

## **CABINET**

**Minutes of the meeting of the Cabinet held on Monday, 4 September 2023 at the Council Chamber - Council Offices at 10.00 am**

### **Committee**

#### **Members Present:**

Cllr W Fredericks (Deputy Chair)	Cllr T Adams (Chair)
Cllr H Blathwayt	Cllr P Heinrich
Cllr A Varley	Cllr L Withington

#### **Members also attending:**

Cllr C Cushing, Cllr N Dixon, Cllr A Fitch-Tillett, Cllr J Toye and Cllr L Vickers

#### **Officers in Attendance:**

Chief Executive, S151 Officer, Monitoring Officer, Estates & Assets Strategy Manager and Democratic Services Manager

#### **Also in attendance:**

Public

#### **Apologies for Absence:**

Cllr L Shires  
Cllr A Brown  
Cllr C Ringer

## **32 MINUTES**

The minutes of the meeting held on 29<sup>th</sup> June were approved as a correct record and signed by the Chairman.

## **33 PUBLIC QUESTIONS AND STATEMENTS**

Cllr Jo Copplestone, Broadland District Council, was in attendance and made the following statement:

'Broadland District Council made representations in response to North Norfolk's Local Plan back in 2021, and within that response the Council identified that significant additional growth in North Walsham would significantly increase traffic volume on the arterial routes to Norwich particularly the B1150 in Coltishall.

Following this, North Norfolk DC undertook a transport assessment in Summer 2021 which would address any potential impact on the road, despite repeated requests to share the findings of the assessment, no information was forthcoming. Eventually a 'Technical Note', which was of limited scope was provided the day before North Norfolk began the Regulation 19 publication of their Local Plan.

Although there was an opportunity to discuss and potentially resolve local concerns about the transport impacts of planned growth of North Walsham, on residents of Coltishall, the opportunity to resolve this important cross border matter was missed, and local people did not get their say.

At a second meeting with NNDC last Summer, following objections to the local plan on the adequacy of the transport evidence prepared, the County Council told NNDC additional transport work was required. The promoter of the proposed housing sites at North Walsham engaged Consultants 'Aecom' to undertake a subsequent Transport Assessment, and our newly formed Coltishall & Horstead B1150 Group submitted our 'local points of concern' which need to be addressed by Aecom, before the traffic counts began last Autumn.

Extracts from the Transport Assessment for Coltishall by Consultants 'Aecom' were finally published in North Norfolk District Councils papers for the 'Planning Policy & Built Heritage Working Party' meeting on 7th August, and on the same day as County Council organised a virtual meeting at short notice with Myself and Cllr. Fran Whymark to discuss the recommendations from Aecom.

Notwithstanding our many 'points of concern', Aecom have only concentrated on increasing traffic flow through the villages as development in North Walsham starts. Their two recommendations for traffic 'Mitigation in Coltishall' are firstly, to remove 'obstructive parking' in the high street adjacent the War Memorial to allow a 'bus stop cage in place of parking'. Secondly, to improve the junction of Norwich Road and Wroxham Road to create a right turn lane onto the B1354, when heading north from Horstead direction. There are no mitigation measures to protect pedestrians and cyclists, nor have they addressed our main concern, the width constraint over the River Bure Bridge.

When further planned development in North Walsham of 1800 new homes comes forward, without any meaningful solutions & funding to improve the road infrastructure and River Bridge in Coltishall, traffic chaos will be exacerbated.

NNDC Officer said a Public Consultation on the Development Brief would take place at the end of August for six weeks, and despite many requests for details of the consultation, nothing is forthcoming nor is a copy of the Transport Assessment, despite an FOI request.

Fundamental problems with cross border communication have occurred throughout the NNDC Local Plan process, and I question the validity of the Transport Assessment to properly inform and justify a public consultation, which if allowed to proceed should include a Face-to-Face Public Meeting in Coltishall, so local people can have their say'.

The Leader thanked her for her comments and invited the Chairman of Development Committee and Portfolio Holder for Sustainable Development, Cllr P Heinrich, to respond. Cllr Heinrich said that he shared Cllr Copplestone's concerns and informed her that the Council was about to commence a consultation on the development brief for North Walsham and it had been agreed that officers would meet with representatives of the Coltishall & Horstead B1150 Special Interest Group. For clarity, the proposed consultation was on the North Walsham Development Brief and would not include the highway mitigation proposals that had been referenced. These mitigation measures were not sufficiently advanced to be consulted upon yet. That said, the Highways Authority had indicated that they did not anticipate any 'show stoppers' regarding the mitigation measures and this might be something that Cllr Copplestone may wish to consult Highways on. Once the highway works had been subject to a final safety audit, officers had suggested that a public consultation meeting was held in Coltishall, as requested. He added that there would be no decisions taken until the Local Plan examination was complete. In conclusion, Cllr Heinrich said that officers proposed that the highways proposals at Coltishall should be subject to a specific public consultation and once that is sufficiently advanced be

published and shared with Broadland District Council.

The Leader said that he welcomed further dialogue on the matter.

Cllr Copplestone replied that Broadland District Council had been provided with extracts from reports presented to NNDCs Planning Policy & Built Heritage Working Party and a meeting had been organised at very short notice, together with the County Councillor to discuss the recommendations. She said that every time they approached the District Council, they did not get anywhere. It was imperative that they saw the transport assessment as soon as possible. The B1150 Group were extremely concerned and had submitted a Freedom of Information as it had been so difficult to obtain information.

The Leader said that he would notify the Portfolio Holder, Cllr Brown, of the situation and ensure that Broadland District Council was kept updated.

#### **34 DECLARATIONS OF INTEREST**

None received.

#### **35 ITEMS OF URGENT BUSINESS**

None received.

#### **36 MEMBERS' QUESTIONS**

The Chairman advised members that they could ask questions throughout the meeting as matters arose.

#### **37 RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE**

The Chairman of the Overview & Scrutiny Committee, Cllr Dixon, confirmed that there were no recommendations from the Committee to Cabinet.

#### **38 RECOMMENDATIONS FROM CABINET WORKING PARTIES**

##### Planning Policy & Built Heritage Working Party – 10<sup>th</sup> July and 7<sup>th</sup> August

Cllr P Heinrich presented this item in the absence of the Portfolio Holder, Cllr A Brown. He proposed that the recommendations were taken en bloc.

Cllr A Varley spoke about the joint position statement for Knackers Wood. He said that he supported taking the proposals forward and although it was regrettable that they would lead to increased growth in the parish, he reminded members that the Council had a duty to ensure that any proposals did not have a detrimental impact on the environment.

Cllr Blathwayt said that the Knackers Wood proposals had been discussed by the Broads Authority and the main outcome was that, without adequate infrastructure in place, there could not be building in this area.

Cllr N Dixon referred to the recommendation for the North Walsham Development Brief Public Consultation and the earlier question from the member of the public. He said that he had raised concerns at the Planning Policy & Built Heritage Working Party meeting and he had highlighted that the transport assessment and the

mitigation measures adequately reflected the concerns of the residents of Coltishall and Horstead. He said that he recognised that it was NNDC's responsibility to concentrate on the North Walsham and the Development Brief and rely on the County Council assessment regarding the principal route that fed into North Walsham. He concluded by saying he believed it was important to strengthen the relationship between NNDC, Broadland District Council and the County Council to adequately reflect at officer level the kind of issues that would be of great concern as the project progressed.

It was proposed by Cllr P Heinrich, seconded by Cllr A Varley and

RESOLVED

To approve the following recommendations made by the Planning Policy & Built Heritage Working Party:

**10<sup>th</sup> July 2023:**

Local Plan Update – Examination Process

That delegated authority be given to the Planning Policy Manager in consultation with the Planning Portfolio Holder and Chairman of the Planning Policy & Built Heritage Working Party to respond to the Inspectors questions prior to and during : Examination hearings.

**7<sup>th</sup> August 2023:**

Holt Neighbourhood Plan

That having been subject to successful local referendum;

1a. The Holt Neighbourhood Plan be made (brought into force) as part of the statutory Development Plan for North Norfolk in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended) on the 25th August 2023;

1b. The issuing of the Decision Statement required under Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended) in order to bring to the attention of the qualifying body, the people who live, work and or carry out business in the Neighbourhood Plan Area is delegated to the Assistant Director of Planning in conjunction with the Planning Policy Team Leader;

2. Acknowledge that the required consequential amendments to the adopted policies map and the required minor consequential changes to the referendum version of the neighbourhood plan through delegated powers to the Planning Policy Team Leader

Horning Knackers Wood – updated Joint Position Statement

To authorise the Assistant Director of Planning (in consultation with the Planning Policy Team Leader) as signatory to the updated Joint Position Statement (JPS) and incorporation of any minor changes as a result of Environment Agency or other Local Planning Authority sign off process.

Emerging Local Plan

That, as soon as reasonably practical, weight is given to the emerging Plan policies in line with para 48 of the NPPF as detailed in appendix 1 of the report to the

committee.

### Adoption of Coastal Adaptation Supplementary Planning Document

That the Coastal Adaptation Supplementary Planning Document is adopted.

That the Planning Policy Manager, in consultation with the Portfolio Holder for Planning is authorised to make any presentational or typographical amendments to the Coastal Adaptation Supplementary Planning Document prior to it being published.

### **Agenda Item 10: North Walsham Development Brief Public Consultation**

That the draft version of the North Walsham West Development Brief be used as a basis for a period of public consultation.

## **39 DELEGATED DECISIONS**

The Leader introduced this item. He explained that it was a statutory report requiring that any decision exercised under delegated powers must be reported to Cabinet on a regular basis.

It was proposed by Cllr Adams, seconded by Cllr A Varley and

RESOLVED

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

Reason for the decision:

To comply with the requirements set out in the Constitution, Chapter 6, Part 5

## **40 BUDGET MONITORING PERIOD 4 2023 - 2024**

In the absence of the Portfolio Holder for Finance, Property & Assets, the Chairman introduced this item. He said that there were various capital projects that needed to be included in the capital programme for the current budget year and there was a recommendation to Full Council to that effect.

The Chairman advised members that the interest budget was forecast to be £250k above budget, due to higher interest rates. This would be used to finance any short-term borrowing costs, should they occur.

He concluded by saying that there was a smaller than forecast overspend for the year of £25k, it was anticipated that an updated position would be provided when the period 6 report came forward.

Members were invited to speak:

Cllr C Cushing referred to page 30 of the report and the requirement to repay the Covid grants which had incurred almost £200k of interest. He asked, given that it was known that this funding would need to be paid back to the Government, why it had not been set aside in a reserve. The S151 Officer replied that the request for repayment from Government came with no warning and the money was held in an

account that was not instantly accessible and there was no time to move it to an accessible account in the timescale given, so short term borrowing was implemented. She added that all local authorities were in the same position, adding to the difficulty in accessing funding.

Cllr Cushing then asked if there was a further update about employee costs and the pay award. He asked if there was an update on this and whether the £550k set aside would be sufficient. The S151 Officer replied that negotiations were ongoing. The Council had budgeted for a 5% increase and it looked as though it may be slightly higher than this.

Cllr N Dixon referred to page 23 of the report and the list of recommendations to Full Council. He asked whether any of the capital budget requests had been included in the 2023/2024 Budget forecast when the budget was set by Full Council in February. The S151 Officer confirmed that they were not. She said that the first one was an urgent request and the second one was due to an unanticipated incident. The remaining recommendations referred to matters that had been approved in principle and members were aware of them but they had not been included in the capital programme. She confirmed that they were all fully funded.

The Chief Executive said that recommendations 4 – 7 had been reported before. He said that the Statutory Officers had reviewed all of the decisions taken in recent months and whilst the award of the funds had been reported to members, they had not been included in the capital programme. The recommendations would rectify this omission.

Cllr Dixon replied that it was expected to have to make some corrections but it was the number and magnitude of the requests that was surprising.

It was proposed by Cllr T Adams, seconded by W Fredericks and

RESOLVED

To Note the contents of the report and the current budget monitoring position.

To recommend to Full Council:

- 1) That a new capital budget of £0.050m is added to the capital programme to fund repair works to the Marrams Footpath, with funding coming from the Council's Capital Receipts.
- 2) That a new capital budget of £0.370m is added to the capital programme to demolish and rebuild the Public Conveniences at Albert Street, Holt with £0.120m to be funded from an insurance claim and £0.250m to be funded from the Council's Capital Receipts.
- 3) That a new capital budget of £1.040m is added to the capital programme in respect of the Local Authority Housing Fund.
- 4) That the current Provision of Temporary Accommodation Budget is increased by £0.178m to £0.983m for 2023/24 following receipt of the Local Authority Housing Fund grant.
- 5) That a capital budget of £1.458m be added to the capital programme for the Rural England Prosperity Fund expenditure and £0.266m be added to the

capital programme for the UK Shared Prosperity Fund expenditure as shown in paragraph 4.7 and note that this will be funded by external funding.

- 6) That a capital budget of £14.610m be added to the capital programme as shown in paragraph 4.8 and note that the project will be funded by external funding.

Reason for the decision:

To update members on the current budget monitoring position for the Council.

#### **41 DEBT RECOVERY REPORT 2022 - 2023**

The Chairman introduced this item, in the absence of the Portfolio Holder for Finance, Cllr Shires. He began by thanking the Council's Revenues team for their hard work. He explained that it was an annual report detailing the Council's collection performance for the year and he said that collection rates remained high and welcomed the proposals to change some of the delegated powers for officers to support the best use of staff resources going forward.

Cllr N Dixon referred to page 67, table 2, which set out income streams for National Non Domestic Rates (NNDR). He said that the bottom box for the provision of bad / doubtful debt provided a figure of £1,988 – which was considerably lower than all of the other figures in the table. He asked if this was correct. The Chairman said that a written answer would be provided.

It was proposed by Cllr T Adams, seconded by Cllr L Withington and

RESOLVED

1. To approve the annual report giving details of the Council's write-offs in accordance with the Council's Debt Write-Off Policy and performance in relation to revenues collection.
2. To approve the suggested changes to the delegated authority as shown in appendix 2 for write offs.

Reason for the decision:

To approve the annual report giving details of the Council's write-offs in accordance with the Council's Debt Write-Off Policy and performance in relation to revenues collection and the suggested delegated authorisation changes to ensure the Council seeks best use of its staff resources and manages the finances to ensure best value for money.

#### **42 CROMER PHASE 2 AND MUNDESLEY COASTAL MANAGEMENT SCHEMES**

The Portfolio Holder for Coast, Cllr H Blathwayt, introduced this item. He explained that three options had been explored, with the third option of continuing with the proposed scheme, whilst seeking to maximise on protection to communities and assets. He added that funding for the proposed scheme was available now including some funding from the Environment Agency (EA) to cover inflation costs. There would be ongoing engagement with affected communities on the proposals and they would be as open and flexible as possible to allow as many people as possible to attend.

Cllr A Varley thanked officers for fully engaging with local communities. He said that whilst there was no doubt that the scheme should go ahead, it must be remembered that there would be implications for the Council's carbon footprint but he welcomed that measures were in place to assess this and that mitigations would be implemented.

Cllr W Fredericks welcomed the reassurance regarding engagement with local communities. She recognised that sea defences were an emotive subject for local residents and engagement was key.

It was proposed by Cllr H Blathwayt, seconded by Cllr T Adams and

RESOLVED

To recommend to Full Council:

That Cabinet recommend that full Council:

- 1) Confirm its continued support for the approach being taken in the delivery of the Mundesley and Cromer Phase 2 Coastal Management Schemes.
- 2) Delegate the authority to Director of Place and Climate Change, in consultation with the Portfolio Holder, to approve quotations, tenders, funding applications, access agreements and contractual appointments/variations. This is so the schemes can continue to progress in a timely manner.
- 3) Approve increases in the delegated financial authority for the Director of Place and Climate Change (up to £1 million), for the Assistant Director of Place and Climate Change (up to £500,000) and for the Project Manager (up to £100,000) **for these two schemes only**.
- 4) Approve an increase to the value of the Cromer and Mundesley coastal protection schemes from £6.476m (approved by full Council on 1 March 2023) to £25m within the Capital Programme. This is subject to securing the additional grant funding of £18.524m for the scheme from the Environment Agency (EA).
- 5) Approve the descoping of the schemes if the grant funding secured from the EA is less than the Council has applied for so that expenditure will be fully met by the total grant to be awarded by the EA.

Reasons for the decision:

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

An increase to the delegated financial authority is required as the payments made to contractors and suppliers will be of large value due to the size of the schemes. The increased authority levels will enable invoices to be paid promptly and in accordance with the contractual terms and conditions.

Full Council need to approve all additions to the Capital Programme, in accordance with the Constitution. Whilst additional grant has been applied for from the EA, which if successful would bring the total value of the two schemes up to £25m, the Council may not be successful in securing the full amount. If this is the case then approval for the schemes to be scaled back is sought in advance to reduce any delays in delivery of the two schemes.



**43 NORTH NORFOLK SUSTAINABLE COMMUNITIES FUND ANNUAL REPORT 2022-2023**

The Chairman said that this report was essentially a record of confirmed success for the North Norfolk Sustainable Communities Fund (NNSCF) and he thanked staff for their hard work in supporting the Fund and the Grants panel. He added that the Administration hoped to continue to support this grant funding going forward, however, there were challenges and a further support would be coming back to outline various options.

Cllr A Varley thanked the officers and the Panel for their hard work in supporting the NNSCF. He particularly welcomed the focus on green and sustainable projects.

Cllr W Fredericks said that a number of communities had not applied for the fund and she urged all members to promote the NNSCF via their parish councils.

It was proposed by Cllr T Adams, seconded by A Varley and

**RESOLVED**

To approve a review of the NNSCF to ensure the achievement of the focus identified in the Corporate Plan 2023 – 2027.

Reason for the decision:

To ensure the NNSCF reflects the Developing Communities priorities in the Corporate Plan 2023 – 2027.

To ensure the fund is appropriately financed and is focussed on meeting the current and emerging needs of communities

**44 CEDARS, NORTH WALSHAM - COMPLETION OF REFURBISHMENT UPDATE**

The Chairman introduced this item. He explained that the refurbishment of the Cedars building formed part of the Historic England North Walsham Heritage Action Zone (HAZ) programme. With the refurbishment now complete, it was proposed to move forward with a mix of private and public sector lettings. Officers would continue with the marketing of the remaining vacant space through seeking to secure additional tenants. He added that a further review of the opportunities for other parts of the site continued and an options paper would be prepared once the outcome of Historic England's Statutory List review had been completed. The Chairman concluded by reminding members that there was an open day for the public to view the refurbished building on 7<sup>th</sup> September.

Cllr N Dixon referred to page 118 of the agenda and the reference to the Medium Term Financial Strategy (MTFS). He asked if any anticipated net surplus from rental income, had factored in the spending on the building. The Chairman replied that it was anticipated that there would be a net gain after a number of years.

The Estates and Asset Strategy Manager explained that depending on the outcome of the remaining areas of the site, then the capital expenditure would be covered and then the rental income, together with the service charge, would produce a net income.

Cllr Dixon said it would be helpful to have an update on this once the position was

clearer. The Chairman replied that there would be a further report coming to Cabinet, outlining the tenancy options for the remaining space on the site.

Cllr Cushing said that the report inferred that there was more work to be undertaken on the site. The Chairman replied that the building was separate from the rest of the site. There was an outbuilding, a parking compound and a listed wall that all needed to be assessed and their future considered.

It was proposed by Cllr T Adams, seconded by Cllr P Heinrich and

RESOLVED to

1. Confirm the letting of rooms within The Cedars building as detailed in the exempt appendix, with authority delegated to the Asset Strategy Manager to complete the licence agreements, with details of tenants being made public once licences are complete.
2. Request that the Asset Strategy Manager continues to advertise and seek tenants for the remaining space within the building with delegated authority to agree tenants in consultation with the finance and assets portfolio holder.
3. Receive a further report detailing options for the balance of The Cedars site and adjoining land off Hall Lane to the north once the outcome of the Historic England Statutory List review is known.

Reason for the decision:

To advise Members of the completion of refurbishment works to The Cedars building as part of the North Walsham Heritage Action Zone Programme and in the sound management of the Council's property portfolio.

#### **45 ROCKET HOUSE BUILDING, CROMER - REPAIRS, MAINTENANCE AND ENERGY IMPROVEMENT WORKS**

The Chairman introduced this item. He welcomed the members of the public in attendance and apologised in advance that most of the discussion would be in private session due to commercial sensitivities. He explained briefly that the building was suffering extensive corrosion to the steel frame along with extensive damp issues. The full extent of the problem had not been fully determined but the deterioration had happened more quickly than anticipated. Although the possibility of claiming some of the cost for repairs from the principle building contractor had been explored, a considerable amount of time had passed and the initial building contractor was no longer operating.

There were a number of issues that needed to be considered – including net zero targets, EPC ratings and accessibility issues relating to the lift. He said that it was of historical importance that the RNLI museum was able to continue to operate from the building but the Council had no obligation regarding this. The other tenant in the building had been extremely successful and supported local employment and contributing to the visitor offer. He concluded by saying that external funding options would need to be considered, alongside the other options that were set out in the confidential papers.

It was proposed by Cllr T Adams, seconded by Cllr W Fredericks and

RESOLVED 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.”

That the public interest in maintaining the exemption outweighs the public interest in disclosure for the following reason – information relating to the financial or business affairs of any particular person (including the authority holding that information). The appended reports contain commercially confidential information.

*The meeting went into private session at 11.02am.*

Members considered the information contained within the confidential papers. *The meeting returned to public session at 11.39am.*

The Chairman thanked everyone for their input. He said that there had been a detailed and thorough discussion about the various options and issues and the potential impact on the tenants.

Members had agreed that a further report should be presented in due course on the potential options and there would be a further confidential discussion to once there was an update on the technical issues.

It was proposed by Cllr T Adams, seconded by Cllr P Heinrich and

RESOLVED

1. To consider the options detailed in the exempt appendix A and to advise officers as to which is the preferred option, or priority of options following a further confidential briefing on the technical issues affecting the site and building.
2. To request a further report to be presented to Cabinet in due course on the preferred option or options.

Reason for the Decision:

To respond to the need for essential repairs, maintenance and energy improvement works to the building.

**46 EXCLUSION OF PRESS AND PUBLIC**

**47 EXEMPT MINUTES - AGENDA ITEM 15 ROCKET HOUSE BUILDING, CROMER - REPAIRS, MAINTENANCE AND ENERGY IMPROVEMENT LEVELS**

This minute is exempt for the reasons stated by the Chairman during the public session.

The meeting ended at 11.40 am.

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Chairman