

Cabinet



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Friday, 18 February 2022

A meeting of the **Cabinet** of North Norfolk District Council will be held in the Council Chamber - Council Offices on **Monday, 28 February 2022 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

Members of the public who wish to ask a question or speak on an agenda item are requested to arrive at least 15 minutes before the start of the meeting. It will not always be possible to accommodate requests after that time. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel:01263 516010, Email:emma.denny@north-norfolk.gov.uk.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so should inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Mrs W Fredericks, Mrs A Fitch-Tillett, Ms V Gay, Mr R Kershaw, Mr N Lloyd, Mr E Seward, Miss L Shires, Mr J Toye and Mr T Adams

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

Chief Executive: Steve Blatch
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Email districtcouncil@north-norfolk.gov.uk **Web site** www.north-norfolk.gov.uk

A G E N D A

- 1. TO RECEIVE APOLOGIES FOR ABSENCE**
- 2. MINUTES** 1 - 12

To approve, as a correct record, the minutes of the meeting of the Cabinet held on 31 January 2022.
- 3. PUBLIC QUESTIONS AND STATEMENTS**

To receive questions and statements from the public, if any.
- 4. DECLARATIONS OF INTEREST** 13 - 18

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)
- 5. 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
- 6. MEMBERS' QUESTIONS**

To receive oral questions from Members, if any
- 7. RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE**

To consider any recommendations made by the Overview & Scrutiny Committee at the meeting held on 9th February 2022.
- 8. RECOMMENDATIONS FROM CABINET WORKING PARTIES** 19 - 26

To receive the minutes of the meeting of the Cabinet Working Party for Projects held on 19 January 2022.

9. MUNDESLEY AND CROMER PHASE 2 COASTAL MANAGEMENT SCHEMES

27 - 36

Summary: The report seeks to provide an update as to the development and progress of the Cromer Phase 2 and Mundesley Coastal Management Schemes. There is a need to move forward with delivery of the schemes as soon as is practical to meet the Environment Agency Capital programme timeframes and in order to better protect homes, communities and infrastructure. The report sets out recommendations to enable both schemes to proceed with minimal delays.

Options considered: **Option 1 - Do not proceed:** This option would cease all progression of work and inform funding bodies to reallocate funds to other priorities. The communities of Cromer and Mundesley would not benefit from the coastal protection afforded by the schemes. Such an option would not deliver the intent of the Shoreline Management Plan policies for these locations. Option Discounted.

Option 2 - Seek protection measures further to the proposal: This option would seek to delay delivery in order to seek to raise significant further funds for additional protection measures. This could inadvertently lead to the loss of the government grant and damage to the localities in the intervening years of seeking to make further arrangements. Option Discounted.

Option 3 -Continue with proposed scheme: this option would see the continuation of the scheme as proposed, seeking to maximise on protection to communities and assets. Recommended Option.

Conclusions: There is a need to move forward expediently with the delivery of the Mundesley and Cromer Phase 2 Coastal Management Schemes to deliver continued and enhanced protection to communities in the timeframes the funding is available.

Design and consenting is progressing with construction anticipated to start in autumn 2022, subject to consents and budget.

Due to increases in construction costs across the industry, there is a need to continue to minimise cost and maximise funding to enable the delivery of the most beneficial schemes

possible.

Recommendations: Cabinet resolves to:

- a) **Support the continued approach of the Mundesley and Cromer Phase 2 Coastal Management Schemes.**
- b) **Support of the appointment of Mott MacDonald to complete detailed design and consenting via the Dynamic Purchasing System and additional scope identified to complete the supporting Environmental Impact Assessments.**
- c) **Approve construction via the Local Authority SCAPE framework.**
- d) **Approve the submission of applications for consents and licences**
- e) **Delegate to Director of Place and Climate Change with Portfolio Holder consultation to approve quotations, tenders, funding applications, access agreements and contractual appointments/variations to allow for timely progression of the schemes**

Reasons for Recommendations: To enable continued and timely progression for the Mundesley and Cromer Phase 2 Coastal Management Schemes.

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)

- Mundesley Outline Business Case- June 1018
- Cromer Coast Protection Scheme Project Appraisal Report – July 2012

Cabinet Member(s)
Cllr Angie Fitch-Tillett

Ward(s) affected
Mundesley
Cromer

Contact Officer, telephone number and email:

Tamzen Pope – Tamzen.Pope@north-norfolk.gov.uk 01263 516171

Rob Goodliffe – Rob.Goodliffe@north-norfolk.gov.uk 01263 516321

Summary: Sport & Leisure Management (SLM) known as Everyone Active has submitted a very positive financial offer to the Council for the remainder of the leisure management contract. Our consultants are involved in multiple negotiations of this kind and it is currently rare for operators to be offering to return to pre-Covid financial projections from April 2022 as the outlook for leisure centre operators and the recovery of market demand is highly uncertain. Considering these market factors, the offer of 'resetting' the agreement and utilising the extension to honour the original financial terms of the contract is a positive one. Indeed, by agreeing to lower their percentage margin and to increase the Council's share of any surplus to 60%, SLM is improving on the Council's original contract position as reflected by the increased average annual payment being offered to the Council.

Whilst an extension to the contract is part of the SLM offer, the extension is within the 5-year extension permitted within the original contract and the offer to fix out the management fee at a positive level for the Council over a longer period appears to be a good one at this stage as the Council will have guaranteed savings and SLM will begin taking the risk on the achievement of the financial figures being proposed. The position being offered is considerably greater than the current performance of the leisure centres and, whilst the opening of the Reef will undoubtedly assist SLM in achieving these figures, the offer appears to be a positive one from the Council's perspective.

Options:

- Option 1.** To agree a 3-year extension of the contract with a management fee of circa £73k per annum paid to the Council
- Option 2.** To agree a 5-year extension of the contract with a management fee of circa £79k per annum paid to the Council
- Option 3.** To not agree to an extension at the current time.

Conclusions: The Leisure Contract is nearing the end of the 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 to an extension of the contract is in accordance with current contract and transfers the financial risk back to the operator.

Recommendations: **Option 2: That Cabinet agrees to a 5-year extension of the leisure contract**

Reasons for Recommendations: To transfer the financial risk back to the operator with an improved financial reward over the length of the contract.

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)

Cabinet Member(s)	Ward(s) affected
Virginia Gay	All

Contact Officer, telephone number and email:
Karl Read, 01263 516002, karl.read@north-norfolk.gov.uk

11. BUDGET MONITORING REPORT 2021/22 - PERIOD 10

45 - 78

Summary: This report summarises the budget monitoring position for the revenue account, capital programme and reserves to the end of January 2022.

Options considered: Not applicable.

Conclusions: The overall position at the end of January 2022 shows an £8,774,619 underspend for the current financial year on the revenue account, this is however currently expected to deliver a full year underspend of £414,439.

Recommendations: It is recommended that Cabinet:

- 1) Note the contents of the report and the current budget monitoring position.**

Reasons for Recommendations: To update Members on the current budget monitoring position for the Council.

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

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

System budget monitoring reports

Cabinet Member(s) Cllr Eric Seward	Ward(s) affected
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Contact Officer, telephone number and email: Lucy Hume, 01263 516246, Lucy.Hume@north-norfolk.gov.uk

Summary: The Managing Performance Report attached, as Appendix A, will enable the Council to assess delivery against objectives detailed in the Corporate Plan Delivery Plan 2019-2023 and operational service performance. It gives an overview of progress towards achieving the objectives in the Corporate Plan, assesses the impact that Covid-19 has had on both these aspects of Council performance, and the actions being taken to address these issues and proposes any further action needed.

Options considered: Options considering action regarding performance are presented separately, issue by issue, to the appropriate Council Committee where committee approval is required.

Conclusions: Continued progress has been made over this quarter in areas of core service delivery and in respect of key Corporate Plan projects and objectives as detailed in the report, despite corporate focus again having to be directed to COVID response activity with rapidly rising rates of infection in the District in December associated with the spread of the Omicron variant.

The uncertainty caused by the spread of the Omicron variant had particular impact on many hospitality businesses at a critical time of the year and saw the Government announce further grant support for the sector which resulted in an increase of calls to the Customer Services, Environmental Health, Economic Growth and Revenues Teams.

Recommendations: **That Cabinet resolves to note this report and endorses the actions being taken by Corporate Leadership Team detailed in Appendix A – Managing Performance. That Cabinet reviews the benchmarking report attached at Appendix B and requests further information and/ or action as they see fit.**

Reasons for Recommendations: To ensure the objectives of the Council are achieved.

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)

Cabinet Member(s)	Ward(s) affected
Cllr Tim Adams	All

Contact Officer, telephone number and email: Steve Blatch, Chief Executive
Email:- steve.blatch@north-norfolk.gov.uk Tel:- 01263 516232

13. NNDC TOWN & PARISH COUNCIL ENGAGEMENT FORUM

169 - 174

Summary: The Corporate Plan 2019 – 2023 sets out an ambition of improving engagement with the District's Town and Parish Councils. Some forum-style meetings have already been held and it is proposed that the process for engagement should now be formalised and supported by agreed terms of reference.

Options considered:

1. To continue with informal meetings. This presents challenges regarding the monitoring of performance against the Corporate Plan objectives.
2. To cease engagement with the town and parish councils. This is not recommended as there has already been positive feedback from the forums held to date.

Conclusions: The Customer Focus theme of the corporate plan clearly sets out the ambition of improving engagement with local communities, including town and parish councils. A quarterly forum, hosted by NNDC is an effective way of providing a conduit between the two local authority tiers. Agreed terms of reference provides a formal mechanism for engagement and facilitates the monitoring of agreed objectives and outcomes.

Recommendations: **That Cabinet approves the establishment of a quarterly engagement forum with town and parish council representatives**

To approve the terms of reference set out at Appendix A

Reasons for Recommendations: To support engagement with local communities, including town and parish councils, as set out in the Corporate Plan 2019 – 2023.

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)

Cabinet Member(s)
Cllr T Adams, Leader
Cllr L Shires

Ward(s) affected: All

Contact Officer, telephone number and email:
Emma Denny, Democratic Services Manager, 0126 516010,
emma.denny@north-norfolk.gov.uk

14. 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 _ of Part I of Schedule 12A (as amended) to the Act.”

15. PRIVATE BUSINESS