

2OVERVIEW & SCRUTINY COMMITTEE

Minutes of the meeting of the Overview & Scrutiny Committee held on Wednesday, 19 May 2021 in the Council Chamber - Council Offices at 9.30 am

Committee Mr N Dixon (Chairman) Ms L Withington (Vice-Chairman)
Members Present:

Mr H Blathwayt	Mrs W Fredericks
Mr P Heinrich	Mr N Housden
Mr G Mancini-Boyle	Mrs E Spagnola
Mr C Cushing	Mr A Brown
Mr P Fisher	

Members also attending: Mr N Lloyd (Observer) Mr J Toye (Observer)
Mrs S Bütikofer (Observer)

Officers in Attendance: Democratic Services and Governance Officer - Scrutiny (DSGOS), Chief Executive (CE), Democratic Services Manager (DSM), Director for Communities (DFC) and Assistant Director for Planning (ADP)

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr A Varley.

2 SUBSTITUTES

None.

3 PUBLIC QUESTIONS & STATEMENTS

None received.

4 MINUTES

Minutes of the meeting held on 21st April 2021 were approved as a correct record and signed by the Chairman.

5 ITEMS OF URGENT BUSINESS

The DSGOS informed Members that an urgent item had been shared in advance of the meeting to request that the Committee makes a recommendation to Council on which OSC Members to appoint as representatives to the NCC NHOSC. He added that the document shared in advance suggested maintaining the current appointments.

It was proposed by Cllr W Fredericks and seconded by Cllr P Heinrich to recommend to Council that Cllr E Spagnola be appointed as the NNDC representative to the NCC NHOSC with Cllr W Fredericks as substitute.

RESOLVED

To recommend to Council that Cllr E Spagnola is appointed as the NNDC representative to the NCC Norfolk Health Overview & Scrutiny Committee, and

that Cllr W Fredericks is appointed as substitute.

6 DECLARATIONS OF INTEREST

Cllr A Brown declared a pecuniary interest for item 14 of the agenda and stated that he would withdraw from the meeting for this item.

7 PETITIONS FROM MEMBERS OF THE PUBLIC

None received.

8 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE BY A MEMBER

None received.

9 RESPONSES OF THE COUNCIL OR THE CABINET TO THE COMMITTEE'S REPORTS OR RECOMMENDATIONS

The Chairman noted that at the meeting held on 12th April 2021, Cabinet had approved the Committee's recommendations in relation to the draft Environmental Charter.

10 NORFOLK COUNTY COMMUNITY SAFETY PARTNERSHIP: DRAFT SAFER NORFOLK PLAN 2021-2024

The DFC introduced the report and informed Members that he was presenting as the NNDC representative on behalf of the Norfolk Community Safety Partnership (CSP). It was stated that the Partnership was formed in 2012 when the District Community Safety Partnerships had been merged, and that a key aspect of its work was to undertake an annual strategic assessment to determine priorities, and to consult with the public on the issues identified. This was then used in the development of the Safer Norfolk Plan to replace the last Plan adopted in 2018. It was noted that the landscape had changed significantly since the last plan was developed, as Covid-19 had caused a substantial shift in community safety requirements. The DFC stated that changes in legislation and the election of a new PCC could also be expected to impact the development of the new Plan. He added that the Plan had been developed using the Cambridge Harm Index, to consider the impact of more harmful crimes. It was reported that the priorities outlined in the Plan included serious violence including domestic abuse, sexual abuse and county lines linked violence, preventing extremism, criminal exploitation, neighbourhood crimes, hate crimes and fraud. The DFC stated that the Plan would go out for public consultation for eight weeks from 24th May, and had already been reviewed by the CSP Scrutiny Panel.

Questions and Discussion

- i. The Chairman noted that many priorities raised in the Plan would be funded by the PCC, and that Committee had not had an update on the Plan or Partnership for some time.
- ii. Cllr C Cushing referred to the average number of road traffic incidents and stated that he was therefore surprised that the Plan did little to address speeding offences. The DFC replied that whilst road fatalities had not been identified as a priority by the CSP, he expected it would be a Police priority handled separately, though could be fed back as a concern if necessary. He

added that the OPCCN had committed funding of £500k to tackle the priorities raised within the Plan, and that a memorandum of understanding had been agreed with NCC to ensure improved joint working practices going forward. The Chairman noted that road safety incidents were regularly raised at Parish level meetings, and it was therefore important to raise its omission from the Plan.

- iii. Cllr W Fredericks noted that there was little understanding of how the CSP operated, which caused concern that the Plan could change following the election of a new PCC.
- iv. Cllr N Housden stated that it was important to understand how the Plan would be implemented, as he was aware of fraud incidents with little support for victims and no clear agency responsible for dealing with these crimes.
- v. The DFC responded to concerns and stated that the Plan was a strategic level document developed to identify CSP priorities, as opposed to an operational document that established policing priorities. In response to Cllr W Fredericks' question, he added that the election of a new PCC could influence the direction of the Plan, however the document transcended the OPCC as it was based on the strategic assessment of issues from all CSP partners.
- vi. The Chairman suggested that concerns raised should be shared with the CSP and the OPCCN to ensure that all CSP partners were aware, with responses shared at a future meeting.
- vii. Cllr N Housden reiterated that it was important to see a detailed agency specific response on how the plan would be implemented. The DFC replied that it would be appropriate for the Committee to seek clarification on this matter in order to scrutinise performance of the CSP. He added that the new CSP Team would allocate officers to each District to improve communication between authorities, potentially leading to more regular updates. The Chairman suggested that it would be helpful to identify these officers and determine how many would be available. He added that it would also be important to know how outcomes would be recorded.
- viii. Cllr G Mancini-Boyle referred to the £500k funding made available and asked how this figure had been determined, and how many Police would work on the Plan's priorities. The DFC replied that the funding would be available across the County for partner agencies to apply for to fund specific community safety initiatives. He added that in terms of delivering the Plan, the CSP had been established in 2012 with District representatives. It was noted that steering groups had been established to lead specific elements of the Plan, to which officers with the relevant expertise had been assigned. The DFC noted that the Council's representatives were currently under review following the management restructure. He added that there were no plans to create a single liaison team, as the Plan was too broad for this to be effective, though it was accepted that there was a need for greater representation from the CSP at District level.
- ix. Cllr A Brown stated that he was confident of the Plan, other than its successful delivery depending heavily on external organisations that were subject to resourcing limitations.

- x. The CE explained that NNDC was a member of the CSP which recognized that no one authority had complete responsibility or control for ensuring delivery of the Plan, as the structure brought together agencies to contribute to making Norfolk safer. He added that the questions raised were relevant, and whilst not all priorities within the Plan would be relevant for the District, the Committee had to recognize that it could not control delivery of the Plan. It was noted that there was a Police and Crime Scrutiny Panel at NCC that would be expected to hold the PCC to account, and further questions could be asked on the matter at a future crime and disorder update.
- xi. The Chairman noted that previous community safety arrangements had relied more heavily on Police, with Districts creating their own strategies, though the current partnership arrangements had helped to broaden their remit. The CE added that the national trend of partnerships allowed partners to focus more on strategic issues such as county-lines crimes, racial discrimination and extremism.
- xii. Cllr S Butikofer referred to issues with speeding, and suggested that this could be raised at the NCC Crime and Disorder Panel. She added that the OPCCN could also be approached to consider allocating a District representative at NNDC.
- xiii. Cllr H Blathwayt referred to a recent community policing update, and noted that priorities identified included road traffic offences, fraud awareness and women's safety, which suggested that concerns were being heard.
- xiv. Cllr L Withington stated that she welcomed the draft Plan, and hoped that the newly elected PCC would pay attention to its priorities. She then referred to the strategic partnership arrangements and stated that these were important to avoid the localisation of issues, by ensuring that support was available across all localities. It was confirmed that the Safer Norfolk Plan would be considered as part of the development of the OPCC's Crime and Policing Plan. Cllr L Withington asked whether it would be necessary to consider making recommendations to ensure the monitoring and implementation of Plan was adequate. The DFC replied that NNDC had a representative on the NCC Crime and Disorder Panel that could report back to the Committee on implementation and performance. He added that if there were any specific outcomes Members wished to monitor, they could request an update on this specific information.
- xv. The Chairman noted that there were concerns about how the Plan would be implemented, monitored and funded in the future, and suggested that in addition to sending questions, the PCC could attend a future meeting to provide an update on the implementation of the Plan. Cllr N Housden added that it could be useful for Committee Members to read the Cambridge Harm Index to understand how the priorities had been determined. The DSGOS noted that whilst the Committee were not able to make formal recommendations on the Plan, the questions raised could be shared for a response, and an update on the implementation of the Plan could be a topic for the next Crime and Disorder update. He added that the NNDC representative on the NCC Crime and Disorder Panel could be asked to provide an update on the Plan at a future meeting.
- xvi. The recommendation was proposed by Cllr G Mancini-Boyle and seconded by Cllr H Blathwayt.

RESOLVED

1. To review and comment on the Norfolk County Community Safety Partnership's draft Safer Norfolk Plan 2021-2024.

ACTIONS

1. Scrutiny Officer and Chairman to agree questions raised by the Committee on the draft Plan to forward to the NCSP lead officer and to the OPCCN for written responses and to review those responses at a later meeting to consider the extent to which they have either been reflected in their respective plans or covered in some other way.

11 SHERINGHAM LEISURE PROJECT UPDATE: MAY 2021

The DSGOS noted that due to social distancing limitations in the Council Chamber, Cllr V Gay was not able to attend the meeting though had supplied a statement:

'Ladies and gentlemen, we are sorry not to be with you in the Chamber this morning. The report on the construction of The Reef is before you. We have nothing to add to this today but, if you do have questions, we will give written answers to you as quickly as possible. Thank you.'

RESOLVED

To receive and note the update.

12 OVERVIEW & SCRUTINY COMMITTEE - WORK PROGRAMME SETTING 2021-22

The DSGOS informed Members that a draft Work Programme had been prepared for review which included all statutory reports and recurring items. He added that potential items requiring scoping were also included for discussion, and that the next two meetings were already relatively full. It was noted that some items, such as monitoring of the NWHAZ project could potentially be prepared at reasonably short notice, as they had been previously discussed by officers.

Questions and Discussion

- i. Cllr P Heinrich referred to the potential items and suggested that some may be better suited to Task and Finish Groups, and asked whether this would be possible. The DSGOS replied that whilst the Work Programme did not make reference to the Scrutiny Panels, they were expected to begin operating in the year ahead, at which point more detailed reviews could take place at this level.
- ii. Cllr W Fredericks asked how best to update the Committee on the outcomes of NHOSC meetings, and it was suggested that representatives could provide a short verbal update during the Overview and Scrutiny Update agenda item. The Chairman noted that it would be more helpful to receive verbal updates, as they provided local nuance and better context than the minutes.

- iii. Cllr L Withington referred to topic scoping and suggested that there were issues that would require careful consideration prior to review. The DSGOS agreed and suggested that officers involved could be invited to take part in scoping discussions.
- iv. It was proposed by Cllr W Fredericks and seconded by Cllr L Withington to approve the draft 2021-22 Work Programme.

RESOLVED

To review and agree which items should be added to the Overview & Scrutiny Work Programme for the 2021-22 municipal year.

13 OFFICER DELEGATED DECISIONS (MARCH – APRIL 2021

The DSGOS informed Members that the DSM had prepared the report and could respond to any questions if required.

RESOLVED

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

14 ENFORCEMENT BOARD UPDATE

The ADP introduced the report and informed Members that it related to the enforcement functions of Planning, long term empty homes, the Enforcement Board and Combined Enforcement Team. He added that future updates would be provided on a six-monthly basis to OSC and Cabinet. It was reported that the enforcement process had continued to move forward during Covid-19, progressing land mark cases such as the Shannoeks. In reference to long-term empty homes, it was stated that the Council continued to perform above than the national average, with less than one percent of the District's housing subject to long-term empty measures, which was in large part due to the efforts of the Revenues Team. The ADP referred to the Combined Enforcement Team and stated that there were currently 290 live cases, and that from January 2020, 264 cases had been closed. He added that the Team of two and half officers were working well to close cases efficiently and effectively. It was noted that a review of the District's Enforcement Plan would be undertaken with the Interim Enforcement Manager, and it was expected that changes would be reported as part of the next update.

Questions and Discussion

- i. Cllr W Fredericks asked how Members could receive an update on active cases within their wards, as she was aware that contacting officers directly used valuable resource. She added that she welcomed the development of an online form for triage of enforcement cases, and asked whether any form of online access for case updates could be made available. The ADP replied that the report and accompanying matrix referred to the work of the Enforcement Board, but it did not cover all enforcement cases in progress. He added that officers would continue to provide a bespoke response via email for the time being, though officers were working towards an online questionnaire to streamline the process. It was noted that due to resource limitations, contacting officers directly remained the best solution, as it was not possible to routinely update and report information on over 200 cases to

ward Members.

- ii. The Chairman sought clarification on whether enforcement information was already available online, to which the DSGOS replied that the Enforcement Board Matrix was available in the ModGov Library. The ADP added that most cases on the Matrix were approaching conclusion, and stated that for ongoing enforcement cases public access was available, though it was advisable to contact the relevant officer to receive the most up to date information.
- iii. Cllr G Mancini-Boyle sought clarification on the process of pursuing enforcement action, and asked whether officers relied on the empty dwelling management order. He added that many enforcement cases likely dealt with probate, and asked whether the Council often encountered renovation costs once the enforcement process was complete. The ADP replied that whilst most cases did not follow textbook progress, they were often resolved through increased Council Tax banding. He added that the vast majority were therefore resolved in a three, six or twelve month period, with visiting officers undertaking a follow-up check to monitor properties for signs of decay or occupation, to ensure that the correct Council Tax was being paid. It was noted that properties that were vacant for longer often involved probate or other issues that made cases more difficult to resolve, though long-term empty issues were not as common. The ADP stated that these properties were also often located in areas with limited future potential, in which case Section 215 notices could be submitted, in addition to negotiating with owners to repair and occupy properties. He added that in some cases owners did not want to occupy properties, in which cases empty homes legislation would be considered, though its use in the District was very limited.
- iv. Cllr H Blathwayt raised concerns that the resourcing of enforcement had been raised at Parish level, and noted that there was a perception that enforcement was not a Council priority. He asked whether these concerns were shared, and whether an increase in resources was worthy of consideration. The ADP replied that in his experience, the enforcement process was critical to Planning, and that despite the hard work of officers, operating with a small team could be difficult. He added that the approach to enforcement at NNDC was serious and progress was being made, though long standing cases required significant resource. It was stated that consideration was being given to provide more administrative support to the Team, to allow greater focus on casework, and that three officers would be the appropriate resource for an authority such as NNDC. Cllr H Blathwayt asked whether a Task and Finish Group would aid in monitoring ongoing cases to report progress, to which the ADP replied that this could be considered alongside the views of Cabinet, once progress had been determined as part of the next Enforcement Board Update.
- v. The Chairman stated that as the effectiveness of enforcement was paramount, and public expectations were high, it was his impression that the Enforcement Team was potentially under resourced. The ADP replied that one issue with public perceptions was that planning enforcement was a reactionary service that dealt with a high number of cases, therefore it could not deliver an overnight solution to breaches of planning consent. He added that the Council was also unable to stop individuals seeking retrospective planning permission, and where this was the case, it should be taken as a

positive that enforcement could ensure that permission is sought.

- vi. Cllr P Heinrich referred to the figures provided for empty dwellings and asked how accurate this was, when it had last been audited and how many properties had management orders in place. The ADP replied that the position on empty homes had been impacted by Covid-19, with prosecutions Council Tax prosecutions paused temporarily during the Pandemic. Now that they had been resumed, prosecutions were moving forward, though there was a backlog of cases at the Courts that delayed longstanding cases. He added that a more accurate figure could be provided once discussions had taken place with the Revenues Manager.
- vii. Cllr J Toye referred to public perceptions of enforcement and stated that whilst there was an expectation for an Enforcement Officer to respond to complaints quickly with a site visit, this had not been the practice since 2013. It was noted that multi-agency enforcement action had to be promoted as a better way to resolve enforcement issues.
- viii. Cllr L Withington stated that there was strong support from Members for the Enforcement Board, and suggested that it may be appropriate to express support of the Team to Cabinet, to ensure that compassionate and effective enforcement could continue, in order to support the planning process.
- ix. The Chairman noted the concerns that had been raised and stated that whilst an Enforcement Board Update had not been received for some time, it was clear how important enforcement was in supporting the planning process. He added that if there was a resource issue causing undue stress, then it would be appropriate to address this.
- x. It was proposed by Cllr H Blathwayt and seconded by Cllr G Mancini-Boyle that Cabinet give consideration to the resourcing of the Planning Enforcement Team to strengthen and support the Council's planning enforcement process.

RESOLVED

1. **To note the continued progress of the Enforcement Board and the Combined Enforcement Team.**
2. **To recommend to Cabinet that consideration is given to the resourcing of the Planning Enforcement Team to strengthen and support the Council's planning enforcement process.**

ACTIONS

1. **ADP to provide clarification on the number of empty dwellings, when the number was last audited and how many properties have management orders in place.**

15 THE CABINET WORK PROGRAMME

The DSGOS informed Members that the Outturn Report would be delayed until July, whilst the Equality and Diversity Policy was expected at the June meeting. He added that discussions had taken place to try to bring the Housing Strategy forward for pre-scrutiny at the June meeting.

RESOLVED

To note the Cabinet Work Programme.

16 OVERVIEW & SCRUTINY WORK PROGRAMME AND UPDATE

The DSGOS noted that the Work Programme had already been discussed earlier in the meeting and that there was nothing to add.

RESOLVED

To note the Work Programme.

17 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 11.42 am.

Chairman