

CABINET

Minutes of the meeting of the Cabinet held on Monday 12 March 2018 at the Council Offices, Holt Road, Cromer at 10.15 am

Members Present:

Mrs S Arnold	Mr W Northam
Mr N Dixon	Miss B Palmer
Mr J Lee (Chairman)	Mr R Price

Also attending:

Mrs A Fitch-Tillett	Mr J Rest
Ms K Ward	Mr R Reynolds
Mr N Pearce	Mr E Seward
Mrs A Green	Mr N Smith
Mr B Hannah	Mr R Shepherd
Mr N Lloyd	Mr B Hannah
Mrs A Claussen-Reynolds	Mrs S Bütikofer

Officers in Attendance:

The Corporate Directors, the Monitoring Officer, the Chief Technical Accountant, the Asset Strategy Manager, the Policy & Performance Management Officer the Democratic Services Manager and the Democratic Services Officer.

Also in attendance: David Bale, EDP

105. APOLOGIES FOR ABSENCE

Apologies were received from Mrs H Cox.

106. CHAIRMAN'S OPENING REMARKS

The Chairman welcomed Members to the first meeting of the new Cabinet and thanked them for attending the raising of the Commonwealth Flag ceremony. He explained that Mrs H Cox was unable to attend the meeting because she was in Cheshire promoting North Norfolk at a "Walkers are Welcome" event. He congratulated Hollie Beattie, an apprentice in Building Control, who had been selected as the winner of the "Intermediate Professional Studies Apprentice of the Year" category at the Eastern and Otley Apprentice Awards. She had also been selected as overall "Apprentice of the Year".

107. MINUTES

The minutes of the meeting held on 05 February 2018 were approved as a correct record and signed by the Chairman.

108. PUBLIC QUESTIONS/STATEMENTS

None.

109. ITEMS OF URGENT BUSINESS

None.

110. DECLARATIONS OF INTEREST

None.

111. MEMBERS QUESTIONS

The Chairman confirmed that Members could ask questions as each item arose.

112. OVERVIEW & SCRUTINY COMMITTEE MATTERS

At the meeting of 14th February 2018, the Overview & Scrutiny Committee made the following recommendation regarding Agenda item 9: Asset Management Plan:

‘That any revisions reflected the committee’s concerns about the democratic deficit in the previous version as well as ongoing oversight of the implementation of the new Asset Management Plan’

The Chair of the Overview and Scrutiny Committee thanked the Estates and Asset Strategy Manager and her Team for incorporating the amendments suggested by the Committee into the Cabinet papers. The Committee was pleased to see that the recommendations included the establishment of an asset panel. The Overview and Scrutiny Committee intended to set up a working party. The terms of reference would be considered at the next meeting, 21 March, before going forward to Full Council.

113. RECOMMENDATIONS FROM PLANNING POLICY & BUILT HERITAGE WORKING PARTY

The recommendations, which had been made at the meeting of the Planning Policy & Built Heritage Working Party held on 19th February 2018, were introduced by Mrs S Arnold, Portfolio Holder for Planning and Planning Policy. She commended the achievements of the working party from Holt on the Neighbourhood Plan and informed Cabinet that site visits had begun in connection with the Local Plan Spatial and Housing Strategies. There was much work still to be done.

The recommendations were proposed by Mrs S Arnold and seconded by Mr R Price.

Agenda Item 6 – Norfolk Strategic Planning Framework

RESOLVED

That the Framework document is formally endorsed and that the Council welcomes further on-going cross boundary co-operation, and indicates those areas where the Council would favour further joint working

Agenda Item 8 – Holt Neighbourhood Plan Pre-submission Consultation

RESOLVED

- 1. That the Council welcomes and supports the progress that has been made.**

2. That Appendix 4 is agreed as the basis for this Council's response to the consultation.

Agenda Item 12: Local Plan Spatial and Housing Strategies – preparing strategies for consultation

RESOLVED

That the options identified in this report are subject to further development and Sustainability Appraisal prior to public consultation and that the Council indicates that, pending this further work, its preferred/intended approaches are:

- a) **An overarching Spatial Strategy based on three defined geographical areas (West, East and Central North Norfolk) with growth focussed around existing settlements and that the strategy recognises the specific issues facing the coast.**
- b) **A Housing Strategy which seeks to deliver not less than 9,000 dwellings over the 20 year plan period of which around 3,500-4,000 will be provided for on allocated sites, and around 2,000 (21% subject to viability) of which will be affordable, with specific provision made to address the needs of elderly people.**
- c) **A distribution of development based on a five tier settlement hierarchy (Large Growth Towns, Small Growth Towns, Service Villages, Villages and Countryside) with acceptable locations for development defined via the use of development boundaries in Growth Towns and Service Villages, designated residential areas, and specific allocations of residential land.**
- d) **The acceptance of rural building conversions to residential use across the district (a separate report will be prepared on the detail of a rural buildings policy).**

Continued application of a rural exceptions policy to the delivery of affordable homes and acceptance of a proportion of market housing within such schemes (a separate report will be prepared on the detailed approach to affordable homes).

114. ASSET MANAGEMENT PLAN & SUPPORTING DOCUMENTS

This item was introduced by Mr R Price, Portfolio Holder for Property and Asset Commercialisation. He commended Officers and Members – especially his predecessor Mrs J Oliver – for their excellent work, and thanked the Overview and Scrutiny Committee for their input.

The Asset Management Plan and supporting documents set the strategic direction for the management of the Council's land and property portfolio and its asset management aims and objectives. It would benefit residents throughout North Norfolk. Mr Price encouraged local Members to be aware of assets in their wards. The Asset Management Plan would help with regeneration plans in the market towns, especially North Walsham. In connection with this, North Walsham Members were invited to meet with the Portfolio Holder, the Leader and Officers.

Questions and Discussion

- a) Mr J Rest asked for an update on the Grove Lane Holt site. The Corporate Director (SB) explained that the site was a former depot, owned outright by NNDC. It had been empty for 3 years but had engendered no interest when put on the market. Subsequently it had been shortlisted by Gleeds as having potential as market housing for lease development. However, the shape of the site meant that any development would be constrained and further work had indicated that the development of the site would not produce sufficient financial return. Commercial interest had since been expressed and the Asset Strategy Manager was looking into this.
- b) Mr Rest asked for an update on the proposed Weatherspoon's development at North Walsham. The Corporate Director (SB) explained that the site in question was the former NNDC office on New Road. It was a listed building with a yard and outbuildings. Weatherspoon's had first expressed interest in 2014 and, in the same year, Cabinet had recommended that the site should be sold. Weatherspoon's offer was sound and the contract process had been commenced several times. However, it was necessary to resolve claims regarding access to the site, including a claim for the registration of a footpath, which had not been registered until January 2018. The Corporate Director (SB) and the Head of Legal had since met with Weatherspoon's who had given verbal indication that they could accommodate a footpath. This was the current position and revised wording of the contract was being worked on.
- c) Mr Rest asked a question about Oddfellows Hall, Sheringham. The Corporate Director (SB) said that it was occupied under licence by the Sheringham Shantymen. The commercial potential of the asset had been recognised, although it would only bring in a modest rent. Oddfellows Hall was part of a wider discussion regarding community buildings in Sheringham.
- d) Revenue budgets: Mr Rest asked that the "Actual" column in the table should have the pence removed from the figures. This would make it consistent with the Revenue income table, and less confusing.
- e) Highfield Car Park, Fakenham: Mrs A Claussen-Reynolds informed Cabinet that charges would be introduced from 01 May 2018, not April as stated in the report.
- f) Mr E Seward, on behalf of North Walsham Members, welcomed the invitation to meet with the Portfolio Holder and Officers. He informed Cabinet that Norfolk County Council had earmarked the town for a study and said, with regard to the negotiations with Weatherspoon's, that there were lessons to be learned in how the Council disposed of assets.
- g) Referring to the Policy Relating to the Use of Council Property Assets, Mr Seward observed that circumstances could arise which were not covered by the 5 points and that there was nothing in the Policy to allow flexibility.
- h) Mr N Dixon said that, looking back on 11 years as a Member, the Asset Management Plan and policies must be the most significant documents that he had seen emerge. The Asset Management Plan was important for the Council's finances now and in the future and would deliver other benefits across the District. He was pleased that the Overview and Scrutiny Committee had given positive support and that the Plan had attracted wider Member engagement.

It was proposed by Mr R Price, seconded by Mr N Dixon and

RESOLVED

to approve the following;

1. The Commercial Property Investment Strategy (Appendix B).

2. **The Acquisition Policy (Appendix C).**
3. **The Disposal Policy (Appendix D).**
4. **The Asset of Community Value Procedure and Guidance (Appendix E).**
5. **Use of Council property assets for events Appendix (F)**
6. **Asset Proposal Process (H)**
7. **An asset panel to be established comprising members, officers and specialists as appropriate to consider high value property transactions.**

And to recommend to Full Council to approve:

8. **Asset Management Plan as the basis for the strategic framework for asset management (Appendix A).**
9. **The amendments to the Constitution as highlighted within (Appendix G).**
10. **£2m allocated as a local property capital fund for acquisitions as described in the Acquisition Policy (Appendix C)**

Reason for the decision:

To support the Council's strategic framework for the use of capital resources and asset management planning to help meet the Council's corporate objectives.

115. MANAGING PERFORMANCE Q3

The report was introduced by the Portfolio Holder, Mr J Lee. It gave a third quarter progress report of the performance of the Council and reported on the delivery of the Annual Action Plan 2017/18 and progress against targets. It gave an overview, identified any issues that could affect delivery of the plan, the action being taken to address these issues and any further action needed that required Cabinet approval.

The majority of the 71 activities were on track or ahead of plan (61) and four activities had been completed successfully. Only four had identified some problems, one had not started and one had been cancelled. The 71 activities reported on comprised 63 from the Annual Action Plan 2017/18 and eight activities from the Annual Action Plan 2016/17 that were not completed in the last year. Performance was being closely monitored, particularly for the activities where issues or problems had been identified.

Of the ten performance indicators where a target had been set seven were on, above or close to target and three below target.

The delivery of the Annual Action Plan was progressing according to plan. However, there were a few performance issues in achieving targets and improvement. The issues involved, and action being taken in each case, were detailed in the body of the report.

Mr Lee commended the way the report had been set out to provide increased clarity. It was easier to read, with less paperwork.

It was proposed by Mr J Lee, seconded by Miss B Palmer and

RESOLVED

That Cabinet notes this report, welcomes the progress being made and endorses the actions being taken by management where there are areas of concern.

Reason for the decision:

To ensure the objectives of the Council are achieved.

116. BUDGET MONITORING 2017/18 PERIOD 10

The report was introduced by the Portfolio Holder, Mr W Northam. It summarised the budget monitoring position for the revenue account and capital programme to the end of January 2018.

The overall position at the end of January 2018 showed an under spend of £774,384 to date for the current financial year on the revenue account. This was currently expected to deliver a full year under spend of £273,052.

Savings were on track.

The recommendations included the release of a further £20,000 from the General Reserve to support the Sculthorpe Planning Appeal. Mrs S Arnold explained that the Appeal had taken place in the previous week and that judgement was awaited.

It was proposed by Mr W Northam, seconded by Mrs S Arnold and

RESOLVED:

- 1) Cabinet note the contents of the report and the current budget monitoring position;**
- 2) Recommend the release of a further £20,000 from the General Reserve to support the Sculthorpe Planning Appeal.**

Reason for the decision:

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

117. ENFORCEMENT UPDATE

The report was introduced by the Portfolio Holder, Mrs S Arnold. It provided an update for Members on the work of the Enforcement Board over the past six months and also gave an assessment of progress made by the Board on the difficult enforcement cases since its inception. To date the Board had considered more than 150 cases which represented the most challenging cross-service cases.

The Enforcement Board had made a significant contribution to moving forward many long-term enforcement cases. In establishing the Combined Enforcement Team it had placed, in one team, the functions to prevent many long-term empty properties needing to be escalated to the Board.

Mrs Arnold paid tribute to Mrs J Oliver for her work with the Enforcement Team. The public could now see that the Council applied a robust attitude towards enforcement. She observed that dealing with empty homes and properties was the most difficult part of the work.

It was proposed by Mrs S Arnold, seconded by Mr R Price and

RESOLVED:

That Cabinet notes the progress made by the Enforcement Board and the Combined Enforcement Team.

Reason for the decision:

To ensure appropriate governance of the Council's enforcement activities.

118. COUNCIL POLICY IN RELATION TO THE REGULATION OF REGULATORY POWERS ACT 2000 (RIPA)

The report was introduced by the Portfolio Holder, Mr R Price. It provided an update for Members on the use by the Council of the Regulation of Investigatory Powers Act 2000 (RIPA) and recommended an updated Operational Policy document. In recommending the report, Mr Price said that Officers had made exceptionally good use of Regulatory Powers and referred to a recent successful prosecution regarding an animal welfare case.

In seconding the proposal, Mr N Dixon said that it was important that the Council should have powerful oversight measures.

It was proposed by Mr R Price, seconded by Mr N Dixon and

RESOLVED:

To note the activities undertaken under the Regulation of Investigatory Powers Act 2000, the recent OSC inspection and the changes to the Regulation of Investigatory Powers Act 2000 Policy and Procedures.

Reason for the decision:

Members are required to be aware of the RIPA activity undertaken by the Council. The policy is required and updates have been recommended by the Office of Surveillance Commissioners.

119. CHAIRMAN'S CLOSING REMARKS

The Chairman explained that changes in the membership of Cabinet had been to reduce its size. He thanked the previous Members for their hard work.

The meeting ended at 10.50 am.

Chairman