

OVERVIEW AND SCRUTINY

Minutes of a meeting of the Overview and Scrutiny Committee held on 08 November 2017 in the Council Chamber, North Norfolk District Council, Holt Road, Cromer at 9.30 am.

Members Present:

Committee: Cllr K Ward (Chairman)

Cllr S Butikofer
Cllr N Coppack
Cllr J English
Cllr V Gay
Cllr S Hester

Cllr M Knowles
Cllr E Seward
Cllr R Reynolds
Cllr G Williams

Officers in Attendance: The Corporate Director (SB), the Corporate Director (NB), the Head of Finance and Asset Management, the Head of Economic & Community Development, the Leisure and Locality Services Manager, the Programme and Projects Manager, the Democratic Services Manager and the Democratic Services Officer.

Members in Attendance: Cllr P Grove-Jones, Cllr J Lee, Cllr R Shepherd, Cllr B Smith, Cllr P Butikofer, Cllr J Rest, Cllr B Hannah, Cllr N Pearce, Cllr D Young, Cllr G Perry-Warnes, Cllr A Yiasimi, Cllr S Arnold, Cllr R Price, Cllr T FitzPatrick and Cllr J Oliver

Also in Attendance: Chief Inspector Wes Hornigold, Inspector Tessa Futter and Inspector Ed Brown, Eleanor Pringle (North Norfolk News) and members of the public (for items 14 and 15)

The Chairman explained that, because some attendees had been delayed and because members of the public were present, items 10, 14 and 15 would be taken in a different order.

65. APOLOGIES

Apologies were received from Cllr N Smith.

66. SUBSTITUTES

None

67. PUBLIC QUESTIONS

No public questions were received.

68. MINUTES

The minutes of the Overview and Scrutiny Committee held on 11 October 2017 were

accepted as an accurate record and signed by the Chairman.

Matters Arising: the report outlining the Council's resources regarding support for arts and culture would come to the Committee in January.

69. ITEMS OF URGENT BUSINESS

None

70. DECLARATIONS OF INTEREST

To be taken, if necessary, at the appropriate item on the Agenda.

71. PETITIONS FROM MEMBERS OF THE PUBLIC

None

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

None

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

None

74. PRESENTATION – CHIEF INSPECTOR WES HORNIGOLD, INSPECTOR TESSA FUTTER, INSPECTOR ED BROWN

Superintendent Christopher Harvey was unable to attend because of unforeseen circumstances. Chief Inspector Wes Hornigold apologised for this and introduced Inspectors Teresa Futter and Ed Brown, local policing inspectors covering the North Norfolk area.

District Overview

In total, police had attended 6,400 jobs in North Norfolk. This equated to 27 jobs per day across the District. 35% of the work was not directly related to crime but concerned domestic abuse (12%), concern for safety (12%) and suspicious circumstances (12 – 13%). Often these calls were linked and related to vulnerable people, including dementia sufferers. Only 4% of calls were about theft. North Norfolk was a very safe place.

Fakenham, Wells and Holt

Calls to the police followed the District-wide pattern. There were 25 police officers working over 5 shifts. They attended 9 jobs a day. This gave opportunity for officers to engage with the community, be visible and keep in touch with Parish Councils. Ant-social behaviour was static in the area although higher in the summer, at Hallowe'en etc. Speeding and traffic related issues were becoming the new anti-social behaviours.

Challenges included the management of large events, e.g. the Tamil Pilgrimage at Walsingham, concerts at Holkham and the arrival of travelling communities in the summer.

Stalham, North Walsham, Cromer and Sheringham

There were 40 officer posts, although they were not all filled at present, and 4 beat managers. Challenges were the management of carnivals and local events. Anti-social behaviour accounted for 8% of calls and crime for 15%, but both issues were reducing. 51% of calls were about public safety. This was increasing and was indicative of the demographics of the area. People were becoming more confident in reporting sexual issues including online grooming, which was an unseen crime. The increase in reporting such crimes was impacting on specialist officers.

Overview of 2020 proposals

a) The Norfolk 2020 Brief was commissioned in 2015. It had shown a 375% increase in safeguarding calls and a 40% increase in demand for county policing resources. Government funding for local policing had been cut and savings had to be made. This was exacerbated by Central Government's 1% bonus for police officers that had to come out of police funds.

b) The 2020 Proposal:

- Investing in safeguarding and investigations command with additional resources, modern technology and new buildings so everything was under one roof for vulnerable victims.
- Reinvesting in police officers – there are not enough officers to answer calls.
- Saving £1.6m.
- Looking at a new Safer Neighbourhoods model and discontinue the use of PCSOs.
- To recruit an additional 96 fully warranted police officers.
- Investment in technology including body-worn videos.

Questions and Discussion:

- a) In response to a question from Mr J Rest, it was explained that the 1% bonus would cost £67,000. The Police Federation had asked if they could give it back, but this was not possible. Mrs S Butikofer expressed concern at this situation.
- b) Mrs Butikofer expressed further concern that 16 PCSOs would be lost in North Norfolk and that anti-social behaviour might increase as a result. She was told that the District would receive an additional police sergeant and constable and that there would be access to additional resources for particular events and incidents. The role of the beat manager was critical across our towns but, at present, they were being deployed to answer calls. Vacant posts filled would mean more officers. There would be challenges around neighbourhood policing which would have to be managed, including the use of special constables. PCSOs would be encouraged to seek other posts in the organisation, including some for which only they would be eligible to apply.
- c) Mr R Reynolds asked if there was an improvement regarding drug-related crime in the District and if it would be affected by the loss of PCSOs. It was explained that pro-activity and early prevention was achieving good results. There was no drug problem in the District. It was a very safe place.
- d) Mrs P Grove-Jones, referring to the loss of the police station and imminent loss of PCSOs in Stalham, expressed concern that the nearest police stations were now 8 miles away in North Walsham or Hoveton. She asked how many officers went out from the District to attend incidents in other parts of the country and if there was a

minimum number of officers who stayed in North Norfolk. It was explained that keeping police stations in Stalham and Hoveton couldn't be justified. Officers would be based at Hoveton and would look at ways to manage local policing. However, work in schools without PCSOs would be a challenge. Regarding the question about officers going out of the District, it was confirmed that officers could be sent elsewhere including out of county. The minimum requirement was for 8 officers across the District, although there were occasions when there were less than this number.

- e) Mr S Hester asked if the PCSOs were being removed for financial or operational reasons. It was explained that PCSOs weren't warranted and didn't represent as much value for money as a police officer.
- f) In response to a question from Mr B Hannah, it was explained that there were 2 Licensing officers in the county, plus a sergeant and 3 officers. In addition, Inspector Ed Brown had a licensing background and intended to take an interest in this area while he was in North Norfolk.
- g) Mr G Williams suggested that North Norfolk had lost out on resources because it was a safe place. He expressed concern that this could make the District vulnerable, that lack of contact with the Police was beginning to be tolerated and that communities would be corroded as a result.

Travellers

- a) Following incidents with travellers in the weekend following Cromer Carnival, there had been concerns about police management of the situation. A review had now been released but command decisions were still under investigation by Cumbria Constabulary.
- b) Incorrect decisions had been made because only 10% of available information had been received.
- c) There had been no failures by officers but there hadn't been enough officers to deal with the situation.
- d) The Police were changing the ways in which they managed traveller encampments in future. Inspector Ed Brown was leading on that work.
- e) The recommendations from the review included identifying sites at risk, reducing the risks, how to manage the travellers if they got on the sites, better intelligence and innovative use of legislation. Cumbria and Essex Constabularies had experienced success with the latter.
- f) Mr J Lee, a local Member, said that the Council had certain powers to move travellers on and would like to investigate strengthening those powers. It was agreed that the Police would support this, working in partnership. The Committee was reminded that there was also a Traveller Liaison Protocol for Norfolk and that each encampment needed to be judged on its merits, identifying those where Section 61 powers needed to be used.
- g) Another local Member Mr N Pearce asked, with reference to Cromer, if updated information had been received and response adapted accordingly. It was explained that there had been a breakdown of information and it was necessary to ensure that information flows were improved in the future.
- h) Mr D Young asked if it would have made a difference had Council had the power to move the travellers on. He was told that resources would have been needed, i.e. alternative accommodation and officers to enforce the eviction.

The Corporate Director (NB) assured Members that NNDC had always had a good and strong relationship with the Police. A meeting was already being planned for officers from NNDC and the Police to discuss future arrangements for managing traveller encampments. The Chairman, on behalf of the Committee, thanked the Police for their attendance and for their candour. Mrs S Butikofer asked that the Police should return to

the Committee in 9 months' time to give an update on changes to crime figures, recruitment and resources. Ideally it should be the same officers who attended, but it was explained that this might not be possible.

RESOLVED

- 1. To receive an update in 9 months' time.**
- 2. To recommend that Council receives confirmation from the Police that commitment to keep in contact with local communities is continued.**

75. MEDIUM TERM FINANCIAL STRATEGY 2018/19 TO 2021/22

The report presented an updated Medium Term Financial Strategy (MTFS) for the period 2018/19 to 2021/22. The strategy had been updated to support the Corporate Plan for the period 2015 to 2019 and had been refreshed in the year to provide an updated financial projection in support of the 2018/19 budget process.

The Council was in a good financial position with a small surplus, dependent on savings being made, forecast for 2018/19. There were, however, uncertainties including the future of local government funding, business rates retention and a national review on pay, which made it difficult to forecast too far into the future at the present time. The situation would continue to be reviewed and feed in to the 2018/19 budget process. This would be reported to Members in February.

A deficit was projected for 2019/20 but a Council Tax increase would reduce this.

Questions and Discussion:

- a) In response to questions from Mr E Seward, the Head of Finance and Asset Management confirmed that funding from Second Homes Council Tax was expected to end in 2020 and that earmarked reserves were monies going forward for expenditure that was expected to happen.
- b) Mr G Williams asked how the Council would mitigate a worst case scenario. The Head of Finance and Asset Management said that NNDC was in a strong position because of reserves but it was necessary to focus on strategies for moving forward, e.g. asset commercialisation and digital transformation. There was additional work for officers to do in exploring additional income streams.
- c) Ms V Gay asked why no spend was shown against the reserve for jobs and the local economy. The Head of Economic & Community Development replied that the reserve had accrued over a number of years and that he was discussing, with the Head of Finance and Asset Management, how some of it might be used for tourism projects. The Corporate Director (SB) added that there were proposals that had gone through Cabinet recently, e.g. GoGo Hares and Scottow Enterprise Zone that might need to be underwritten by the Council. Engagement with Visit North Norfolk would also be necessary. In the past, some of these projects had been paid for from previous underspends. The Head of Finance and Asset Management explained that there would be a detailed review of all earmarked reserves and that there had been a very positive audit of reserves earlier in the year.
- d) In response to a question from Ms V Gay regarding "Learning for Everyone", the Corporate Director (SB) said that, although it could be looked at again, it wasn't a project that could be sustained.
- e) Mr E Seward proposed additional recommendations to Full Council:

- That the Council's Policy is to seek a return from Norfolk County Council of a significant proportion of Second Homes Council Tax from the financial year 19/20 onwards and asks for the support of County Cllrs representing North Norfolk to help achieve this.
 - As part of the budget setting process, officers produce a report on the earmarked reserves statement setting out what future expenditure plans, if any, exist to use the substantial balances of some £8.2 million forecast for the financial year commencing April 2020 for asset management, communities, housing, new homes bonus and restructuring and invest to save proposals.
 - As part of the budget setting process officers produce a report showing for each of the last ten years what payments have been made from the benefits earmarked reserve.
- f) Mrs S Butikofer seconded Mr Seward's recommendation as she felt that communities across the coast needed support because of the predominance of second homes. Mr G Williams reminded the Committee that the Second Homes money was primarily used for the Big Society Fund and was not reserved specifically for those communities affected by second homes. He also asked that, in future, officers made the Financial Strategy Report more specific in respect of reserves.

RESOLVED

1. **To note**
 - a) **The current financial forecast for the period 2018/19 to 2021/22;**
 - b) **The current capital funding forecasts.**
2. **To recommend to Full Council:**
 - a) **The revised reserves statement as included at Appendix 1 to the financial strategy.**
 - b) **That the Council's Policy is to seek a return from Norfolk County Council of a significant proportion of Second Homes Council Tax from the financial year 19/20 onwards and asks for the support of County Cllrs representing North Norfolk to help achieve this.**
 - c) **That as part of the budget setting process officers produce a report on the earmarked reserves statement setting out what future expenditure plans, if any, exist to use the substantial balances of some £8.2 million forecast for the financial year commencing April 2020 for asset management, communities, housing, new homes bonus and restructuring and invest to save proposals.**
 - d) **That as part of the budget setting process officers produce a report showing for each of the last ten years what payments have been made from the benefits earmarked reserve.**

76. BUDGET MONITORING – PERIOD 6

The report summarised the budget monitoring position for the revenue account and capital programme to the end of September 2017. The overall position showed an under spend of £1,063,368 to date for the current financial year on the revenue account. This was currently expected to deliver a full year under spend of £223,464. There was just under £1m investment income with a return of 2.2% achieved. The position was positive. However, inflation was still eroding our balances and this would feed into the budget process for 2018.

As well as considering the budgetary position, the report requested approval of a

virement of £74,580 from previously identified Digital Transformation Funding to enable additional staffing to support key projects. This had been agreed by Cabinet on 30 October 2017.

RESOLVED

To note the report.

77. TREASURY MANAGEMENT HALF YEARLY REPORT

The report set out the Treasury Management activities actually undertaken during the first half of the 2017/18 Financial Year compared with the Treasury Management Strategy for the year. Treasury activities for the half year had been carried out in accordance with the CIPFA Code and the Council's Treasury Strategy.

There had been significant investment in pooled funds. They were medium-long term investments. In response to a question from the Chairman regarding the notice period for the withdrawal of externally managed pooled funds, the Head of Finance and Asset Management said that LAMIT was the only fund which required a notice period and this was only if we wanted to withdraw the full amount.

The Council continued to be cautious and was debt-free, but keeping an eye on inflation.

RESOLVED

To note the report.

78. LEISURE CONTRACT PROCUREMENT AND SHERINGHAM LEISURE FACILITY

Splash Leisure Centre at Sheringham was beyond the end of its planned life. There was also a need to renew the Leisure Management contract. The two things were best done at the same time. The report had come to the Committee for pre-scrutiny before it went to Cabinet on 04 December. It was important that as many Members as possible had input. As much as possible had been put in the public domain but Members also had financial details. If necessary, the meeting would go into private session to discuss them.

Feasibility Study and Questions

- 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) Site locations had been considered, including the possibility of keeping the existing facility open while a new one was built.
- d) 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.
- e) Finance: financial modelling had been carried out assuming a grant from Sport England and investment by a hotel.
- f) It would cost £250,000 if Splash had to be closed before a new facility was open. It was best to avoid this.
- g) If a decision was taken to go ahead, work could commence by the end of 2018, with the facility opening in 2020.
- h) Mr B Hannah, a local Member, expressed support for Option 2. In response to a question, he was assured that local health services and schools had been consulted

with. Mr Hannah said that he would like to see Mental Health included. He also reminded Members that Section 17 (Crime and Disorder) considerations were part of every report. If young people were occupied with leisure facilities they were less likely to get involved in crime.

- i) Mr Hannah asked about sale of land and the setting up of a Project Board. The Corporate Director (NB) explained that delegated responsibility had been given to Cabinet earlier in the year and that any land sale was currently in the marketing stage. A Project Board would be set up when a decision was made to proceed with the project. Mr Hannah expressed concern that it should have been set up earlier. Regarding the hotel, the Corporate Director (SB) said that the Council wasn't courting the investment but was aware of 2 companies who were interested in sites in central North Norfolk and had, therefore, put the site out on the market. Any interest would need to be reported to Full Council. No decision or agreements had been made at this stage. The Leader, representing the Portfolio Holder for Corporate Assets, said that Sheringham Town Council was keen for the hotel development to go forward.
- j) Mr R Shepherd, also a local Member, voiced preference for Option 1 and asked how many staff would be required for that option. Damian Adams said that a staff profile breakdown could be made available to Members. The Corporate Director (NB) told Members that staffing numbers would be a decision for the contractor. The important thing was to understand how the facility would fit in with the new leisure contract.
- k) The Chairman advised Members not to go into the design details at this stage.
- l) Mr G Williams said that the policy justification for a new facility was clear, and part of the Council's strategy. The proposals fitted in well with the Council's asset commercialisation strategy. The time for action was now and the District couldn't afford to lose a swimming pool. It was important to run the contract procurement simultaneously with the leisure facility project. He supported the need for external involvement and considered involving the operator at an early stage as essential. The Corporate Director (NB) said that once the project reached a formal design stage, other consultants would need to be appointed. Sport England had advised that, if funding was to be granted, specialist leisure consultants would have to be used. Mr Williams asked questions about Sport England's preference for a public use building rather than a hotel. The Corporate Director (NB) explained that a public use building referred to a library, health centre etc. Opportunities for didn't exist in this situation and there was no intention to build housing. A hotel would represent best value for money.
- m) Mr Williams asked if there were the resources to run 2 project boards simultaneously. The Corporate Director (NB) said that project management was already in place and that the Programme and Projects Manager was in attendance at the meeting.
- n) A further question was asked by Mr Williams about the possibility of building the hotel and the leisure centre under one contract for economies of scale. The Corporate Director (NB) said he was not in a position to answer this. If a hotel made investment the Council would have to be cogniscent of what they wanted. If the current leisure facility had to be closed, the customer base would be dropped but would recover eventually. The Corporate Director (SB) added that a joint building project represented too great a risk for the Council. That was the reason why the land was being marketed for a sale.
- o) Ms V Gay favoured the proposal and Option 2. She said that it was important that the Terms of Reference (TOR) of the Project Board were made clear, that Members were aware of the milestones and that there were regular Member briefings. She also asked if the Board would be politically balanced. The Corporate Director (NB) replied that the TOR would be in place in time for the report going to Cabinet on 04 December. Regarding political balance, the makeup of the Board might be subject to change, especially as the project would straddle the 2019 District elections. There would be a continuation of Member briefings and workshops as well as reports to

Overview and Scrutiny, the Development Committee and Full Council. The Leader agreed that political balance of the Project Board was important as this was one of the biggest projects undertaken in recent years.

- p) Financial implications and risks: in response to a question from Mrs S Butikofer, the Corporate Director (NB) said that a risk matrix would be developed as the project moved forward.
- q) Mr S Hester expressed reservations about the project and loss of some of the facilities of the existing building. He was also concerned about the impact of some of the facilities on the private sector.
- r) Mr E Seward suggested that recommendations from the Committee should include keeping Options 1 and 2 under consideration. The Corporate Director (NB) said that the Cabinet report would cover the main points from the Overview and Scrutiny Committee. Officers preferred Option 1 but could talk to the leisure market to see if Option 2 would make more long term sense. The designs seen by Members today were from a feasibility study and could evolve.
- s) Mr N Pearce asked how the Council could mitigate against any unforeseen costs. It was explained that the feasibility study had allowed for contingencies and had taken a prudent approach.

RESOLVED that

- 1. The Overview and Scrutiny Committee supports the Leisure Contract Procurement and Sheringham Leisure Facility Projects.**
- 2. Options are kept as flexible as possible as the Project moves forward.**

79. NORTH NORFOLK COMMUNITY SPORTS HUB

Mrs J Oliver declared an interest. She is a member of Cromer Lawn Tennis Association and her son is employed there as a coach.

Feasibility Study

- 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 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 recommended option for the tennis facility was a framed fabric structure. This was favoured by the Lawn Tennis Association and was a much cheaper solution.
- d) All facilities would be under one management for maximum cohesion.
- e) Mr E Seward, although he welcomed the facility, expressed concern that it could be perceived that money was being spent in Cromer and that North Walsham was being left out. He considered that tennis lessons were not affordable for many families and that the cost of travelling to a facility prevented some children from being able to take up the sport. Mr J Lee said that people did travel if a child was committed. It was also explained that, to attract Lawn Tennis Association funding, tennis would need to be provided in more than one location and benefits to other parts of the District would need to be demonstrated. FMG were looking into this. Mr Seward asked that they should consider North Walsham. Ms V Gay agreed saying that local Members needed to support their wards.
- f) Mrs S Butikofer referred to an earlier suggestion that a second facility be based at

Gresham's School. The Corporate Director (NB) said that discussions had been held and that the school wasn't keen to take this further. However, the Council already had a significant arrangement with Cromer Academy.

- g) Mrs Butikofer asked about the lifespan of a framed fabric structure compared with brick build. Nathan Swift of Saunders Boston architects said that the structural lifespan of a building was becoming less important than its performance. To a further question from Mrs Butikofer he explained that the indoor temperature in the framed fabric structure would be warmer than outdoors, but that it was essentially a covered court.
- h) Mr G Williams said that there were some facilities that could only be provided once. Cromer made good sense. The solution was to look at how the scheme could operate so that the whole District benefitted. The Committee, in supporting the Project, should recommend that more work was done to ensure that tennis was affordable to all. He supported single management. The Leisure and Locality Services Manager added that a comprehensive development plan regarding wider use in the District would be drawn up as part of the Lawn Tennis Association funding application.
- i) Mr N Pearce asked if there was any provision in our governance arrangements to transfer any elements from Splash to this project. The Corporate Director (NB) said it would be better to run the Sports Hub directly from the Council. It could, potentially, be part of the leisure contract. At this stage both options were a possibility. It was important that stakeholders were well represented. A Board would be formed with NNDC, Cromer Academy and the Tennis Association.
- j) To a question from Mr G Williams, the Head of Finance and Asset Management confirmed that there was a legal agreement in place with Cromer Lawn Tennis Association but that further savings could be made subject to negotiations.
- k) Mrs J Oliver said that the Tennis Association was, and always had been, a public facility. The Corporate Director (NB) explained that there was a long lease with the Association and that a grant made was mainly for the maintenance of courts. If more users were attracted the facility would be cheaper. The Association was open to all options for moving forward.
- l) In summary, the Chairman said that there was broad support for the proposal but some concern about outreach and providing open access. She asked that the topic should be brought back to the Committee in January 2018.

RESOLVED

- 1. To support the proposal.**
- 2. To recommend that officers do further work regarding outreach to the whole District and ensuring that the facility was accessible to all.**
- 3. To receive an update at the meeting of Overview and Scrutiny in January 2018.**

80. THE CABINET WORK PROGRAMME

The Democratic Services Manager informed the Committee that there were no changes to the Cabinet Work Programme.

RESOLVED

To note the Cabinet Work Programme.

81. OVERVIEW AND SCRUTINY WORK PROGRAMME AND UPDATE

- a) The Democratic Services Manager reminded Members to notify any topics for the agenda in January and February.
- b) In response to a question it was explained that the item on reviews for several parishes due to come to Cabinet, Overview and Scrutiny and Full Council, referred to formal agreement that some properties were reallocated to polling districts and wards. A lot of technical work was required for this because of Council Tax implications.

RESOLVED

To note the Overview and Scrutiny Committee Work Programme.

The meeting ended at 13.40 pm

Chairman