

OVERVIEW AND SCRUTINY

Minutes of a meeting of the Overview and Scrutiny Committee held on 12 July 2017 in the Council Chamber, North Norfolk District Council, Holt Road, Cromer at 9.30 am.

Members Present:

Committee: Cllr P W Moore (Chairman)

Cllr S Butikofer
Cllr V Gay
Cllr S Hester
Cllr M Knowles

Cllr N Pearce
Cllr R Reynolds
Cllr E Seward
Cllr N Smith

Officers in Attendance: The Corporate Director (SB), the Corporate Director (NB), the Head of Legal and Democratic Services, the Health and Communities Team Leader, the Customer Services Manager, the Team Leader - Customer Services, the Policy & Performance Management Officer, the Democratic Services Team Leader and the Democratic Services Officer.

Members in Attendance: Cllr A Claussen-Reynolds, Cllr A Fitch-Tillett, Cllr P Grove-Jones, Cllr A Moore, Cllr J Rest and Cllr D Young.

Also in Attendance: Mandy Lewis, Manager, Mid Norfolk Citizen's Advice (CA)

17. APOLOGIES

Apologies were received from Mrs J English, Mr R Shepherd and Mr G Williams.

18. SUBSTITUTES

None

19. PUBLIC QUESTIONS

No public questions were received.

20. MINUTES

The minutes of the Overview and Scrutiny Committee held on 14 June 2017 were accepted as an accurate record and signed by the Chairman.

21. ITEMS OF URGENT BUSINESS

None

22. DECLARATIONS OF INTEREST

None

23. PETITIONS FROM MEMBERS OF THE PUBLIC

None

24. CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE BY A MEMBER

None

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

None

26. ANNUAL REPORT 2016/17

Concern was expressed about the absence of the Leader, but it was explained that he was on holiday and that the Corporate Directors were present to answer questions. A Member of Cabinet, Mrs A Claussen-Reynolds, was also present. Mrs S Butikofer said she was disappointed that the Leader had not appointed a substitute to present the report on his behalf. Mr N Pearce also expressed disappointment. Concerns were noted and would be conveyed to the Leader on his return.

The Annual Report, which was still in draft form, had been approved by Cabinet on 03 July 2017. If there were any amendments from the Overview and Scrutiny Committee, they would be incorporated. The report presented the delivery of the Annual Action Plan 2016/17 and showed achievement against targets.

Questions and Discussion:

- a) Ms V Gay observed that the report looked different from the previous year's and asked what had changed. It was explained by the Corporate Directors that the same information was included but that the format had changed significantly, moving to a different style and aiming to be more readable and easy to understand. The breadth of the work of NNDC was considerable and it was important that it was presented with clarity, and thus open to challenge and debate. In producing the report, a more business-like approach had been taken. It was aimed to make further advances in branding and communication over the next 12 months.
- b) In response to a question from Ms V Gay, it was confirmed that there was no longer a requirement to produce an Annual Report but that a decision to continue had been taken.
- c) Responding to a comment from Mrs S Butikofer regarding the absence of portfolio holders, the Corporate Director (SB) reiterated that the report had been accepted by Cabinet and that it had been brought to Overview and Scrutiny for information. Officers were on hand to answer any Members' questions regarding performance. The Policy & Performance Management Officer reminded Members that the report was not in its final version and that comments from the Overview and Scrutiny Committee could be incorporated. The Democratic Services Team Leader advised that the Committee would need to make specific comments if they wanted to refer the report back to Cabinet. The absence of the portfolio holder wasn't sufficient reason for not accepting a report.
- d) It was noted that the Committee would have preferred to discuss the report further with the portfolio holder.

RESOLVED to note the contents of the report.

27. NORTH NORFOLK INFORMATION & ADVICE SERVICE

The report was presented by the Health and Communities Team Leader with Mandy Lewis, Manager, Mid Norfolk Citizens Advice Bureau.

In January 2016, North Norfolk District Council (NNDC) and Norfolk County Council entered into a three year arrangement for the joint funding of a generic Information and Advice service in North Norfolk. Following a tender process, the contract was awarded to Mid Norfolk Citizens Advice (CA) who jointly delivered the service via a formal agreement with Norfolk Citizens Advice.

This report provides an update on North Norfolk Information and Advice Service since it commenced in January 2016. There had been some teething problems but all had settled down and officers were happy with the way the contract was being delivered.

Questions and Discussion:

- a) Mr D Young was NNDC's representative on Mid Norfolk Citizens Advice Bureau. He reported that the trustees met monthly and made him very welcome. He was impressed by the way that the service was run on a tight budget. It would be good to have more funding. Although the contract was viewed as being delivered, it was important that town and parish councils continued to make donations because demands for the service were increasing all the time.
- b) Ms V Gay, referring to a table showing by ward the number of people who had contacted Citizens Advice, observed that there had been high usage for Mundesley and Wells. She queried this because low usage had been reported for the outreach services in this location and was advised that the clients had attended other offices.
- c) In response to a question from Ms Gay regarding personnel changes, it was explained that since the Chief Executive of Norfolk Citizens Advice had left there had been an improvement in communication and cooperation between Norfolk CA and Mid Norfolk.
- d) Ms Gay commented that the pie chart identifying the reasons most people made contact with Citizens Advice was very helpful for Members.
- e) Mr E Seward commended the amount of information that had been provided in the report. He observed that the services at Cromer and North Walsham were in high demand as also was Mundesley. The new office at North Walsham had a more professional frontage, was more accessible and was working well. Contributions from Town and Parish Councils were essential. It would be useful for District Members to know what the contribution was and if there had been any slippage. Mrs S Butikofer remarked that it was good to have statistics to demonstrate to Town and Parish Councils the need for their contributions. The figures demonstrated that their money was being spent properly.
- f) In response to a question from Mr R Reynolds, the Manager of Mid Norfolk CA confirmed that all advisors were fully trained.
- g) In answer to a question from Mr S Hester, it was explained that Mid Norfolk CA was reliant on donations and volunteers. In total there were only 3 full-time paid staff members.
- h) To a further question from Mr Hester, it was explained that there was no significant increase in clients at times of financial restraint, but that people were coming in with more complex issues. Citizen's Advice dealt with issues rather than signposting people to other agencies.
- i) Mr J Rest said that the information kiosk at Fakenham Surgery wasn't in a good position and should be relocated. The Health and Communities Team Leader undertook to convey this to Norfolk CA.

- j) Mrs P Grove-Jones undertook to raise awareness with Stalham Town Council regarding the CA service in the town, which was linked to Foodbank, and the need for donations. In response to a question it was explained to her that the statistics referred to residents of Stalham but did not indicate if they had been referred by Foodbank. The Health and Communities Team Leader further explained that it had been sensible to base the CA with Foodbank as clients tended to have multiple issues. Outreach services often operated for limited hours so clients went to other CAs, e.g. North Walsham, which were open longer.
- k) The Chairman asked Members to update the Committee by email on response regarding donations from their Town and Parish Councils.
- l) In response to a question from Mr S Hester about telephone service and webchats, it was explained that an advice line was already in operation. It was hoped that funding would be received for a digital hub to enable email and webchats.
- m) Ms V Gay asked for statistics on debts that were cancelled. She was informed that, in the period January – June 2017, there had been £69,000 income gain (benefits etc) to clients and £29,000 debts written off.
- n) Officers were thanked for a very useful report.

RESOLVED

- 1. to note the progress of the implementation of the Information and Advice Service contract.**
- 2. To continue to receive regular updates.**

28. HOUSING REGISTER INFORMATION

The report had been requested by Members on 14 June 2017. It provided information on the current Housing Register and included case studies.

Questions and Discussion:

- a) Mr E Seward thanked officers for the report. He asked what “sharing” meant regarding Tenure Type. It was explained that it referred to someone who was living with family members or others, often causing overcrowding.
- b) In a further question, Mr Seward asked what drove people in private rented accommodation to apply for social housing. The Team Leader - Customer Services replied that most people in private rented accommodation wanted the security of long-term tenure. Private landlords only gave 6-month tenancies.
- c) Mr R Reynolds asked if there had been an improvement in the supply of larger properties. The Team Leader - Customer Services said that there was still a need, but it was improving. The greatest need continued to be for 2-bedroomed properties.
- d) Mr S Hester asked if single applicants could be encouraged to share a property. The Team Leader - Customer Services said that 2 or 3 friends applying for accommodation could do this, but that it could cause potential complications.
- e) Referring to applicants in housing need who had been on the waiting list for 7 months, Mrs P Grove-Jones asked if the reason might be that there was no suitable available accommodation or because they had turned down properties. The Team Leader - Customer Services said that it could be either reason. Customers had choice and officers could only advise. However, people who frequently turned down properties had their priority reviewed.
- f) Mr E Seward expressed concern about the Housing Options list as the number of people rehoused had made little progress since 2015/2016 and that this reflected the Government’s housing performance. There was only so much a small local

- authority could do. We were building affordable homes but they weren't enough to address the problem. The first priority of housing was to meet need. The Customer Services Manager said that this problem impacted the whole country as social housing was part of the wider housing market. Right to Buy and Affordable Housing had affected the supply of social housing. As an authority, the Council's focus must be on people in greatest housing need. The Housing Options list had broadened support but housing had become increasingly driven by finance. The Corporate Director (SB) urged Members to encourage their Town and Parish Councils to work with the Council and support Affordable Housing rather than making objections to planning applications for such developments.
- g) Members observed that property developers tended to be reluctant to build a percentage of social housing.
 - h) Mr S Hester suggested low-cost prefabricated homes as a way to provide more affordable units and expressed concern about planning legislation. The Corporate Director (SB) said that NNDC had a good track record for approving development and that the revision of planning law had enabled better decision making. The main issue was obtaining finance for affordable housing. In North Norfolk it would always be built in modest numbers. To meet housing need we must be bolder in some of our schemes with our partners. Mr R Reynolds said that the Development Committee, of which he was Chair, was aware of the need for social housing. Developers needed to be aware of the different categories of need for social housing provision.
 - i) Mrs S Butikofer said that, although tourism was important to the District, the number of second homes and holiday homes – which were usually smaller properties – impacted on properties available to those in housing need. The Corporate Director (SB) said that there was no planning legislation to restrict this situation. However NNDC, through the Community Housing Fund programme, was considering developing houses for rent or shared ownership. Onward sale could be safeguarded by planning legislation. There was a precedent at St Ives in Cornwall.
 - j) Ms V Gay said that better design might reduce local opposition to affordable housing proposals. She suggested self-build schemes which were running successfully in Shropshire. Such houses would fit into the character of a village.
 - k) A concern was expressed about land banking.
 - l) In response to a question about Victory Housing Association's disposal programme it was explained that receipts were used to build new affordable housing. The Association wanted to sell 100 houses to finance 150 new homes. Decision to sell a property – usually when it became vacant – was made on the likely cost of renovating the property for re-let. Restrictions weren't imposed on the sale of such properties as this would depress the value by approximately 20%. Mrs P Grove-Jones observed that it could impact on communities if properties were sold but there was no new build in that area.
 - m) Replying to a further question from Mrs Grove-Jones, the Corporate Director (SB) said that the Asset Management Board was considering developing a former depot at Holt for private sector let. A report would come to Members by the end of the year.
 - n) To a suggestion that building of new affordable housing should be subject to further discussion by the Committee, it was explained that the Planning Policy and Built Heritage Working Party was the relevant forum. Members were welcome to attend.
 - o) Victory Housing Association was building 81 new homes.
 - p) Officers were thanked for the report and answers to Members' questions.

RESOLVED to note the report.

29. WASTE UPDATE

The report was introduced by the portfolio holder, Mrs A Claussen-Reynolds. She thanked the Environmental Services Manager for his very full and concise report.

Since the last update in January 2017, the Council had entered the seventh year of the eight year contract with Kier Environmental Services to deliver the Waste and Related Services Contract.

In the period since January 2017, there remained areas of the contract where performance had been inconsistent and occasionally poor. The departure of the Operations Manager had caused Officers problems regarding communications.

However, there was also good news about the successful growth in both the chargeable Trade Waste and Garden Waste services. The solar bins had also been very successful. They held 8 times as much as normal sized bins or 4 times the larger sized bins, as well as preventing vermin from entering.

Mrs Claussen-Reynolds reported good news about the Garden Bins:

Following negotiations with Kier there had been mutual agreement to vary the contract in respect of the garden bin step up payment.

The number of customers had grown significantly since the contract started in 2011. The 19,500 customers who currently had garden bins was the capacity amount that the Kier fleet could collect. Both parties had now signed a variation notice which meant that when the number of registered garden bin customers exceeded the contract threshold of 19,500 customers the council would pay 50% of the full step up payment of £86,760 per annum. When the number of registered garden bin customers exceeded 20,500 customers the council would then pay the full step up payment of £86,760 per annum. Kier would deploy appropriate resources in order to meet the demand in the service.

This variation would save the council around £3,600 per month compared with the terms in the original contract. On the basis of this variation the hold on sales of garden bins would be lifted.

Customers on the waiting list would be contacted shortly by Kier, with those who had been waiting longest contacted first. Customers would be asked to be patient as Kier worked through the waiting list.

Questions and Discussion:

- a) Mr E Seward welcomed the variation and was glad that more Garden Bin customers could be served. He said that lessons had been learned from the current contract which could be applied to the new contract:
 - There had been a lot of problems caused by breakdowns.
 - Contractors needed to have more resources for garden maintenance.
- b) The appointment of a new Communications Manager by Norfolk Waste Partnership was welcomed but it was hoped that this would be continuous rather than time-limited. It was explained that the post was funded for 3 years and was likely to continue, if successful.
- c) The Corporate Director (NB) referring to the new contract procurement said that it was hoped that King's Lynn and West Norfolk and Broadland would partner NNDC. This would help us to get a better service. The procurement process

- would begin in September but informal talks with the other authorities had already begun. Procurement would depend on what percentage was put on quality and what on quantity.
- d) Grounds maintenance: alternative, more localised arrangements were being considered. There had been a recent meeting with the CEO of Benjamin Foundation to discuss the possibility of some of their client group doing work on civic areas, e.g. the Sunken Gardens in Cromer.
 - e) Mrs P Grove-Jones observed that 3 different groups seemed to be doing grass cutting in her ward. In response to a question it was explained that garden bins were not limited to one per household.
 - f) Mrs A Fitch-Tillett asked if there were any statistics on contaminated recycling bins. It was explained that the figure was 10.3% and that contaminated bins cost the authority money.
 - g) Mrs Fitch-Tillett asked if the red tag system was effective. The Corporate Director (NB) said that some people were trying to put the correct items in the recycling bin, but got it wrong. Officers talked to the householder if there were persistent problems. There was also a small hard core of people who didn't care. The Council had legal powers to fine them or withdraw their recycling service, if appropriate. Education and communication was important. Information was provided for residents and there was a countrywide anti-contamination campaign between July and September.
 - h) Mr R Reynolds, although acknowledging that zero contamination could never be achieved, considered that 10.3% seemed high. He asked what would be an acceptable figure. The Corporate Director (NB) said that, of the 7 Councils in Norfolk, NNDC was second best. 8% or 9% would be achievable but improvement would involve cost and behaviour change. We needed to concentrate on increasing the amount of recycling and decreasing contamination.
 - i) Information should be provided for holiday homes because recycling procedures could be different in other parts of the country. Mrs P Grove-Jones asked why councils countrywide didn't have uniform procedures and bin colours. The Corporate Director (NB) explained that it was cost driven. Some materials could be recycled but cost too much to process. The global market was also a factor. Councils had no statutory obligation to offer a recycling service or have standard colours of bin.
 - j) Ms V Gay observed that increasing amounts of textiles were being sent to other parts of the world and expressed concern that this was not environmentally effective. The portfolio holder informed her that textiles were a potential contaminant and that a campaign to upcycle them was planned for 2018/2019.
 - k) Mrs Fitch-Tillett urged Members to raise awareness with their town and parish councils regarding marine litter.
 - l) In response to a question from Mr S Hester, the Corporate Director (NB) that 7 companies had tendered for the previous waste contract and that it had been awarded to Kier because they offered the best mixture of quality and price. The contract had been procured in partnership with King's Lynn and West Norfolk. There had been lessons learned in the present contract which would be taken forward into the new procurement process.
 - m) Mr Hester suggested that compost bins should be promoted and sold to residents. This could reduce garden and food waste and, subsequently, vehicle movement.
 - n) Response times to clear reported fly tips: Mrs S Butikofer asked why these had been below the target response time when there hadn't been a significant increase in the number of cases. It was explained that the head of service was looking at these figures and the reasons behind them.
 - o) Mrs Butikofer observed that, for reputational reasons, signs warning of CCTV should be taken down when cameras had been removed.

- p) The Chairman expressed concern that some fly tipping could be the result of refuse not being accepted at County Council Recycling Centres. It was explained that some of NCC's rules were to prevent trade waste and that NNDC had no means of involvement. Mr R Reynold considered that fly tipping was more likely to be deliberate. It was explained that NNDC was very pro-active and that 8 – 10 successful prosecutions were made each year. The householder was prosecuted as well as the person who disposed of the refuse on their behalf, so it was important to check the operator's licence. Prosecutions were reported to the Local Member and publicised on the NNDC website.

The officers and portfolio holder were thanked for the information they had provided.

RESOLVE

- 1. To note the report.**
- 2. To receive a further update in 6 months.**

30. NORTH NORFOLK LOCAL LOTTERY SCHEME

This item had come to the Committee for pre-scrutiny before it was received by Cabinet.

Local lotteries were a way of raising funds for good causes, which could take pressure off community grants budgets. The Council currently awarded £365k of grants. Future contributions from a Local Lottery could be used to sustain the Council's expenditure on grants without reducing the level of funds allocated through the Grants programme.

A significant amount of the Big Society Fund was received from second homes Council Tax and the future of this funding was believed to be uncertain. A lottery scheme would make the Big Society Fund more secure and would enable people to choose how their money was allocated.

Questions and Discussion:

- a) Mrs P Grove-Jones supported the idea but asked why the preferred option was to outsource the scheme rather than running it in-house. The Head of Legal and Democratic Services explained that running the scheme internally would mean having to employ people, which would cost approximately £70,000 per annum. It was more cost effective, in the absence of in-house expertise, to use an External Lottery Manager (ELM). This option would see a partnership with an existing deliverer of lotteries, effectively buying in the skills and expertise necessary. The ELM would deliver all aspects of the lottery, from taking ticket payment, prize management and licensing and would share with the Council and the good causes the role of marketing. 17% of the ticket price would fund the External Lottery Manager.
- b) Further discussion could take place regarding whether the lottery should be online only. Mr R Reynolds supported the scheme but asked that tickets should be available for purchase at the Cromer and Fakenham offices. It was explained that Members and officers would be encouraged to participate and that a facility could be made available at Cromer.
- c) Mr E Seward supported the principle but made the following points:
 - NNDC was not in fiscal restraint. It would need to be clearly demonstrated that the lottery was necessary.
 - It was his understanding that Norfolk County Council was minded to continue the funding from second homes.

- A lot of causes were raising money and could see this as competition. The Head of Legal and Democratic Services said that the lottery would allow the electorate the power to choose which causes they wanted to support. It could also give the opportunity for charities to encourage their core supporters to sign up.
 - How many other Councils have a lottery?
 - How much money could be potentially raised? The Head of Legal and Democratic Services said that, in the first year, lotteries typically raised £70,000.
- d) In response to a question from Mrs A Moore regarding some faiths refusing lottery funding, it was explained that faith organisations wouldn't be included in the causes.
- e) Ms V Gay said that councils supported lotteries because they, in turn, supported council priorities. She expressed the preference for further investigation into the scheme, especially regarding security and on the impact an online scheme might have on small shops.
- f) The Head of Legal and Democratic Services offered to circulate a case study to Members.

The Head of Legal and Democratic Services would review the report in the light of Members' comments.

RESOLVED to support the principle but that more work was needed on the proposal.

31. ENFORCEMENT BOARD UPDATE

32. DIGITAL TRANSFORMATION UPDATE & FUNDING BID FOR INFORMATION SYSTEM

These items were six monthly updates to Cabinet and were not being formally presented to the Committee. The Corporate Director (NB) was present to answer Members' questions.

Enforcement Board Update

- a) Mrs S Butikofer observed that it wasn't always the case that Local Members and Group Leaders were being kept informed of cases. It was advised that the information was available on Members' Ipads. The Democratic Services Team Leader would discuss this with the relevant officer and report back to Members.
- b) Ms V Gay, referring to enforcement work on buildings adjacent to 4A Market Street, North Walsham, observed that this had taken years but that there were problems. The Corporate Director (NB) said that now that two teams were working together, there was a more co-ordinated approach. Conservation officers needed to prioritise Sutton Mill. There was a finite resource of conservation staff and North Walsham wasn't the highest priority. The Enforcement Board met fortnightly but didn't always have the legal means to achieve a result. Ms Gay said that sometimes the fact that owners knew their building was being observed could be helpful.
- c) Mr E Seward said that the problem of empty commercial property was of particular concern in North Walsham because business rates weren't paid on empty units. He asked if there was any means of lobbying the government. The Corporate Director (NB) replied that the Board had looked at legal powers but not lobbied the government. It was difficult to find an incentive to encourage owners to bring properties back into use and make them pay. Conservation areas were also

important considerations and both would be worth lobbying for.

- d) Tattersett: Eastlaw had been instructed to prosecute and a daily fine had been imposed. The real problem was the cost of removing the tyres. It was not cost-effective for the Council to do this, therefore shorter term measures, e.g. firebreaks, were being applied. The site also had other potential hazards such as asbestos and buried ordnance. Compulsory purchase was always a last resort

RESOLVED to note the Enforcement Board and Digital Transformation updates.

33. THE CABINET WORK PROGRAMME

RESOLVED to note the Cabinet Work Programme for the period 01 July – 31 October 2017.

34. OVERVIEW AND SCRUTINY WORK PROGRAMME AND UPDATE

- e) Mental Health Support had been moved to September to allow HR more time to work on what was on offer to staff.
- f) Coastal Partnership would go on the programme for October.
- g) Mrs A Fitch-Tillett asked that the Norfolk Coast Partnership should go on the work programme.
- h) The Centre for Public Scrutiny (CfPS) would attend the Committee in September or October to talk about effective management of the work programme.
- i) Broadland District Council no longer intended to set up a joint panel regarding NEWS but would report back to all Councils on their own findings. Members who had volunteered were thanked.

RESOLVED to note the Overview and Scrutiny Committee Work Programme and Update.

The meeting ended at 12.55 pm.

Chairman