CABINET

Minutes of the meeting of the Cabinet held on Monday 04 December 2017 at the Council Offices, Holt Road, Cromer at 10.00am

Members Present:

Mrs A Claussen-Reynolds Mrs J Oliver
Mr N Dixon Miss B Palmer
Mr T FitzPatrick Mr R Price
(Chairman) Ms M Prior

Mr J Lee

Also attending:

Mr N Coppack
Mr S A Fitch-Tillett
Mr R Reynolds
Mr V FitzPatrick
Mr E Seward
Mrs P Grove-Jones
Mr B Smith
Mr S Hester
Mr N Pearce
Mrs G Perry-Warnes
Mr G Williams

Officers in

Attendance: The Corporate Directors, the Monitoring Officer, the Head of Finance

and Asset Management, the Leisure and Locality Services Manager, the Major Projects Manager, the Media and Campaigns Officer, the Democratic Services Manager and the Democratic Services Officer.

Public Speakers: For Agenda Item 8: Vattenfall Norfolk Vanguard Offshore Wind

Development

Edward De Feyter, G de Feyter & Partners, Edingthorpe

Katie Taylor, N2RS

Dermot Allen, East Ruston Beverley Wigg, Fox Hill

Sue Allen, East Ruston Country Cottages

Paul Kirby, Long Common

William De Feyter, C H Callow & Partners, East Ruston

Irving Watson, East Ruston

Heath Brooks, Chairman of East Ruston Parish Council

Glenn Berry, Happisburgh Parish Council

Peter Soldan, Ridlington Roger Fitches, Ridlington

Mick Sims

Also in attendance: David Bale, North Norfolk News

Students from North Walsham High School

The Chairman welcomed members of the public who were attending for Agenda Item 8, Vattenfall Norfolk Vanguard Offshore Wind Development. He also welcomed students from North Walsham High School who were being mentored by Cllr J Oliver.

73. APOLOGIES FOR ABSENCE

Apologies were received from Mrs S Arnold and Mr W Northam.

74. MINUTES

The minutes of the meeting held on 30 October 2017 were approved as a correct record and signed by the Chairman.

75. PUBLIC QUESTIONS

Public questions would be taken within item 8, Vattenfall Norfolk Vanguard Offshore Wind Development.

76. ITEMS OF URGENT BUSINESS

None.

77. DECLARATIONS OF INTEREST

Mrs J Oliver and Miss B Palmer declared an interest in item 10, North Norfolk Community Sports Hub. Mrs Oliver is a member of Cromer Lawn Tennis Association and her son is employed there as a coach. Miss Palmer is a tennis coach.

78. MEMBERS QUESTIONS

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

79. OVERVIEW & SCRUTINY COMMITTEE MATTERS

The Overview and Scrutiny Committee had, at the meeting of 08 November 2017, made recommendations on item 9, Leisure Contract Procurement and Sheringham Leisure Facility and item 10 North Norfolk Community Sports Hub. The Vice Chair of Overview and Scrutiny, Mr G Williams, confirmed that the Committee's recommendations had been incorporated in the updated reports.

80. VATTENFALL NORFOLK VANGUARD OFFSHORE WIND DEVELOPMENT

The report was introduced by the Portfolio Holder for Business and Economic Development, Mr N Dixon. He stated that he wished to hear the views of the public before saying anything further. Mr R Price thanked officers for their hard work and for listening to public concern. He reassured the public that the response being discussed today was only the beginning of the process.

The members of the public were invited to speak (their statements are appended to the minutes). Two visual presentations were also made and the Chairman announced that a petition from 90 residents of Happisburgh had been received.

The Chairman introduced the Corporate Director (SB) and the Major Projects Manager and invited them to respond.

The Corporate Director (SB) explained that the Council, as a Section 42 consultee, had aimed to consider all issues. He expressed gratitude for the public comments which were understood and appreciated by officers. Although it was possible for Members to strengthen the officers' recommendations in light of what had been said in support of HVDC, it must be remembered that both options were still under consideration. It was necessary to evaluate the AC options. He believed the report

covered all issues but explained that NNDC was not the Highways authority. This was the role of Norfolk County Council. However the report had referred to highway issues because they impacted on other areas, e.g. the environment.

Mr N Dixon thanked all the members of the public who had spoken so lucidly and visually. He proposed endorsing the contents of the report, which covered all issues and agreed with the Corporate Director (SB) that it would not be appropriate, at this stage, to strengthen the recommendations in favour of HVDC. It was a first response. There would be ongoing dialogue and further opportunities to reinforce the points that had been made. The process would take time.

Mr R Price thanked the public speakers and proposed an additional recommendation that a sub-committee of Cabinet be formed to ensure that the best possible outcome was obtained for the residents of the District. With this in mind, he seconded endorsement of the officers' original recommendations and taking the work forward as outlined in the report.

Discussion

- a) Mr R Price expressed concern that Vattenfall's stated aim of providing the scheme at the lowest cost to meet government requirements wasn't in the best interests of the people of North Norfolk. As a County Councillor, he had been able to contribute to the County response and referred to the proposed development as an industrial unit which, he believed, should be on an industrial site. He asked if the report (at section 7.4.3) should also refer to an industrial unit. Mr N Dixon urged caution regarding minor changes because they could prevent concluding this stage of the business in a timely manner.
- b) The Corporate Director (SB) explained that clarification had been sought from Vattenfall regarding an alternative site for the onshore cable relay station. It was not their preferred option but it was not impossible. There was industrial land at North Walsham but it was to be expected that there would be similar public opposition in any location that might be identified.
- c) In response to a question about revisiting grid connection, the Corporate Director (SB) said that he and the Leader had met with National Grid in March and had been told that this would only be possible via overground cables. The interconnector option had been previously considered by National Grid but was not deemed to be economically viable. However, further representation could be made if Cabinet were so minded.
- d) The Leader said that there was a feeling that there should be further engagement with Vattenfall. He advised not amending the recommendations but to task the proposed sub-committee to take matters further.
- e) The Major Projects Manager explained that a lot of the issues could be taken to further expert topic group meetings arranged for January 2018. They could also be fed back to Vattenfall in the covering letter with the Council's response to the PEIR. Mrs J Oliver said that the points about industrial units and industrial sites should be included in the letter.
- f) Mrs G Perry-Warnes said that the issues raised also applied to the Hornsea Three project.
- g) Mr E Seward congratulated officers on a comprehensive report and endorsed what had been said in the discussions. He believed that the DC option should be pursued but agreed that, at this stage, this Council's comments should be submitted in respect of both options. Referring to the suggestion that the proposed scheme should be sited at North Walsham, he said that residents would want the same mitigation and protection as East Ruston and Ridlington. He expressed concern that Vattenfall's engagement with the public had resulted

- in loss of confidence and had caused difficulties for the Council. Mrs L Walker asked for transparency from Vattenfall.
- h) Mrs A Fitch-Tillett said that reliance on fossil fuel would have to change. She commended the report but observed that any arguments would need to be evidence-based. She expressed concern that the following issues had not been addressed and must be monitored by the proposed sub-committee:
 - · Loss of hedgerows and trees.
 - Wildlife habitats, especially bats.
 - Coastal processes, especially at Cart Gap.
 - She observed that the proposed sub-committee must also monitor management of the site after Vattenfall had gone.
- i) Mr S Hester said that any damage to the environment needed to be proved to be justified. He had particular concerns about the proposed screening.

In conclusion, the Leader thanked the public for their attendance and gave assurance that the Council would strive to achieve the best possible outcome for the residents of North Norfolk, taking into account all that had been said.

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

RESOLVED to

- Endorse the content of this report as being the Council's formal position and response to the current round of consultation being undertaken in respect of Vattenfall's Norfolk Vanguard offshore windfarm development, and
- 2. Re-state the Council's ongoing commitment to discuss and negotiate with Vattenfall to achieve the best outcome for North Norfolk from this major development proposal.
- 3. Form a Sub-Committee of the Cabinet which will be tasked with ensuring that the very best possible outcome is achieved for the residents of North Norfolk through developing formal contact with Vattenfall.

Reason for the decision:

To publicly state North Norfolk District Council's position with respect to the impact this major development might have on local communities in parts of North Norfolk.

81. LEISURE CONTRACT PROCUREMENT AND SHERINGHAM LEISURE FACILITY

<u>Presentation – Feasibility Study</u>

- a) The Feasibility Study, which had been provided to Members in advance, was presented by Damian Adams, Director, FMG Consulting Ltd and Nathan Swift of Saunders Boston Architects.
- b) The report followed on from the Council's Indoor Leisure Facilities Strategy and ensured that there was a match with the strategies of Central Government and Sport England. It had made use of demographic information, including tourism. However, the facility would be predominantly for local people.
- c) There were 2 options for new build as well as a refurbishment option for the existing facility. However, there wasn't much of a case for the latter. Option 1 was preferred.

Discussion of Presentation

a) In response to a concern expressed by Mrs G Perry-Warnes regarding possible

protest at the loss of the wave machine, it was explained that longevity was a major consideration and that Sport England were unlikely to fund a wave machine. Such machines had high maintenance costs. It was better to invest in more flexible activities for young people, e.g. inflatables.

- b) Mr J Rest said he had some questions but would put them to the Project Board.
- c) Mr S Hester asked about leasing out the treatment rooms. The Leader said this was something that would be subject to further investigation.

Report and Discussion

The report was introduced by Mrs J Oliver, Portfolio Holder for Corporate Assets. It updated Members on progress towards a replacement for the Splash Leisure Centre in Sheringham and the procurement of a new Leisure Services Management Contract. The Council was now at the point where it needed to formalise procurement of a new leisure centre on the Splash site. She proposed the recommendations.

Ms M Prior seconded the recommendations and thanked Mrs Oliver for all her work. She commended the health benefits of the proposed scheme and its fit with the Corporate Plan.

Mr R Shepherd, a local Member, commended Option 1. The wave machine was expensive and rarely used. Fitness was now much more relevant than when Splash was built.

The Corporate Director (NB) explained that the proposed fitness suites would be add-ons to the public facilities to enable the scheme to pay its way. Local competition would be taken into account. The Health Spa would probably need to be leased out for reasons of affordability but this was dependent on the contractor. Mrs J Oliver said that the Council had a duty to provide the best value and to choose the best option for NNDC. Health Spa facilities were already available locally.

Mr G Williams reminded Cabinet that the Overview and Scrutiny Committee had asked for flexibility to be built in as the project moved forward. He was pleased to note that the options were being kept as flexible as possible.

It was proposed by Mrs J Oliver, seconded by Ms M Prior and

RESOLVED

- 1) That Cabinet proceed with a replacement leisure facility at the Splash site in Sheringham, with swimming provision, as detailed as Option 1 in the report.
- 2) That delegated authority is given to the Corporate Director and Head of Paid Service (NB) to:
 - a) Commission FMG leisure management consultants to advise on the Leisure Management Contract Procurement process for the facility build and to support the development of a funding application to Sport England, and that Financial Standing Orders are waived to allow a direct award, given FMG's expertise and involvement in the project to date.
 - b) Commence procurement work to enable the design, including the submission of the necessary Planning Application/s, for the new leisure facility and, if necessary, associated enabling development and, if FMG are considered the best value option for this work, to waive Financial Standing Orders to allow a Direct Award to them.

- c) Commission the necessary external support to manage the leisure facility construction project if this goes ahead; this to include tender production and management, cost consultancy and client representation as required.
- d) Procure the construction contractor to build the new facility at the Sheringham site, subject to the funding being confirmed to complete the project.
- e) Undertake procurement of the new Leisure Management Contract via the most appropriate route, including the use of external support as required.
- 3) That a Project Board is set up to oversee the project, involving key officers and members, as detailed in the report.
- 4) That Cabinet recommends to Full Council;
 - a) The approval of the necessary capital budget to support the delivery of a replacement leisure facility (Option 1) at an estimated cost of £10.667m as detailed in this report, subject to the necessary external funding being in place.
 - b) That the provisional financing be agreed as follows;

Part land disposal £0.750m

Sport England grant £1.00m

Capital receipts/reserves £4.00m

Borrowing £4.917m

c) That delegated authority is given to the Head of Finance and Assets to adjust the financing outlined above if required to maximise the value for the tax payer.

Reason for the decision:

To provide the necessary financial, procurement, project management and governance framework to allow the project to replace the Splash leisure facility to proceed.

82. NORTH NORFOLK COMMUNITY SPORTS HUB

<u>Presentation</u>

- a) A presentation was made by Damian Adams, Director, FMG Consulting Ltd and Nathan Swift of Saunders Boston Architects.
- b) The indoor tennis facility would be on the Cromer Academy site, on the present multi-games area. There would be separate access for public and students, thus meeting safeguarding requirements. The multi-games area would be replaced and would also be available to the public.
- c) The Lawn Tennis Association (LTA) was interested in the project being pursued because:
 - 150 children were already participating in tennis each week at Cromer.
 - Cromer Academy was very supportive.
 - The existing tennis club was well-established and successful.
 - There were other proposed uses for the centre.
 - The Health and Fitness offer met local need.
- d) It was important that key people already involved from the local community were retained as the project moved forward.

- e) It was envisaged that the facility would be open from 7.00 am until late to enable a wide spectrum of the community to use it.
- f) LTA funding would be contingent on development of tennis in satellite areas Fakenham, Wells and North Walsham and Wells High Schools.
- g) Management options: it was considered important to have one operator. In-house or "variant lot" had been looked at as part of the new management contract.

Report and Discussion

The report was introduced by Mrs J Oliver, Portfolio Holder for Corporate Assets. The aim of the report was to allow members to move forward the opportunity of developing a Community Sports Hub at the Cromer Dual Use Sport Centre via the provision of an indoor tennis facility and new gym and fitness centre, along with different management arrangements, in partnership with both Cromer Academy and Cromer Tennis Club.

Mrs Oliver thanked FMG for all their work and said that it was important that satellite tennis provision was supported. She proposed the recommendations. Ms M Prior seconded the recommendations and particularly noted the fact that the project would be delivered to satellite areas.

Mr R Shepherd stressed the importance of the Tennis Club to the community, especially children. Mr J Lee, a local Member, thanked the Council for their support.

It was proposed by Mrs J Oliver, seconded by Ms M Prior and

RESOLVED:

- 1) To accept the findings of the feasibility study into the principle of developing a North Norfolk Community Sports Hub based on the Cromer Academy/Cromer Tennis Club site.
- 2) To delegate to the Corporate Director and Head of Paid Service (Nick Baker) authority to:
 - a) Procure FMG leisure consultants to complete the designs and Planning Application/s for the proposed facility as detailed in this report, and to provide the necessary support the Council in its funding bid to the Lawn Tennis Association.

Note: this will require the waiving of Financial Standing Orders, on the basis of FMG's expertise and earlier involvement in this project.

- b) Negotiate property related matters with the interested parties and enter into such property and service contractual agreements as are necessary to allow the project to proceed.
- Subject to the external funding being made available, procure construction related professionals to take forward the construction project.
- d) Subject to the external funding being made available, procure the construction contract to build the new facility.
- 3) For Group Leaders to appoint Members to the Joint Officer Member Board as described at 6.5 in the report.
- 4) To recommend to Full Council, the approval of the necessary capital budget for the project, subject to the external funding being made available, as described in the report:

- a) The approval of the necessary capital budget to support the delivery of a Community Sports Hub at an estimated cost of £2.681m, and additional tennis facility improvements at an estimated cost of £250k, as detailed in this report, subject to the necessary external funding being in place.
- b) That the provisional financing be agreed as follows; Lawn Tennis Association Grant £733k (25% of tennis related cost) Capital receipts/reserves £1.465m Lawn Tennis Association Interest free loan £733k (25% of tennis related cost, to be funded from
- c) That delegated authority is given to the Head of Finance and Assets to adjust the financing outlined above if required to maximise the value for the tax paver.

Reason for the decision:

capital receipts)

To provide the necessary framework around, finance, procurement and governance for the project to be able to move forward.

83. SUTTON MILL LOAN PROPOSALS

The report was introduced by Mr N Dixon, Portfolio Holder for Business and Economic Development and Tourism.

The Society for the Protection of Ancient Buildings (SPAB) mills section wanted to acquire and refurbish the "At Risk" Grade 2* Listed Sutton Mill and establish a national millwrighting centre at the mill to ensure the traditional skills of millwrighting and milling are preserved for future generations. A community interest company (CIC) had been set up to take this project forward.

Total project costs, excluding site purchase, but including refurbishment, training costs and staff amount to £2.5m. SPAB had pledged £100k towards the site purchase and £400k towards the repair of the mill.

A private investor, a director of the CIC, had pledged £100k. The CIC was currently investigating funding sources including the Architectural Heritage Fund and Heritage Lottery.

The CIC had also approached the District Council to seek funding in the form of a loan for £350k to be repaid over a period of 8 years (or sooner if funds permit) The report sought approval to provide loan finance of £350,000 to the National Millwrighting Centre CIC to acquire and refurbish Sutton Mill. Any loan would have to be provided on a commercial basis to comply with State Aid.

The proposal was seconded by Mr J Lee who said it was another example of the Council supporting communities.

Mrs P Grove-Jones, a local Member, fully endorsed the proposal. Mrs A Fitch-Tillett welcomed the proposal because it would improve the tourism offer in the east of the District as well as preserving craft skills. Mr R Price added that investment in Sutton, as part of Stalham, would make a huge difference to his ward. The Leader described the proposal as another step to protect the area.

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

RESOLVED:

To recommend to Full Council

- the Council provides loan funding as detailed in this report to the National Millwrighting Centre CIC to facilitate the acquisition and improvement of Sutton Mill to be finance from capital receipts
- 2) that, following the due diligence process, delegated authority is given to the Corporate Director and Head of Paid Service (Steve Blatch), in conjunction with the Portfolio Holder for Economic Development, to agree the final terms of any loan

Reason for the decision:

To support the project to deliver the benefits in terms of economic regeneration and also in respect of the redevelopment and enhancement of the Grade 2* listed building which is currently on the Buildings at Risk Register, increasing tourist visitors to the east of the district.

84. TRANSFER OF TOURIST INFORMATION SERVICES TO HOLT TOWN COUNCIL

The report was introduced by Mr N Dixon, Portfolio Holder for Business and Economic Development and Tourism. It proposed the transfer of the Tourist Information Centre (TIC) service in Holt to Holt Town Council (HTC), supported by a one off capital grant in order to support HTC in its wider community aspirations for supporting local business and at the same time, achieve a long term revenue saving.

This proposal would provide support to local businesses and the community of Holt by working with HTC to provide the TIC services in a wider community initiative at Shrive Hall. It also offered efficiencies by collaborating and developing local solutions by working with others and reducing long term revenue costs.

Miss B Palmer seconded the proposal, commending it for providing the service all year round, rather than for 6 months.

It was proposed by Mr N Dixon, seconded by Miss B Palmer and

RESOLVED:

That Cabinet approves the transfer of the Tourist Information Centre services in Holt, to Holt Town Council and that;

- a) A capital grant of £100,000, less any staff related costs, is paid to Holt Town Council to support that service delivery; to be funded from the Invest to Save Reserve.
- b) A contract and service agreement is entered into to secure the TIC service delivery
- c) Delegated approval is given to the Corporate Director and Head of Paid Services (NB) to complete the contractual negotiations to allow this proposal to proceed.

Reason for the decision:

The recommendation helps the delivery of our Corporate Plan priorities by supporting collaborative working with communities whilst offering service efficiencies in via a local, community based solution.

85. FEES AND CHARGES 2018/19

The report was introduced by the Leader in the absence of Mr W Northam, the Portfolio Holder for Financial Services, Revenues and Benefits.

The Head of Finance and Asset Management explained that the report recommended the fees and charges for 2018/19 that would come into effect from April 2018. The fees and charges as recommended would be used to inform the income budgets for the 2018/19 budget. Approval for the fees ahead of presenting the detailed budgets would allow for implementation of changes where applicable and also informed the 2018/19 budgets. It would also enable bills for chalet charges etc to be sent out in a timely manner. Consideration was being given to installing individual meters to chalets so that the actual usage, rather than a set fee, could be charged. However, these were not yet in place. In response to a question from Mrs P Grove-Jones the Corporate Director (NB) explained that the increase in charges to sports clubs was because of a reduction in funding from Sport England.

RESOLVED:

To recommend to Full Council:

- a) The fees and charges from 1 April 2018 as included in Appendix A.
- b) That Delegated Authority be given to the Section 151 Officer, in consultation with the Portfolio Holder for Finance and relevant Heads of Service, to agree those fees and charges not included within Appendix A as required as outlined within the report

Reason for the decision:

To approve the fees and charges as set out in the report that will be used to inform the 2017/18 budget process.

86. DETERMINATION OF COUNCIL TAX DISCOUNTS 2018/19

This item was also introduced by the Leader in the absence of Mr W Northam.

The report set out alternative options for the level of council tax discounts which Full Council would resolve should apply to second homes for the financial year 2018/19. The determinations were made by the Council under sections 11A and 11B, and of the Local Government Finance Act 1992, subsequent enabling powers and Regulations made under the Act.

The legislation provided local authorities with the power to make changes to the level of council tax discount in relation to second homes. The Council had to approve its determinations for each financial year. The calculation of the tax base for 2018/19 would be made on the assumption that the determinations recommended would apply.

The Big Society Fund was funded by second homes Council Tax income. There was concern amongst residents about the high number of second homes in the District.

By reducing the discount we would come in line with other Councils in similar situations.

RESOLVED:

To recommend to Full Council that under section 11A of the Local Government Finance Act 1992, and in accordance with the provisions of the Local Government Finance Act 2012 and other enabling powers one of the following applies:

Recommendation 1

- b) the council tax discount for dwellings defined as being within Class 'A' be reduced to 10% for the year 2018/19;
- f) The council tax discount for dwellings defined as being within Class 'B' reduced to nil for the year 2018/19.

Recommendation 2

- a) Those dwellings that are specifically identified under regulation 6 of the Council Tax (Prescribed Classes of Dwellings)(England) Regulations 2003 will retain the 50% discount; and
- b) those dwellings described or geographically defined at Appendix A which in the reasonable opinion of the Head of Finance and Asset Management are judged not to be structurally capable of occupation all year round and were built before the restrictions of seasonal usage were introduced by the Town and Country Planning Act 1947, will be entitled to the same discount as members resolve for Class A dwellings.

In accordance with the relevant legislation these determinations shall be published in at least one newspaper circulating in North Norfolk before the end of the period of 21 days beginning with the date of the determinations.

To set appropriate council tax discounts which will apply in 2018/19 in accordance with the legal requirements and to raise additional council tax revenue.

This review of discounts afforded to second home owners gives Members the opportunity to address residents' concerns over the high number of second homes in North Norfolk, and enables a council tax charge for a second home to be made which is more closely aligned to that of a main or sole residence.

Reason for the decision:

Reducing Class A discounts would also more closely align discount policies with other Norfolk authorities.

87. MANAGING PERFORMANCE Q2 2017/18

The report was introduced by the Leader, Portfolio Holder for Strategic Policy and Governance. He thanked officers for all the hard work they had put into it. Mrs A Claussen-Reynolds said that the report demonstrated how well the Council was being run.

The report was a second quarter progress report of the performance of the Council. More specifically it reported on the delivery of the Annual Action Plan 2017/18 and progress against targets. It gave an overview, identified any issues that might affect delivery of the plan, the action being taken to address these issues and proposed any further action needed that required Cabinet approval.

The majority of the 71 activities were on track or ahead of plan (63) and six activities had been completed successfully. One had some problems and one had been cancelled. The 71 activities reported on were 63 from the Annual Action Plan 2017/18 and eight activities from the Annual Action Plan 2016/17 that were not completed last year. Performance was being closely monitored, particularly for the activities where issues or problems had been identified. Of the 24 performance indicators where a target had been set 21 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 report.

It was proposed by Mr T FitzPatrick, seconded by Mrs A Claussen-Reynolds and

RESOLVED:

To note the report, welcome the progress being made and endorse 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.

The meeting ended at 12.50 pm.	
	Chairman