

CABINET

Minutes of the meeting of the Cabinet held on Monday 09 July 2018 at the Council Offices, Holt Road, Cromer at 10.00 am

Members Present:

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

Also attending:

Mrs A Fitch-Tillett	Mr J Rest
Mrs S Bütikofer	Mr R Shepherd
Ms V Gay	Mr B Smith
Mrs A Green	Mr N Smith
Mr N Pearce	Ms K Ward

Officers in Attendance:

The Heads of Paid Service, the Monitoring Officer, the Head of Finance and Asset Management, the Head of IT and Digital Transformation, the Policy & Performance Management Officer, the Communications & Marketing Manager, the Head of Environmental Health and the Democratic Services Manager

Press: None

16. APOLOGIES FOR ABSENCE

Mr W Northam

17. MINUTES

The minutes of the meeting held on 11 June 2018 were approved as a correct record and signed by the Chairman.

18. PUBLIC QUESTIONS

None.

19. ITEMS OF URGENT BUSINESS

None.

20. DECLARATIONS OF INTEREST

None.

21. MEMBERS QUESTIONS

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

22. OVERVIEW & SCRUTINY COMMITTEE MATTERS

The Chairman of the Overview & Scrutiny Committee thanked Cllr Arnold for her attendance at the recent rapid review of the Local Plan. She said that it had been a very productive session and that the recommendations would be shared shortly.

23. ONE YEAR EXTENSION OF CURRENT WASTE AND RELATED SERVICES CONTRACT

This item was introduced by Cllr H Cox MBE, Portfolio Holder for Environmental Services. She told Members that extension of the existing contract would allow the procurement process for the future joint contract to be undertaken in a more effective manner, maximising the chance of participation from a wider range of bidders. By allowing additional time for the preparation of the necessary documentation and by more closely aligning the start dates of the contract for the three councils involved, it was hoped that potential bidders would be encouraged to come forward.

Cllr Cox went onto say that not extending the contract could potentially result in poor service provision from the current contractors.

Cllr R Price seconded the proposal, saying that it was a good deal that had been well negotiated.

RESOLVED

1. That Cabinet authorises the extension of the current Waste and Related Services Contract with Kier Environmental Services Ltd for a period of one year for the 2019/20 financial year.
2. That, in order, to secure the best outcome in terms of value, the shared risk approach outlined in the report in respect of fuel and vehicle maintenance is adopted.

Reason for the decision:

Extension of the existing contract would allow the procurement process for the future joint contract to be undertaken in a more effective manner.

24. FINANCIAL PENALTY POLICY (HOUSING AND PLANNING ACT 2016)

The report was introduced by the Portfolio Holder, Cllr H Cox MBE. It sought approval for a new policy on the use of Financial Penalties as an alternative to prosecution. The Housing and Planning Act 2016 gave local authorities the power to impose a civil penalty on landlords or agents who failed to comply with an improvement notice, breach of licensing requirements or who failed to comply with management regulations applying to Houses in Multiple Occupation (HMO) These new powers had the potential to bring about a significant improvement in the condition of homes in the private rented sector within North Norfolk and nationally. Prior to their introduction there had been little to deter landlords from letting sub-standard homes and it was primarily this situation that the new legislation was intended to address.

Cllr A Fitch-Tillett said that she welcomed the initiative, adding that there were several tenants in her ward currently living in sub-standard accommodation.

Cllr S Arnold seconded the proposal saying that it was essential that private rented accommodation was available at a good standard. She said that Housing Associations could not fulfil all the applications that they received so it was imperative that good quality private accommodation was offered.

It was proposed by Cllr H Cox, seconded by Cllr S Arnold and

RESOLVED

To approve the Financial Penalties Policy

Reason for the decision:

These new powers had the potential to bring about a significant improvement in the condition of homes in the private rented sector. Civil penalties provided local authorities with a quicker and more efficient tool than prosecution

25. SPORTING CENTRE OF EXCELLENCE

The report was introduced by the Portfolio Holder, Cllr B Palmer. She said that the project was the only one in the country and was regarded as a model of good practice. To date, over 150 young people had been involved and several had gone onto represent Norfolk at county level.

The Leader said that he had recently presented certificates to several youngsters and that it was an excellent opportunity for them to use outstanding facilities.

It was proposed by Cllr B Palmer, seconded by Cllr J Lee and

RESOLVED

- 1. That Cabinet note the success of the project to date.**
- 2. That Cabinet approve continuation of the project into year three, with a General Reserve budget of £20,000 to be allocated to the scheme**

Reasons for the decision:

To allow the continuation of a successful project for a further year.

26. DIGITAL TRANSFORMATION UPDATE

The Leader, Cllr J Lee, introduced this item. He explained that the report provided an update on progress within the Digital Transformation Programme (DTP), in accordance with the original Cabinet Resolution for the Programme. He said that Phase 1 was coming to an end and Phase 2 was being developed. It was anticipated that Phase 2 would deliver significant savings and efficiencies.

Cllr A Fitch-Tillett commented that she was pleased to see that the garden bin service was now back in-house. She asked when invoices would be sent out as she had not received hers yet. Cllr Cox replied that there had been some problems regarding the invoicing as the process was being digitised. The Head of Paid Service (NB) added that it was a new way of working and had been piloted with staff first to ensure problems could be addressed before a wider rollout. So far there had been a

50% take up of the direct debit option which was a significant change. The issuing of invoices was done on a postcode basis and would be complete soon. Cllr Fitch-Tillett acknowledged the change in process but said that the money should have been received by the Council in April and it was now July so it was important that it was resolved soon.

Cllr N Dixon seconded the proposals. He said the digital transformation programme was well established and delivering savings. It was important that such changes were delivered seamlessly.

It was proposed by Cllr J Lee, seconded by Cllr N Dixon and

RESOLVED

To note the progress made on the Digital Transformation Programme.

Reasons for the decision:

1. To provide appropriate governance and oversight of the Digital Transformation Programme.
2. To publicly detail the Council's plans in this area.

27. ENFORCEMENT BOARD UPDATE

The report was introduced by Cllr H Cox MBE, Portfolio Holder for Environment. She said that it provided an update on the work of the Enforcement Board over the previous six months. During this time there had been a major review of all long-term empty properties that had seen a significant reduction in the headline numbers. She concluded by saying that it was a challenging task and there were still lots of properties to address but the social and economic benefits to the community were worthwhile.

Cllr V Gay requested a written update on 4A Market Street, North Walsham.

Cllr J Rest commented on the excellent work undertaken on a property in Victoria Road, Fakenham. However, the garden was now in a very poor state and he requested that further work was done to address this.

Cllr S Arnold seconded the proposals. She said that there had been a lot of hard work in relation to the enforcement cases in the report and she hoped to see Sutton Mill improve too before too long.

It was proposed by Cllr H Cox, seconded by Cllr S Arnold and

RESOLVED to

1. That Cabinet notes the continued progress of the Enforcement Board.
2. That Cabinet note the recent inspection and assessment activity of officers to reduce the long term empty property numbers across the whole of the District.

Reason for the decision:

1. To ensure appropriate governance of the Board's activities
2. To understand the scope of recent inspection and analysis of long term empty homes

28. ANNUAL ACTION PLAN 2018/19 AND ANNUAL REPORT 2017/18

The Leader, Cllr J Lee, introduced this item. He said that the Annual Action Plan had been revised to reflect feedback from the Overview & Scrutiny Committee. Regarding the request for benchmarking to be undertaken, he said that this would only be provided in specific cases of additional examination or comparison – if a service was significantly under or over performing.

Referring to the Annual Report for 2017/18, Cllr Lee said that it showed the excellent work that the Council was doing such as the Market Towns Initiative, the Business Awards, new affordable homes, blue flag beaches, excellent council tax collection rates, the £20m sand-scaping project, wellbeing services and the sporting centre of excellence project.

Cllr R Price, Deputy Leader of the Council, seconded the proposal, saying that the Council should be proud of its achievements.

Cllr S Arnold said that the Heads of Service should be thanked for their hard work and all staff should be congratulated.

RESOLVED

- 1) That the Annual Action Plan 2018-19 is approved, along with the management performance indicators as set out in Appendix 1 of the Plan.
- 2) That the Annual Report is received.
- 3) That the Heads of Paid Service are authorised to amend any minor inaccuracies or matters of detail in either of the documents if they arise.

Reasons for the decision:

- 1) To allow effective governance and member sign off of the work action priorities for the 2018/19 year.
- 2) To report on the outturn for 2017/18 year in terms of key areas of work for the Council.
- 3) To ensure that the documents, which will be publicly available, are as accurate as possible.

29. PURCHASE AND OPERATION OF CAR PARK, NORTH WALSHAM RAILWAY STATION

The Deputy Leader, Cllr Price, introduced this item. He said that the case for the purchase was clearly set out in the report and that he was fully supportive.

Cllr V Gay asked for an update on progress regarding the agreement about access from the car park to the station. The Head of Paid Service (SB) replied that Network Rail currently had control of the railway station but they were in the process of transferring it to the operator, Abellio Greater Anglia. This was taking some time.

Cllr J Rest said that the car park would be heavily used and he queried whether there would be sufficient revenue generated from annual season tickets. The Head of Paid Service (SB) said that there had originally been plans for a half-hourly peak service but that was not likely now as new carriages were providing greater capacity and

there was confidence that there would be increased passenger usage, resulting in increased use of the car park. He added that it was not possible to offer free parking but passengers would be able to buy individual tickets too.

Mr N Dixon seconded the proposal, saying that he could not see any impediment to delivering the project in the most efficient way.

RESOLVED to agree

- a) To the District Council purchasing the car park at the cost identified within exempt Appendix A plus legal fees and costs;
- b) To establish a further capital budget as identified within exempt Appendix A for additional works to the car park. A and B to be funded from the Local Property Investment Fund;
- c) To establish an annual revenue budget as identified within exempt Appendix A from 2018/19);
- d) To add the car park within the schedule of sites covered by the North Norfolk Off-Street Car Parking Order or agree a separate order as appropriate with the car park being open for use by purchasers of the Council's current season tickets or levying an initial flat-rate daily charge of £2.50 for non-season ticket holders and casual / occasional users.

Reasons for the decision:

The potential purchase of this new car park by the Council provided the opportunity for the authority to expand its car park portfolio, provide car parking to meet the anticipated demand for increased train travel locally with the forthcoming improvements to the rail service from North Walsham and generate a future source of income for the authority.

To meet the Council's Corporate Plan objective of investing in property as a means by which the Council will improve income streams while providing enhanced car parking facilities for those travelling by train.

30. COMPULSORY PURCHASE OF LISTED BUILDING

Cllr S Arnold, Portfolio Holder for Planning, introduced this item. She said that the history of the property was detailed within the report and it was hoped that the progression of a compulsory purchase order would bring about a voluntary agreement.

Cllr H Cox MBE seconded the proposal, saying that it was important that the building and its residents were taken care of.

RESOLVED that

The Corporate Director and Head of Paid Service (NB) is authorised:

1. to negotiate and complete the voluntary purchase of the property as described in the report up to the value described in Exempt Appendix A.
2. if a voluntary purchase cannot be agreed, to make a Compulsory Purchase Order (CPO) in respect of the Property.
3. if there are no objections to the CPO and the Secretary of State gives notice that NNDC may confirm the CPO itself, to confirm the CPO.
4. if there are objections to the CPO, to pursue the confirmation of the CPO by the Secretary of State, to include participating in any public inquiry held.

5. once any CPO is confirmed, to execute a General Vesting Declaration to vest the ownership of the Property to NNDC.
6. once acquired, either voluntarily or compulsorily, to procure and engage contractors to carry out works necessary to repair and/or renovate/develop the property
7. that the purchase and, if necessary renovation costs, will be funded from Capital Reserves and any necessary legal and CPO costs from the Enforcement Board Reserve.

Reasons for the decision:

1. If the Property can be acquired voluntarily, this will negate the need to make a compulsory purchase order.
2. It has been identified that the Property is not being properly preserved by the current owners. Section 47 of the Planning (Listed Buildings and Conservation Areas) Act 1990 enables the Council to acquire Listed Buildings where it appears that reasonable steps are not being taken for its preservation. There is no indication that the current owners will be able to take the steps necessary to preserve the property themselves, and they have withdrawn from previous attempts to sell the property on the open market. If no action is taken, the Property is likely to fall into an even further state of deterioration.
3. Section 14A of the Acquisition of Land Act 1981 empowers acquiring authorities to confirm CPOs themselves where there are no relevant objections. By confirming the CPO itself, this will enable the compulsory purchase to be completed far more quickly.
4. If objected to, the Council must persuade the Secretary of State that the grounds for making the CPO are sufficient for the CPO to be confirmed. This will involve contested proceedings which the Council will be a party to.
5. Once the CPO is confirmed, it remains necessary to legally transfer the property from the current owners to the Council. It is recommended that the General Vesting Declaration procedure be used as this usually enables ownership to be transferred the soonest.
6. The compulsory power being utilised is to ensure the preservation of the property. A Repairs Notice under the Act has been served identifying those works necessary for the preservation of the property. In addition, the property should be renovated to a standard that will enable the maximum return on the Council's investment for the benefit of the public purse.
7. To make the necessary financial provision for the purchases.

31. EXCLUSION OF PRESS AND PUBLIC

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.

32. PRIVATE BUSINESS

None

The meeting ended at 10.33 am.

Chairman