

OVERVIEW AND SCRUTINY

Minutes of a meeting of the Overview and Scrutiny Committee held on 13th February 2019 in the Council Chamber, North Norfolk District Council, Holt Road, Cromer at 9.30 am.

Members Present:

Committee: Cllr S Hester (Chairman)

Cllr V Gay

Cllr M Knowles

Cllr J English

Cllr A Claussen-Reynolds

Cllr B Smith

Cllr P Grove-Jones

Cllr P Bütikofer

Cllr N Smith

Officers in Attendance: The Chief Technical Accountant, the Democratic Services & Governance Officer (Scrutiny), the Democratic Services Manager.

Members in Attendance: Cllr J Rest, Cllr R Price, Cllr D Young, and Cllr E Seward (portfolio holder for Finance, Revenues & Benefits)

113. APOLOGIES

Apologies were received from Cllr B Hannah and Cllr R Reynolds (who was unable to attend as attending a meeting at NCC)

114. SUBSTITUTES

None.

115. PUBLIC QUESTIONS & STATEMENTS

None received.

116. MINUTES

The minutes of the Overview and Scrutiny Committee meeting held on 16th January 2019 were signed as a correct record.

117. ITEMS OF URGENT BUSINESS

None received.

118. DECLARATIONS OF INTEREST

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

119. PETITIONS FROM MEMBERS OF THE PUBLIC

The Chairman informed Members that a petition that had been received from Happisburgh REACT. The petition called on the Secretary of State to protect the Happisburgh section of the North Norfolk coastline from the potential damage that could be caused by the Vattenfall offshore windfarm project.

The Committee was not required to submit a response.

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

None received.

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

None received.

122. NORTH NORFOLK DISTRICT COUNCIL TREASURY MANAGEMENT STRATEGY STATEMENT 2019/20

The Chief Technical Account introduced the Report and informed Members that it aimed to outline the Council's current treasury management activity and present the future strategy. She then stated that the Treasury Management Strategy was a yearly Report that must be agreed annually, prior to passing the budget.

Questions and Discussion

The Chief Technical accountant informed Members that due to the current financial outlook, interest rates remained low, therefore it was difficult for the Council to achieve the expected return on investments.

RESOLVED

To commend the Report to Full Council.

123. NORTH NORFOLK DISTRICT COUNCIL CAPITAL STRATEGY 2019/20

The Chief Technical Accountant introduced the Report and informed Members that it was a requirement of CIPFA to agree the Council's Capital Strategy annually. The Report aimed to detail the Council's approach to the deployment of its capital resources to meet its aims, whilst also outlining the process for effective management and monitoring.

Questions and Discussion

With no substantial changes from the previous year, Members agreed that they were happy to commend the Report.

RESOLVED

To commend the Report to Full Council.

124. NORTH NORFLK DISTRICT COUNCIL INVESTMENT STRATEGY 2019/20

The Chief Technical Accountant introduced the Report and informed Members that it was a new requirement for Council's this year that had come from the Ministry for Housing, Communities and Local Government, as they were concerned that some Council's did not have the correct skill-set for investment. The Report therefore aimed to set out the Council's investment strategy along three broad themes of treasury management investments, service investments and commercial investments.

Questions and Discussion

Cllr E Seward noted that with the current funding pressures facing Local Government, it should be expected that developing an investment strategy would be the only option left for many local authorities.

Cllr D Young stated that he had two questions about the Report, and referred to page 40 where it was stated that the Council's total investments were listed as £49.35m, whereas elsewhere in the Report it had been listed as £41m. He then asked whether the two figures were not comparable. The Chief Technical Accountant replied that the two figures were not the same due to the different definitions of investments that were used, whether from CIPFA or the MHCLG. She then explained that the Ministry included items such as property income and loans, such as the one that had been provided to the Housing Board Association. Cllr D Young then referred to page 41 and asked for clarification of returns on property investments, as this was shown in the Report as negative at -1.79%. The Chief Technical Accountant explained that this was a net return, so it would take into account all of the costs associated with the property investments. She then explained that the Council's two main property investments; Grove Lane Depot and Fair Meadow House, had only been operational for part of the year. Therefore, a full years rent had not yet been received, for either property, but costs had still been incurred. As a result, until the full year's rent had been received, the properties would not generate their full potential returns.

Cllr P Bütikofer asked if there was a robust process in place for when loan payments owed to the Council were missed. The Chief Technical Accountant replied that the Council had a good recovery process in place, and that the legal agreements provided a consistent back-up that the Legal Team could pursue if required.

Cllr V Gay referred to page 41, and noted that the forecast increase on investment returns was a significant jump, and requested clarification. The Chief Technical Accountant replied that this was a prediction of how the Council's investments were expected to perform, but several factors could influence overall returns. She reassured Members that the Council had been prudent in its investments.

Cllr J Rest noted that the Fair Meadow House property owned by the Council was closely connected to the Itteringham Show, as a result he stated that there could be elements of risk associated with the property, as it was not proceeding as originally planned. He then asked if this was identified in the risk register as it was likely a higher risk than normal. The Chief Technical Accountant replied that the risks around commercial properties were on the risk register, though she was not sure whether it would fall on the corporate register, but it would certainly be on one of the service risk registers.

RESOLVED

To commend the Report to Full Council.

125. ENFORCEMENT BOARD UPDATE

The Report aimed to inform Members on the work of the enforcement board and the Combined Enforcement Team for the previous six months, it was introduced By Cllr E Seward. It was explained that any questions would best be answered with a written response.

Questions and Discussion

Cllr E Seward confirmed that he was not on the enforcement board, and added that it was disappointing that no officer was available to answer questions on the Report.

Cllr D Young said that there were lots of statements in the Report that suggested that Members were kept informed about the Enforcement Boards activity, but he wished to make clear that this was absolutely not the case. He then stated that there was a property in his ward with no further information available. He added that whilst the nursing home property was included in the update, this was the first he had seen of it, which he found surprising as the local Member. Cllr V Gay stated that she wished to reiterate Cllr D Young's statement that no recent updates had been received from the Enforcement Board, and added that in the past Members had received these updates via email. Cllr M Knowles added that this appeared to be a general problem with the Enforcement Board as there had been previous calls for greater reporting on its work. However, he knew of properties with up to six contraventions of planning permission that were still awaiting action. He stated that this was not good enough, and added that he had not been able to get a reply when asking for further information.

The Democratic Services Manager informed the Committee that she had raised concerns about Members not receiving Enforcement Board information. She then confirmed that whilst there were legally sensitive cases, Members were still entitled to the information.

Cllr M Knowles stated that if a Member had reported an issue then a reply was expected, and this should be a matter of protocol for all relevant local Members.

Cllr P Bütikofer asked whether it would be possible to co-opt Councillors onto the Enforcement Board in order to resolve the issue. The Democratic Services Manager replied that she would find out whether this was possible.

Cllr P Grove-Jones stated that the Enforcement Board had shown interest in the Sutton Mill site as it had fallen into disrepair. She noted that whilst the Mill was supposedly being renovated, there had not been any obvious progress made, and she was curious whether any action had been taken. She stated that she understood the need for caution, as it was not her intention to alarm the owner. Cllr P Grove-Jones then informed Members that she had been a Member of the Council since 2011, and had still not been notified of any progress with the tyre storage facility at Tattersett Business Park. Cllr J Rest replied that Cllr B Palmer was the local Member and might have more information.

Cllr E Seward referred to the question asked about Member involvement, he stated that legal sensitivity meant that Members were not usually involved, though he noted that Development Committee Members frequently dealt with legally sensitive information, so did not see any issue. He then stated that he felt it would be beneficial to have cross-party representation on the Board. In reference to Cllr V Gay's statement, he agreed that Members had in the past received regular updates on the Board's activity broken down by ward, and that he did not understand why this had been discontinued.

The Chairman suggested that the Committee could write to the head of the Enforcement Board and include the meeting's minutes to show Members' frustrations and issues. He then informed Members that there had been some progress announced on tyre removal

at Tattersett Business Park.

Cllr P Grove-Jones stated that as Chair of Development Committee she had understood that she would receive a list of properties being considered by the enforcement board and that this would be included on the agenda every quarter. However, this did not appear to be the case. She then noted that there appeared to be a great deal of obfuscation taking place that made her somewhat suspicious.

Cllr A Claussen-Reynolds stated that the enforcement board information was available via the Members Area, but agreed that emails to local Members would be good practice.

Cllr B Smith suggested that the lack of information being provided to Members by the Enforcement Board was likely due to potential legal action and changes to GDPR legislation. The Democratic Services Manager replied that this should not be an obstacle to accessing the information as Members were entitled to view confidential information under the right to access, which was covered by the constitution.

Cllr R Price informed Members that page 45 of the Report explained that there had been a change in the method of resolution at Tattersett Business Park. He added that the six monthly updates on the work of the Enforcement Board that went to Cabinet should be changed to quarterly updates.

Cllr J English noted that the Report was not an exhaustive list of all cases being handled by the Board, and asked therefore if there was any summary information available to indicate the overall caseload. Cllr V Gay replied that a summary of caseload information was available on page 46 of the Report. She then suggested that local Member protocol appeared to be the main issue, though Members should be entitled to all information.

In response to a request from the Chairman, Members stated that they were not happy to commend the Report due to the significant lack of information that had been provided to Members. Alternate recommendations were considered to increase the frequency of enforcement board updates to Cabinet and that a formal request is made for the Head of Paid Service (NB) to attend the next meeting to answer any questions on the activity of the Enforcement Board.

RESOLVED

- 1. To recommend to Cabinet that a quarterly update report on the work of the Enforcement Board was provided to Cabinet and Overview & Scrutiny Committee'**
- 2. To formally request that the Head of Paid Service (NB) attends the next meeting of the Committee to respond to the concerns raised.**

126. HOUSING STRATEGY ACTION PLAN - UPDATE

The Chairman informed Members that the update had been provided by the Housing Strategy and Community Manager who had since left the organisation. Therefore any questions on the update would need to be answered with a written response.

Questions and Discussion

Cllr P Grove-Jones asked for excel spreadsheets to be provided with larger text at future meetings.

Cllr D Young referred to the changes in funding for affordable homes identified on page 52 that suggested that due to additional Government funding, the viability of rented affordable homes would increase as there would be less reliance on cross subsidies from shared ownership homes. He then stated that in the draft Local Plan, it was suggested that cross subsidies should be softened to no more than 30%, and he thought that these statements were at odds with one another. It was suggested that a written response could be sought from the Corporate Director (SB). Cllr D Young stated that he was happy to receive a written response and that he was particularly interested due to the potential contradiction of planning policy.

127. BETTER BROADBAND FOR NORTH NORFOLK – NNDC HIGHLIGHT REPORT

Members stated that they were thankful for the update but were disappointed that an officer had not been invited to attend the meeting. It was confirmed that relevant officers would be invited to future meetings if required.

128. THE CABINET WORK PROGRAMME

The Democratic Services and Governance Officer gave a summary of the upcoming items on the Cabinet Work Programme and informed Members that it was up to date.

129. OVERVIEW AND SCRUTINY WORK PROGRAMME AND UPDATE

The Democratic Services and Governance Officer (Scrutiny) updated the Committee on upcoming items on the Work Programme. He informed Members that the Visit North Norfolk update had been delayed until a representative of the organisation was available to attend the meeting. Members were then informed that the mental health update had been postponed until the April meeting for the same reason, but that the representative's attendance had now been confirmed.

The Democratic Services & Governance Officer (Scrutiny) then informed Members that progress had been made on the Sheringham Primary School Parking Task and Finish Group. It was stated that Cllr M Knowles had been appointed as Chair of the Group and that a site visit had taken place following the first meeting.

The Chairman asked to raise an issue regarding water supplies in the district. He informed Members that there had been a substantial increase in water bills, possibly due to ongoing maintenance costs. Members were interested to know whether these costs had been passed on to customers and caused higher bills. It was agreed that Anglian Water should be invited to attend Overview and Scrutiny Committee when possible to answer questions on the process.

The meeting ended at 10.35am

Chairman