

COUNCIL

Minutes of a meeting of North Norfolk District Council held on 26 September 2018 at the Council Offices, Holt Road, Cromer at 6.00 pm.

Members Present:

Mrs S Arnold	Mr M Knowles	Mr J Rest
Mr D Baker	Mr J Lee	Mr R Reynolds
Dr P Butikofer	Mr N Lloyd	Mr P Rice
Mrs S Butikofer	Mrs B McGoun	Mr E Seward
Mrs A Claussen-Reynolds	Mrs M Millership	Mr S Shaw
Mr N Coppack	Mrs A Moore	Mr R Shepherd
Mr N Dixon	Mrs J Oliver	Mr B Smith
Ms J English	Mr N Pearce	Mr D Smith
Mrs A Fitch-Tillett	Mr S Penfold	Mr N Smith
Mr T FitzPatrick	Mrs G Perry-Warnes	Mr R Stevens
Mr V FitzPatrick	Mr R Price	Mrs V Uprichard
Ms V R Gay	Ms M Prior	Mr A Yiasimi
Mrs A Green	Mr J Punchard	Mr D Young
Mr B Hannah		
Mr S Hester		

Officers in Attendance: The Corporate Directors, the Monitoring Officer, the Head of Finance & Assets, the Communications and Marketing Manager and the Democratic Services Manager

Press: Present

50. PRAYERS

The Chairman invited Reverend Brian Roberts, Chaplain, Greshams School, Holt, to lead prayers

51. CHAIRMAN'S COMMUNICATIONS

The Chairman began by saying that Norfolk Day had been a great success and was very well received across the County. He then spoke about Norjam, the international scout and guide jamboree which had taken place at the showground, Norwich. He had spent time with the youngsters there and had been impressed by their team work.

He had attended several other events since the last meeting of Council, including a tour of the RAF Radar Museum at Neatishead, Merchant Navy Day, and the Council's Greenbuild event which had been excellent. There had also been 3 events to celebrate the 100th anniversary of the Royal Air Force, the launch of the British Legion's Poppy appeal and he had had the pleasure of judging the best dressed stallholder at the recent 1940s weekend in Sheringham.

On 17th September the Chairman had attended the EACH open day which had been extremely moving. He had been proud to raise £500 for the charity at his civic reception held at Hoveton Hall and he thanked those Members who had joined him on what had been a very enjoyable evening.

52. TO RECEIVE DECLARATIONS OF INTERESTS FROM MEMBERS

None received

53. APOLOGIES FOR ABSENCE

Mrs H Cox, Mr D Baker, Mr W Northam, Mr P W Moore, Ms B Palmer, Mrs L Walker and Ms K Ward

54. MINUTES

The minutes of the meeting held on 25th July 2018 were approved as a correct record and signed by the Chairman subject to the following amendments:

- i. Cllr A Fitch-Tillett had been present
- ii. Cllr J Punchard had declared an interest re his employer, the Fire Service.

55. ITEMS OF URGENT BUSINESS

None

56. PUBLIC QUESTIONS OR STATEMENTS

The Chairman invited Mr D Russell to speak. Mr Russell asked the following question:

'When researching Full Council minutes I was concerned to learn that some 10 years ago Full Council minutes that contain items of social and public interest have been lost for ever.

Records from 1974-1987 were deposited with the NRO. My question is this. Do the Council intend to deposit all the outstanding Full Council minutes to date in their possession to the NRO backed up with electronic copies, and if so when?'

The Leader, Cllr J Lee, provided the following response:

'I can confirm that several years ago, during a full audit of our strong room, we became aware that one bound volume of council minutes was missing. Despite several attempts to locate this volume we have been unsuccessful. As I am sure all Members are aware, minutes are a record of the decisions made. Although, as Mr Russell, states in his question, they may contain items of social and public interest, that is not their purpose. In fact, during the time referred to by Mr Russell (1993 -1999) the Council's system of governance was a committee system and the decisions made by the committees during that time are held securely in our strong room and are available for inspection. So, I can confirm that we have an historic record of the decisions made during that period.

In response to the specific question raised by Mr Russell, I can confirm that all minutes from NNDC committee meetings are stored in our secure, fire-proof strong room, housed in the basement. We do not intend to deposit them with the Norfolk Records Office as we require ease of access for any research or Freedom of Information requests that we may receive. In fact, Mr Russell has requested to view such records on several occasions in recent weeks, spending considerable time viewing records from our archive with the assistance of our officers. I am sure that Mr Russell would agree that any local residents wishing to view historic records would prefer to come to the Council offices in Cromer rather than travel to Norwich to access this information.'

The Chairman invited Mr Russell to ask a further question if he wished. Mr Russell queried why the loss had only just come to light when it had happened approximately 10 years ago. He

was particularly concerned about the loss of anecdotal information such as the Chairman's report.

57. PORTFOLIO UPDATES

The Chairman invited each Portfolio to introduce their reports:

1. Cllr S Arnold, Portfolio Holder for Planning and Planning Policy, said that the full report was before Members. She drew their attention to the excellent performance of the Major Applications and Development Management teams. She then referred to the ongoing planning inquiry in connection with Beeches Farm, Tunstall and praised the work of the planning officer working on the case. She concluded by outlining her portfolio report on housing. Cllr P Bütikofer referred to the Local Plan event and asked whether parish and town councils would be invited to attend. Cllr Arnold confirmed that they would – as would Members. Cllr A Fitch-Tillett said that she was disappointed to see some basic errors in the report and felt it could look better. Cllr D Young referred to the enforcement case at Cley. He asked for an update as he had not been able to clarify the situation. The Head of Paid Service (SB) replied that there had been an initial meeting with the developer and they had been asked to come back with supplementary information which they had not yet provided.
2. Cllr H Cox provided a video update to Members. She thanked the Environmental Health and Coastal teams for their continued hard work and praised all those who had been involved in Greenbuild. Cllr N Lloyd referred to the increased workload for the Public Protection team (page 15) and asked for further information. It was agreed that a written response would be provided. Cllr E Seward referred to the Walcott flood alleviation drains and said that he believed the County Council was due to start making the connections in mid-November.
3. Cllr N Dixon said that he had nothing further to add to his report.
4. Cllr J Lee updated Members on Cllr Northam. He said that he was recovering well and that Cllr Baker would be covering his portfolio in the meantime.
5. Cllr Baker referred to the localisation of business rates and said that a new application had been submitted for the 2019/20 pilot, following consultation with the Group leaders and portfolio holders. The outcome would be known by December. The Council was continuing to prepare for the implementation of full service universal credit and it was hoped that there would be a smooth transition. Cllr J Rest referred to the business rates pilot and said that he had been informed rather than consulted. Cllr S Bütikofer queried why Holt was not included in the list of towns involved in the rollout programme. It was agreed that a written response would be provided.
6. Cllr Palmer was not in attendance. Cllr V Gay asked about progress being made with the outreach element of the Sports Hub project. It was agreed that a written response would be provided.
7. Cllr R Price referred to the recent clear up of the Parklands caravan site in Pudding Norton and thanked officers for their hard work. In response to a question from Cllr J Rest as to whether the Council was intending to sell the site, he said that the Council could not licence its own site and that once a suitable plan was in place then they would proceed.

58. RECOMMENDATIONS FROM LICENSING & APPEALS COMMITTEE 16 JULY 2018

The Chairman of the Licensing & Appeals Committee, Cllr S Hester introduced this item. He explained that the Council had a statutory duty to review and update the Gambling Licensing Policy (Statement of Principles)

It was proposed by Cllr S Hester, Seconded by Cllr J Rest and

RESOLVED

That the proposed revisions to the Council's Statement of Principles under the Gambling Act 2005, be recommended to Council for approval and then published in accordance with legislative requirements

59. RECOMMENDATIONS FROM CABINET 03 SEPTEMBER 2018

a) FAKENHAM EXTRA CARE SCHEME – FUNDING REQUEST

Cllr S Arnold, Portfolio Holder for Housing, introduced this item. She explained that Norfolk County Council had identified the need for more extra care scheme properties and that the Council had been asked to provide £425k to make it work. She asked that county councillors continued to put pressure on the County Council for their contribution to funding for the scheme.

Cllr S Bütikofer referred to the nomination rights for the scheme and asked whether North Norfolk residents would be specifically supported. Cllr Arnold replied that they would be for rented properties, other properties would be sold on the open market or via shared ownership.

Cllr A Claussen-Reynolds said that as the Local Member, together with Cllr R Reynolds, she was very supportive of the scheme.

It was proposed by Cllr S Arnold, seconded by Cllr J Lee and

RESOLVED

To approve capital expenditure to provide financial support for the Fakenham Extra Care Scheme in the form of either a grant or interest free loan to Housing and Care 21 of up to a maximum of £425,000 to be funded from capital receipts. Approval of the final amount and type of funding to be provided to be delegated to the Head of Finance and Asset Management in conjunction with the Portfolio Holder for Housing, Planning and Planning Policy.

b) PUBLIC CONVENIENCE STRATEGY

Cllr R Price, Portfolio Holder for Assets, introduced this item. He explained that whilst public conveniences were not a statutory requirement of the Council, toilets were also a necessary provision and apologised that standards across the district were not always met. He added that moving forward the Council would look to improve its facilities for the blind and partially sighted, and provide better facilities for baby changing in male toilets. In summary, it was suggested that the proposal would bring NNDC's public toilets up to a modern standard.

Mrs P Grove-Jones said that she was very pleased to see the improvements to the strategy and it was particularly welcome in the market towns.

Mr D Young commented that he was fully supportive of the proposals. He said that one of his constituents had asked about the toilet facilities in Holt and Weybourne. The report referred to phase 1 and he wondered what Phase 2 would involve and when it would be rolled out. Cllr Price replied that there would be a detailed survey of facilities ahead of Phase 2. Regarding Holt, he said that the facilities there were better than most and that the initial phase was starting with the poorer toilets.

Cllr S Hester, speaking as Vice-Chairman of the Overview and Scrutiny Committee, said that the Committee had made the following recommendation at the meeting on 19th September:

That urgent priority is given to the toilets in West Runton and Cart Gap being kept open during the forthcoming winter period.

Cllr E Seward added that this recommendation arose out of a discussion on the Deep History Coast project and felt that consideration should be given to all toilets being kept open throughout the year. Cllr Price replied that this was currently under review but consideration needed to be given to practicalities.

Cllr M Prior said that car park income underpinned this scheme and as there were public conveniences in Holt situated on the Albert Street car park it seemed fair that they should benefit from the income. She added that she agreed they should be open all year.

It was proposed by Cllr R Price, seconded by Cllr J Lee and

RESOLVED

That a capital budget be established of £600,000 to fund Phase 1 of the Public Convenience Strategy, to be financed from the Invest to Save Reserve.

60. OPPOSITION BUSINESS

Cllr S Bütikofer introduced this item. She explained that the motion had been brought forward to add clarity. It was not about trying to stop the Egmore Business Zone but ensuring that jobs and businesses were created. Members were just asking Cabinet to understand their concerns and to consider appointing an independent auditor to review the business case.

She urged Cabinet to make a judgement on the facts before them. It was about managing risk and the Council needed to move away from the 'heroic' model of leadership and the 'talking up' of success. She said that Members had been told that the proposals would bring new jobs but so far it was just a business relocating from a nearby village. There had also been references to growth potential but again, it appeared that just a few jobs would be created by the move. Cllr Bütikofer said that the Heads of Paid Service had acknowledged that the proposals involved an element of risk and so far the Local Enterprise Partnership (LEP) had done very little to work with the Council. The Northern Distributor Road (NDR) would have little impact as it was too far away and so far there was no superfast broadband. She concluded by saying that even designation as an enterprise zone would not improve the longevity of the scheme and that a further short delay to allow for a review of the proposals should not be a problem.

Cllr Rest, seconder of the motion, reserved his right to speak.

The Chairman invited Members to speak:

- a) Cllr A Fitch-Tillett said that the Egmore scheme had always rung alarm bells for her. She had several concerns regarding its viability as a location and the promised 300 jobs looked unlikely to materialise. There had been an expectation that the wind farm operators would use the site but this seemed unlikely now and in addition, Highways was not supportive.
- b) Cllr J Lee, Leader of the Council, said that he was pleased to see opposition business on the Council agenda. As this subject had been debated several times before, he asked that Members try and restrict their comments to new issues.
- c) Cllr T FitzPatrick, local member for Egmore, began by saying that jobs and the economy were part of the Council's Corporate Plan and projects such as Egmore were key to the delivery of this. It was imperative that the Council worked with the LEP to make it a success. Withdrawing now would make the Council a 'laughing stock'. If the project was delayed then the potential

tenant would pull out and this would reflect poorly on the Council. If the first unit was not built then the second one wouldn't be. Sometimes risks were worth taking.

- d) Cllr R Reynolds, local member for Fakenham North, said that the site was only 10-15 minutes drive from Fakenham and was important for local jobs. Businesses had been based on the site in some form since the late 1940s. With 1000 new homes planned for Fakenham such a site was essential for providing jobs. It was rural but situated on an arterial road which was well connected to other key routes. He concluded by saying that he felt no further review of the proposals was needed.
- e) Cllr R Price, Portfolio Holder for Assets, showed Members a series of photographs of the site. He said that the Council would be seeking to widen the Enterprise Zone to attract further investment. He said that he would like to assure Council that any new facts that came to light would be taken into account by Cabinet. He then reminded Members that this project provided an opportunity. A return of 1.62% was a good starting point and a further delay good deter the prospective new tenant. He added that the site had not yet been marketed.
- f) Cllr V FitzPatrick made reference to the potential risks involved in the project. He said in fact by asking for further analysis, the Council was risking its reputation by delaying the scheme-effectively creating 'paralysis by analysis'. He went onto say that he hoped all Members supported North Norfolk and that it made no sense to turn prospective tenants away. All Members should want the EZ to grow to create jobs and prosperity to the west of North Norfolk, certainly as the local member for Wells he wanted to see businesses flourish.
- g) Cllr A Claussen-Reynolds referred to the Cabinet minutes of 5 January 2016 and Cllr Rest's supportive comments for the Egmere scheme which were seconded by Cllr Fitch-Tillett.
- h) Cllr N Lloyd reminded Members that the proposals had been scrutinised by a cross-party working group and a huge amount of information had been looked at, yet there had been no evidence of new jobs being created just relocation of existing jobs. Despite this, Cabinet was looking to invest £2m of tax payers' money in the scheme. He then reminded Members that the return on the investment was low at just 1.62% and this together with no new jobs and no marketing strategy in place should be cause for concern. Cllr Lloyd concluded by saying that the interpretation of the data was over optimistic and it would be prudent to seek independent advice.
- i) Cllr N Dixon, Portfolio Holder for Economic Growth, said that there was a lack of credible evidence of demand and that Members should be concerned as to whether the project was viable. He said that the poor financial return and low job creation had not persuaded him that it was a good investment opportunity but he was willing to remain open-minded. Cllr Dixon then said that it was possible that 'optimism bias' – where project motivators become too close, was at play here. An independent review would not only protect officers but was the obvious final step in the process.

Cllr J Rest, seconder of the motion, said that for him the key issue was the protection of the Council's reputation. The reports presented to date showed opportunities and risks – essentially the same information with a different conclusion. He reminded Members that this was a potential investment of between £2m – £6m and that it was only prudent to have an independent review. Cllr Rest then referred to the Corporate Peer Review which took place in 2014 and said that the Egmere scheme had only been mentioned 3 times despite there being a clear focus on growth priorities. In fact in the section on 'moving forward', Egmere was not mentioned at all. He concluded by reminding Members that the Overview & Scrutiny Committee had voted unanimously to refer the decision back to Cabinet.

Cllr S Bütikofer said that Cllr Dixon and Cllr Rest had summed up the

- j) It was proposed by Cllr J Lee, seconded by Cllr R Reynolds and

RESOLVED

- a) That the District Council indicates its support for the proposed partnership arrangement between the Victory Housing Trust and the Flagship Housing Group

Limited, subject to the retention of the objectives of Paragraph 18 of the original Transfer Agreement.

- b) To advise that it looks forward to maintaining and further developing the strong relationship it has enjoyed with the Victory Housing Trust under the new partnership arrangements in meeting the housing needs of local communities across North Norfolk into the future.

61. TO RECEIVE THE APPROVED MINUTES OF THE UNDERMENTIONED COMMITTEES

The minutes of the meetings below were noted as a correct record;

- 1) Cabinet – 14 May, 11 June 2018
- 2) Development Committee – 14 June 2018
- 3) Overview & Scrutiny Committee – 23 May 2018
- 4) Governance, Risk & Audit Committee – 27 March 2018

62. QUESTIONS RECEIVED FROM MEMBERS

None received

63. OPPOSITION BUSINESS

None received

64. NOTICE OF MOTION

None received

65. EXCLUSION OF PRESS AND PUBLIC

66. PRIVATE BUSINESS

None

The meeting concluded at 6.48pm

Chairman