 The Leisure Operating Contract commenced 1 April 2019 and ends on 31 March 2029. There is an option to extend the contract up to an additional five years.
- 1.4 The approximate cost of procurement was £100k, which included consultancy advice, condition surveys and legal fees. In addition to this, extensive officer resource was committed across the organisation at a variety of levels, particularly at a senior level, for a considerable period of time.
- 1.5 On Friday 20 March 2020, all sports and leisure facilities across England were closed as part of the national lockdown arrangements, to control the spread of COVID19. This meant that Everyone Active were unable to operate in the way that the contract envisaged. Although restrictions were eased later in the year, further restrictions were then imposed during the second wave and these facilities have only recently been able to reopen. Even during the period of reopening, there was impact, seen nationally, on level of use within centres such as this with lower uptake than before the pandemic began. In March 2020 Government issued in a number of Procurement Policy Notes (PPN's) including Procurement Policy Note 02/20 - Supplier relief due to COVID-19. This document set out information and guidance for public bodies on payment of their suppliers to ensure service continuity during and after the COVID-19 outbreak to ensure suppliers at risk were in a position to resume normal contract delivery once the outbreak is over.

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- 1.6 Based on this Procurement Policy note and, in line with all other local authorities across the country, the Council agreed to provide financial support for 2020/21 under a Deed of Settlement agreement.
- 1.7 Everyone Active agreed to work with the Council (and its consultant FMG) to ascertain the cost of the closures to Everyone Active on an “open book” basis to inform a negotiated position which complied with both the PPN guidance and the ‘no better or worse’ clause within the contract. This means that Everyone Active include no profit on the amounts claimed.
- 1.8 Following a negotiation process an agreed set of monthly capped amounts were presented to Cabinet. The capped amounts agreed limited the Council’s financial exposure but provided certainty to Everyone Active that allowed them to continue with the contract.
- 1.9 Details of the agreed monthly amounts can be found in Table 1 of the exempt appendix to this report.
- 1.10 Across the settlement period there have been months in which the deficit cap had been reached and exceeded but in other months the deficit has been lower. The actual deficit costs by month are set out in Table 2 of the exempt appendix. This shows that the amount paid is less than the capped amount agreed by Cabinet in 2020.
- 1.11 Councils which ran their own in house leisure facilities could claim up to 75% of the loss of income through Government, this was not available to those who had contracted out services. In December 2020, the Government announced some recovery funding for which local authorities could apply for to assist the recovery of externally operated leisure facilities. This Council bid for this funding was successful in being awarded a total of £215,536. This has offset the overall cost to the Council.

2. Current Position

- 2.1 The Deed of Settlement covered the period from April 2020 to March 2021; it was hoped that this would be a sufficient period to get back to normal operating. There have been further national lockdowns which has resulted in the facilities being closed for longer than expected. Although leisure facilities reopened on 12 April 2021 allowing customers to swim and gym, these activities are still operating under government restrictions, and so maximum numbers are limited.
- 2.2 There remains a great deal of uncertainty regarding restrictions, and when leisure facilities will be able to operate at pre-COVID19 levels. We have therefore now received a financial forecast for 2021/22 and a request for further support from Everyone Active.
- 2.3 The announcement of the roadmap out of lockdown caused Everyone Active to revisit the figures they had been preparing, meaning the information was delayed coming to the Council, the consultation with the FMG caused some further, but necessary delay in confirming the figures to be used in the proposed Deed of Settlement for 2021/22 period. This has required an interim

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agreement between Everyone Active and the Council for the months of April and May.

- 2.4 These financial figures have been arrived at using the “open book” method and the Council’s consultant FMG have confirmed that they are in line with expected levels, reflect the position in other local authorities nationwide, and given the continued uncertainties moving forward this represents a prudent approach by the Operator.
- 2.5 The forecast figures and estimated deficit for this year is set out in Table 3 of the exempt appendix.
- 2.6 The figures represent a worst-case scenario, effectively capping the Council’s financial liability each month, as per the settlement in 2020/21.
- 2.7 The approach reflects the advice set out in the Procurement Policy Note 02/20 in respect of supplier relief due to COVID19.
- 2.8 It is anticipated that, based on the performance of the Operator during 2020/21 and the prudent approach taken to the figures, it is highly likely that Everyone Active will perform better than estimated and the total costs will be less than projected. It is however prudent of the Council to use the projections provided as this provides certainty to both the Council and the Operator.
- 2.9 Procurement Policy Note 04/20 sets out guidance in respect of recovery and transition from COVID19. The Council will keep under review the arrangements with Everyone Active throughout the financial year however, as the payments to Everyone Active are based on “open book” accounting, the approach taken in the Deed of Settlement naturally follows the guidance within the Procurement Policy Note.

3. Options

- 3.1 The following options have been considered in developing this report:
- 3.2 Option 1. Do not extend the Deed of Settlement
The Council could choose not to extend the Deed of Settlement. This would leave the Operator to bear the losses fully. This option is not compliant with the guidance set out in the Procurement Policy Note in respect of supplier relief due to COVID19. The Operator may choose to instigate contractual provisions and there is a possibility this may result in an uncapped liability to the Council. If the contract was to fail the Council would have to reprocure the contract afresh with a resource implication for the procurement, no contract in place until a new contract was let and the risk that any future contract would be more expensive as contractors would price the risk both in relation to the pandemic and the approach the Council took to supporting the previous Operator.
- 3.3 Option 2. Extend the Deed of Settlement but negotiate lower capped monthly figures.
This option reduces the maximum financial exposure of the Council and is compliant with the Procedure Policy Notes, however, there is no certainty that the Operator would agree to lower figures. The proposed monthly capped figures have been assessed independently and whilst found to be prudently

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cautious they are in line with other contracts across the country. Whilst the likelihood of contractual claim or failure is reduced it is not eliminated.

- 3.4 Option 3. Extend the Deed of Settlement based on the proposed figures
This option provides certainty for both the Council and the Operator and removes the risk of further claim and contract failure. It is compliant with the Procurement Policy Notes guidance.

The Deed of Settlement sets the maximum capped monthly cost to the Council although it can be expected that due to the easing of lockdown, performance of the Operator would be significantly better than this and therefore the actual cost would be significantly lower. This option would mean that any future restrictions imposed through resurgence of COVID19 infections, during the financial year, would not need further negotiations.

4. 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.

5. Implications and Risks

Without the Deed of Settlement, the risk of contract failure or contractual claim is increased. In the event of contract failure then the Council would be left with no one running the activities covered by the contract leading to an increased reputational risk both with the public in terms of performance of Leisure Services and with any future bidders for the contract.

6. Financial Implications and Risks

There is an increased cost to the Council of extending the Deed of Settlement, compared to the estimates set out when the contract was originally let. The maximum cost of extending the Deed is known and providing COVID19 restrictions ease and remain so, performance of the Operator is likely to be better than the worst case position meaning the cost should be lower than the capped limits. The maximum cost to the Council is set out in the exempt appendix to this report.

If the Deed is not extended, there is a risk of contractual failure leaving no one managing the activities of the contract. This is likely to lead to increased cost of the Council managing services itself, costs of repeated procurement, and potentially higher costs of any future contract; partly linked to bidders reflecting the new risk landscape around COVID19 and partly due to them reflecting the lack of support provided by the Council.

There are clauses within the contract which the Operator could potentially use to seek their additional costs around COVID19, which if made could place the Council into an uncapped financial liability situation. Extending the Deed of Settlement removes the risk of such a claim.

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In terms of the actual financial impact, the worst case scenario is outlined within the exempt appendix. The position will be monitored throughout the year and if any financial liability actually becomes due this will be funded from the Delivery Plan Reserve as required.

7. Sustainability

There are no identified sustainability issues arising from this report.

8. Equality and Diversity

There are no identified equality and diversity issues arising from this report.

9. Section 17 Crime and Disorder considerations

There are no identified crime and disorder issues arising from this report

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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