

OVERVIEW & SCRUTINY COMMITTEE

Minutes of the meeting of the Overview & Scrutiny Committee held on Wednesday, 16 October 2024 in the Council Chamber - Council Offices at 9.30 am

Committee Members Present:

Cllr N Dixon (Chairman)	Cllr P Bailey
Cllr M Batey	Cllr J Boyle
Cllr C Cushing	Cllr A Fletcher
Cllr M Hankins	Cllr P Heinrich
Cllr V Holliday	Cllr N Housden

Members also attending: Cllr T Adams, Cllr L Shires

Officers in Attendance: Democratic Services Officer - Scrutiny, Assistant Director for Finance, Assets, Legal & Monitoring Officer, Director for Resources / S151 Officer, Chief Executive, Estates and Asset Strategy Manager, Assistant Director for Planning and Planning Support Manager

Also in attendance:

196 APOLOGY

Apologies for absence were submitted by Councillors Penfold and Vickers.

197 SUBSTITUTES

There were no substitutes at the meeting.

198 PUBLIC QUESTIONS & STATEMENTS

The Committee heard from Siri Taylor from the "Save Benjamin Court as a Reablement Unit" Group who asked –

NHS Norfolk and Waveney Integrated Care Board has rejected calls to reopen Benjamin Court as a centre for post-hospital reablement, despite this being the overwhelming view of respondents to the Healthwatch survey they themselves commissioned and has handed the building back to NHS Property Services. As NNDC has spoken up publicly and powerfully in support of Benjamin Court reopening, what steps is the Council taking to challenge the ICB's decision? And will the Council make representation to NHS Property Services to ensure that this important location is secured for health and care services?

The Chief Executive (CEX) advised that he and the Leader of the Council had been involved with the Campaign since the start of the year. A public meeting had been held in March 2024 where it was agreed that there would be a formal consultation on the future of the facility. A further public meeting was held in July and Health Watch had undertaken a public engagement exercise

that recommended investigation of the reinstatement of the re-enablement service to Benjamin Court as an option for the future of the building.

The Council had submitted strong representation to the formal public consultation in support of a rehabilitation facility at Benjamin Court. The Council's position was that in taking a system wide approach there would be efficiencies to be realised by lower care costs being provided in the local community rather than at the Acute Hospital.

The Leader of the Council and the Chief Executive wrote a letter to the new Secretary of State and the Health Minister has responded by referring to the process that has been followed by the Integrated Care Board (ICB).

Councillor Holliday suggested that this issue should go to the November full council meeting to allow time to look at data such as the cost of the delayed discharges to assess the financial efficiencies and the numbers of digitally excluded people in the district where the concept of virtual wards would be very difficult to implement. At the full council meeting there could be a debate as to whether to refer to NHS Property Services, the Norfolk Health and Overview and Scrutiny Committee and the possibility of referring the decision to the Secretary of State.

Councillor Heinrich agreed and added that another factor was the availability of ancillary care that was underpaid and undervalued which meant that getting additional support into people's homes was highly unlikely.

Councillor Housden asked whether there were financial accounts for Benjamin Court. The CEX advised that the ICB had advised that the cost of reoccupying the facility was £350,000 a year before you added on staff costs. The Council had estimated that £6m would be saved from the overall health and social care system if the facility was reopened.

Councillor Adams commented that he would like to write to the Secretary of State on the current position of centralising services and closing this facility as this seemed to contradict the government's aim to reduce the pressure on front-line services at acute hospitals. It was also important to ensure that the estate is not disposed of as once it is gone it would be difficult to find a replacement should there be a change in strategy in the future.

Councillor Boyle said time is of the issue and the mobilisation that people can get from physiotherapy and rehabilitation is not possible in an intense way from home based care.

The CEX added that the Health Watch report had stated that the only other health or public sector interest had been for a drop in facility for a team of community nurses but that did not seem to be a good use of the building and it could be better run from the Council offices and could make representations

to that effect.

Ms Taylor added that the Group were intending to make an application for the building to be considered as an asset of community value. Councillor Adams stated that was another process that the Council would have to consider separately.

Recommended that (A) the issue of Benjamin Court Cromer be referred to the November full council meeting for decision along with additional data to be provided in the report, where possible, on delayed discharges, the numbers of digitally excluded people and the availability of home-based care staff,

(B) it was noted, with the Committee's support. that the Leader of the Council intended to write to the Secretary of State as a matter of urgency on the need to retain Benjamin Court, Cromer and to request that NHS Property Services doesn't dispose of the building, and

(C) it was noted that the Chief Executive intended to make representations on the Health Watch suggestion that a team of community nurses could be stationed at the Council Offices rather than use the Benjamin Court building.

199 MINUTES

The Committee considered the minutes of the meeting held on 20 September 2024 and agreed that they should be approved subject to the addition of the comment by Councillor Shires that Norfolk County Council had £1.8m of funding as a Tier 1 authority to assess the need for accommodation for domestic abuse victims in their area and should be asked about how they were using this funding.

Councillor Holliday referred to the written answers given in respect of Minute 191 budget monitoring.

The Director of Resources (DoR) advised that the Council Tax precept had to be paid to the County Council and the Police on the 19th of each month and the Council received its council tax income from the public on the 1st, 10th and 20th of the month which made the council short of cash at times and it needed to borrow for cash flow purposes.

Councillor Cushing asked if either of the options of asking the County Council to move the payment to the 21st or changing the final public payment to the 18th had been explored.

The DoR advised that changing the dates of direct debits could be made in April 2025 and there would be some work needed to explore the implications

of that change.

The DoR confirmed that the £8m internal borrowing for the Reef and the Refuse Freighters would need to be covered at some time in the future when interest rates were more favourable by external borrowing probably through a 40-year Public Works Loan Board Bond for the Reef and a short-term loan for refuse freighters.

The DoR advised that moving the £150,000 in the capital programme from Public Conveniences Energy Efficiencies to providing for additional new temporary accommodation was possible and would need to go to full council but the savings it would generate would not be anywhere in the region of £150,000, take a long time to accumulate and would not get one property for that cost.

Councillor Holliday commented that the £150,000 was a metaphor and there were larger sums in the capital programme where a similar thought process would be useful to achieve additional savings.

Resolved – that the minutes, as amended, of the meeting held on 20 September 2024 be agreed as a correct record.

200 ITEMS OF URGENT BUSINESS

None received.

201 DECLARATIONS OF INTEREST

None received.

202 PETITIONS FROM MEMBERS OF THE PUBLIC

None received.

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

None received.

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

Councillor Holliday asked what progress had been made during the year on the recommendations from the Committee and further asked when the committee would see the outcomes from the Homelessness Task and Finish Group's recommendations.

Councillor Hankins asked about the progress being made on the recommendations regarding the Ambulance Trust.

The Scrutiny Officer advised that the tracker outcomes did need updating and they

would be chased including on the Ambulance Response Times. The Cabinet had agreed with the Task and Finish Group's recommendations, and they were to be put into the Council's Housing Strategy apart from the one recommendation that Councillor Brown had dealt with as an urgent matter. At other authorities it was common practise for the Executive to respond to Task and Finish Group's recommendations in detail and it could be appropriate to ask for an update on their progress at the January Committee meeting.

Resolved – that the progress being made against all the recommendations from the Homelessness Task and Finish group be reported to the January Committee meeting.

205 CAR PARK FEES & CHARGES

The Committee considered Option 1 outlined in the report on increasing fees across all the Council's Car Parks.

Councillor Fletcher asked if it would make sense to have a sliding scale of charges where the car parks used by tourists have higher increases than those used primarily by local residents.

Councillor Heinrich commented that a flat rate increase penalised market towns more and the town centres did need car borne shoppers. A small increase of 10p could be made in the market towns which doesn't generate the bulk of the income and increase by 30p or 40p in the resorts.

Councillor Cushing agreed with these suggestions as Fakenham shops needed all the encouragement they could get to support the trade, and it was largely the residents who used the car parks in Fakenham. An increase on 10p or no increase would be preferable.

Councillor Holliday asked what could be done to reduce the costs of running the car parks as they looked quite high and questioned how they compared with other areas. Reducing these would help with increasing the net income and improving the Council's financial position.

Councillor Shires advised that premises was the highest cost and that includes Business Rates of £377,000 annually but was happy to have a look at the costs in detail.

Councillor Hankins supported the idea that the charges for tourists should be higher than for local residents as the Council should look at ways to increase the footfall in the market towns. In terms of the season tickets for the car parks asked if they were largely taken up by residents.

Councillor Shires advised that is predominately local residents but does include people who commute from outside the district to work or study in the district.

Councillor Heinrich suggested that a charge of 40p for the Coastal and

Resorts Car parks should be explored. Councillor Cushing added that it was not clear what the financial income would be for a 30p increase on coastal and resort car parks and if sufficient income was being raised it could be possible not to raise the charges for the standard car parks.

Councillor Shires advised that the Council was not covering the cost of inflation of running the car parks if there was no increase in the charge at the standard car park.

The Committee agreed to recommend that fees for the Council's Standard Car Parks be increased by 10p per hour, for the Coastal and Resort Car Parks be increased by 30p per hour, and that the question of whether there could be no increase in fees at the standard car parks and a charge of 40p at the Coastal and Resort car parks be explored.

Councillor Housden raised the question of bedroom tax which was being introduced in other coastal areas and should be considered by the council. Councillor Shires advised that the Cabinet had discussed it, and it would need to be part of a Business Improvement Bid.

Councillor Adams advised that there wasn't legislation to introduce a tourism levy at the moment. Bournemouth's approach is subject to a legal challenge and there isn't an obvious way forward on this at the moment.

The Committee considered that it did want to support Option 2 for the introduction of seasonal charges.

In respect of Option 3 that a flat rate evening charge be reintroduced across all car parks Councillor Holliday questioned the enforcement costs of such a change in Option 3. The Director of Resources advised that it would involve staffing in the evening and that would be an additional cost which would not be fully covered by the income from additional penalty charge notices. At the moment the Council received about £100k from these notices.

Councillor Shires advised that introducing such charges would affect the wellbeing of local residents as well as the nighttime economy across the district.

The Committee agreed that it would not want to see this charge reintroduced.

Councillor Fletcher in respect of Options 4 and 5 to increase season ticket prices asked if it was possible to differentiate those bought by residents and those bought from people coming into the district. Councillor Shires stated that she did not want to penalise people coming into the district to work especially as they may be on a lower income.

Councillor Heinrich commented that the Council had incredibly low season ticket prices and have been too low for too long. Given the Council's financial

situation there was no choice but to increase them. Even with the proposed increase it was still only 8p per hour which was exceptionally good value.

Councillor Holliday asked if there was value in having a stepped increase in the price as it hasn't been increased in a long time and a 50% increase would be a big increase especially for pensioners.

Councillor Shires advised that she would be happy to look at this again along with an additional recommendation to review the season ticket prices annually.

Councillor Heinrich agreed that a 50% increase was high and suggested that the Council could have an increase that covered just the inflationary increase since 2016 as set out in paragraph 2.3.2 of the report and then review the prices annually to give a steady increase.

The Committee agreed with that suggestion.

The Committee agreed that in respect of Option 6 that Coach Parking Charges could be increased to £12, £24 and £96.

In respect of Option 7, that permit holder only parking is introduced at Hornbeam Road Car Park in North Walsham, Councillor Heinrich commented that one of the reasons for this car park was to provide additional parking for the train station but the level of usage on the Bittern Line is now higher than pre Covid with more leisure travel. Making the car park permit only would preclude leisure travellers and it could be better to charge £2 a day at the car park to undercut the Station Car Park charge.

Councillor Shires advised that the spend in the car park may not warrant the costs of installing charging points at the car park and undertaking enforcement. Councillor Heinrich asked what level of enforcement would be needed and with the expected increase in population for North Walsham did not want to discourage commuters.

The Committee agreed with Councillor Heinrich's suggestion that the principle was right but that all the potential options for charging at Hornbeam Road Car Park in North Walsham should be explored.

The Committee agreed with the recommendation that car parking charges are reviewed every other year with the next review taking place so that any changes are implemented from 1 April 2027 apart from season tickets which should be reviewed annually.

Councillor Cushing asked that in future the net income forecasts be included within reports as it helped to consider the potential options. Councillor Shires advised that these would be in the report to Cabinet and could be forwarded onto members of the committee in case they wished to attend the Cabinet

meeting.

Councillor Holliday asked if there was a net zero analysis of increasing the car park charges and was something the Council should consider every time it is asked to make a decision. Councillor Shires advised that there no implications on the Council's Net Zero target as a direct consequence of increasing the car park charges. The larger implications of people travelling to the car parks was more difficult to work out and could involve the wider question of the carbon impact of tourism in the district. It was a large piece of work that could include green tourism and would speak to Councillor Varley as the relevant Portfolio Holder about it.

Recommended that Cabinet consider the following changes to fees and charges to be implemented from 1 April 2025

(A) (1) that fees for the Council's Standard Car Parks be increased by 10p per hour, for the Coastal and Resort Car Parks be increased by 30p per hour, and

(2) the question of whether there could be no increase in fees at the standard car parks and a charge of 40p at the Coastal and Resort car parks be explored

(B) that seasonal charges are not introduced at this time

(C) a flat rate evening charge across all car parks is not re-introduced at this time

(D) season ticket prices are increased by the inflationary increase since 2016 only this year and increases to season ticket prices should be reviewed annually

(E) Coach Parking charges are increased to £12, £24 and £96

(F) that all the potential options for charging at Hornbeam Road Car Park in North Walsham be explored

(G) car parking charges are reviewed every other year with the next review taking place so that any changes are implemented from 1 April 2027 apart from season tickets which should be reviewed annually as mentioned under recommendation D above

206 BEACH HUT AND CHALETS SERVICE

Councillor Bailey commented that there was a proposed increase in charges for leased beach huts and chalets that averaged 5% and there was an increasing number of people on the waiting list. In a commercial business the response to that level of demand would be to increase the leased charges, to get a better throughput of people on the list and to test the market to

understand what people would be prepared to pay.

Councillor Bailey added that it would be good to have people not waiting so long on the waiting list and it might encourage people to hand back unused huts rather than hanging on to them.

Councillor Bailey stated that the average booking for the weekly lets was 46% but that was skewed by the winter bookings and that meant only about 25% bookings during the summer.

Councillor Bailey suggested that the long term lets could be increased by £60, £70 or £80 which would be about 14% which would cover the costs of maintenance in the winter. The Council could move approximately 50% of its weekly huts into long term huts.

Councillor Shires commented on what that might mean for staff costs and maintenance as well as the public expectation for some people as their sense of wellbeing as being by the coast. There could be a reputational damage if the Council went quickly towards a commercial approach.

Councillor Bailey commented that those who would lose out would be the casual users, but the figures suggested that there weren't many and those people who regularly used the huts could continue to do so. It wasn't a necessity to have a beach hut and increasing charges could help fund essential Council services. Added to this, the decision to use a management company could be deferred until the council understood the market level price point.

Councillor Cushing commented that the council earned £41,000 from the weekly lets. It was unclear what the net annual figure was although it looked like 50% of that was spent on the costs. That seemed a small figure when there is such a long waiting list. People were also paying to be on the waiting list and getting nothing for it.

Councillor Boyle stated it was likely that a commercial organisation would increase the prices anyhow and that if it was not a commercial success the council would then have to pick up a failed service.

Councillor Heinrich asked about the comparison with other authorities and how they ran the service and how did the charges compare. It did seem that the service needed to be run on more of a commercial basis and it was unclear whether that was better run by the council or by a commercial operator. However, option D within the report did have some attraction which would allow huts to be sublet by companies. It could also be possible to hold back some units for people who needed them for health reasons.

The Estates and Asset Strategy Manager advised that any assessment of rents would involve comparable information from other areas and that was

undertaken for all of the council's assets. That information could be provided.

Councillor Hankins commented that the market was informing the Council with the growing waiting list that there was something wrong with the pricing and there was a need to increase the charges.

Councillor Shires advised that the estates team had managed good lease agreements in the past and would have every faith in getting a good deal on a commercial agreement with an external operator.

Recommended that – (A) the conversion of weekly lets to long term lets be explored with 50% of the huts being converted this year and then being reviewed on whether a further 50% increase was a good idea,

(B) the charges for lets of the long-leased huts be increased by 14% this year,

(C) the risks to Option E - lease of both weekly lets and leased units to one commercial operator or create 4 smaller location-based opportunities be fully investigated, and

(D) Options D Lease all weekly lets commercially, allowing the tenant to hire their unit and Option E be further explored for the future of the Beach Huts and Chalets Service.

207 PLANNING SERVICE IMPROVEMENT PLAN UPDATE

Councillor Dixon reflected that he was now hearing more positive feedback from the public and that there were more constructive approaches being taken by the council's planning service.

Councillor Hankins welcomed the improvement and that the pre application guidance is vital and individual applicants had appreciated it as well as the training for Parish Councils. The measure of success will be in six months' time but so far so good.

Councillor Hankins asked about Section 106 agreements and whether a clearer definition of how, what and why agreements were reached would be useful.

Councillor Cushing further asked about the monies the Council received from Section 106 agreements and that they were being spent in a timely manner.

The Assistant Director Planning (ADP) advised that it could be worth focusing on these agreements with the Parish Councils as there does seem to be some misunderstanding of the processes involved as this was different to the community investment levy that other authorities across the country used.

The ADP added that the money the Council could get had to relate to the

development and meet policy objectives. You did not want to get to the point where you had to give money back to the developer, the Council needed to deliver on the projects in a timely manner and be transparent on what was being spent. The Council now has an online system where you can see how the Council is spending this money.

Councillor Boyle welcomed the virtual training course and thanked the officers for turning round a challenging service to one that was receiving national recognition.

Councillor Heinrich stated that the two things that will make the biggest difference are the new validation list and the changes to the pre application process which can result in higher quality applications that can be more quickly assessed. Very few of the Council's decisions on planning applications get overturned on appeal.

The ADP advised that the Council's appeal record was astonishingly good, but it wouldn't take many decisions for those percentages to come down. A perfect record might suggest that the Council is allowing too many of the marginal decisions. Getting the Improvement process completed doesn't mean that the Council will stop to seek to make improvements to the service each year.

Councillor Holliday commented that there had not been a direct view taken from all the Parish and Town Councils on the service but there was a number of performance indicators being introduced although there was a concern about the total number of indicators involved.

The ADP stated that the Council did really well on the two metrics that the Government are most interested in, but it needed a bigger list of indicators to get a rounded assessment of how well the service was performing. It will be a challenge to stay at the top.

Councillor Dixon asked about the new government housing targets that could mean a lot more planning applications coming forward and to what extent the service has the capacity to adapt to that and whether any stress testing had been undertaken.

The ADP advised that there had been little stress testing done. The Council will object to the new Government Housing Targets as they would see an increase from 550 applications to 900 applications a year in essence meaning another 8,000 units over a 20-year period. There were number of issues involved such as enough water, electricity or jobs in the district.

Resolved that –

(A) the changes and improvements made as a consequence of the Planning Service Improvement Plan process be welcomed; and,

(B) future performance reports will be made available via reports to

Development Committee quarterly and annually.

208 OVERVIEW & SCRUTINY WORK PROGRAMME AND UPDATE

The Democratic Services (Scrutiny) Officer advised that there had been a change to the workplan since the last meeting to ensure that the committee focused on the Council's budget at its meetings in November and December.

Resolved – that the committee's work plan be agreed.

209 EXCLUSION OF THE PRESS AND PUBLIC

Not needed as there was no exempt information on the agenda.

The meeting ended at 12.20 pm.

Chairman