

## COUNCIL

Minutes of the meeting of the Council held on Wednesday, 20 November 2019 in the Council Chamber - Council Offices, Holt Road, Cromer, NR27 9EN at 6.00 pm

<b>Members Present:</b>	Mr T Adams	Mr D Baker
	Ms P Bevan Jones	Mr H Blathwayt
	Mr A Brown	Dr P Bütikofer
	Mrs S Bütikofer	Mr C Cushing
	Mr N Dixon	Mr P Fisher
	Mr T FitzPatrick	Mr V FitzPatrick
	Mrs W Fredericks	Ms V Gay
	Mrs P Grove-Jones	Mr G Hayman
	Mr C Heinink	Mr P Heinrich
	Mr N Housden	Mr R Kershaw
	Mr N Lloyd	Mr G Mancini-Boyle
	Mr N Pearce	Mrs G Perry-Warnes
	Mr J Rest	Mr E Seward
	Miss L Shires	Mrs J Stenton
	Dr C Stockton	Mr J Toye
	Mr A Varley	

**Officers in Attendance:**

The Democratic Services & Governance Officer (Scrutiny), The Monitoring Officer/Head of Legal Services, The Head of Finance & Asset Management/S151 Officer, the Corporate Director (SB)

**Also in attendance:**

Members of the Press

### 1 PRAYER

The Chairman invited Reverend Jeremy Sykes, Rector for Briston Benefice to lead prayers.

### 2 CHAIRMAN'S COMMUNICATIONS

The Chairman informed Members of his attendance and inclusion in recent civic events:

- The Chairman's Civic Reception had taken place at Cley Visitor Centre. An auction was held with unusual lots donated, and £2245 was raised for the Chairman's charity.
- Launch of the Sporting Centre of Excellence with Olympic Gold Medalist Gail Emms. The Chairman reported that the event was well attended, and that forty-five new sportspeople had been welcomed.
- Trafalgar Day commemoration supper at Kings Lynn Town Hall, that was a very well attended event.
- School visit to NNDC from St Mary's School in Roughton, which was reported

to be a very enjoyable occasion, with help from the Democratic Services Team.

- Enthronement of the 72<sup>nd</sup> Bishop of Norwich, which was reported to be an amazing service for the youngest senior bishop in the country.
- Remembrance Sunday service and parade in Cromer, with great stories told by veterans.
- Armistice and wreath laying ceremony with the Council Leader at NNDC.
- Visit from the Lord Lieutenant of Norfolk – Lady Pippa Dannatt MBE, who asked for help in finding roles for the 40 deputy lieutenants.

### **3 LEADER'S ANNOUNCEMENTS**

The Leader informed Members that Cllr M Millership had stood down as Chair of the Member Development Group, and that she had appointed Cllr J Toyne as the new Chairman.

### **4 TO RECEIVE DECLARATIONS OF INTERESTS FROM MEMBERS**

None declared.

### **5 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors D Birch, Cllr S Penfold, Cllr A Fitch-Tillett, Cllr J Punchard, Cllr E Spagnola, Cllr M Millership, Cllr K Ward, and Cllr A Yiasimi.

### **6 MINUTES**

Minutes of the meeting held on 25<sup>th</sup> September were agreed as a correct record and signed by the Chairman.

### **7 ITEMS OF URGENT BUSINESS**

None received.

### **8 PUBLIC QUESTIONS/STATEMENTS**

The Chairman invited Trish Moore, a volunteer visitor for the Motor Neurone Disease Association to speak in support of the motion to adopt the MND Charter. She thanked Councillors V Gay and A Brown for proposing the motion, and the Leader - Cllr S Butikofer for her support. Ms Moore stated that she had met many people with MND in her life, and that some attending the meeting likely had experience of the illness. Members were informed the fatal neurological condition had both physical and mental effects, with approximately 35% of sufferers also having cognitive issues. It was reported that one third of sufferers died within a year of diagnosis, which made it difficult to give any accurate prognosis on life expectancy.

Ms Moore implored Councillors to support the MND Association by passing the motion and adopting the MND Charter.

### **9 PORTFOLIO REPORTS**

1. Cllr A Brown – Portfolio Holder for Planning and Housing stated that the affordable homes pitch had been mitigated by sales through victory housing and the right to buy, hence the Council was set to pursue greater delivery of affordable homes through the Corporate Plan. Cllr J Rest asked what percentage of the value of right to buy properties was returned to NNDC from Victory Housing, to which Cllr A Brown replied that he would seek clarification and provide a written response. Cllr J Rest suggested that he understood that the approximate value was £60k per property, but would appreciate clarification of the figure. Cllr A Brown noted that whilst this could be the approximate value, it was important to remember that once sold, the rental revenue was lost. Cllr J Rest noted that £1m had been outlined in the Corporate Plan for affordable homes, and asked whether this could be earmarked for development and not placed in the general fund. Cllr A Brown replied that he would look into whether this would be possible. The Head of Finance and Asset Management stated that the percentage received from sales of right to buy homes varied depending on the size and number of rooms in the property. He added that the receipts for these sales were capital, which meant they could be used for any project.
2. Cllr S Butikofer – Portfolio Holder for Corporate Services informed Members that two schools had visited the Council in November, and that there were now plans being developed to create a Youth Council for North Norfolk. It was reported that a voter registration enquiry form had been added to the NNDC website, and Members were encouraged to help people register to vote. Members were informed that new software had been acquired for online consultations, which would be used for public consultations on the budget to help determine residents' spending priorities.
3. Cllr A Fitch-Tillett – Portfolio Holder for Coastal had given her apologies for the meeting, and Members were informed that a written answer could be given for any questions.
4. Cllr V Gay – Portfolio Holder for Culture and Wellbeing stated that the key projects were outlined clearly in her report, and that work continued on the sports development strategy and community grants. It was reported that the Chairman of O&S had requested that the Portfolio Holder provide answers to a number of questions raised at the Committee regarding the Splash project. As a result, Cllr V Gay stated that the Splash project contingency consisted of two elements, the first being the construction contingency of £200k, and the second, a client contingency of £79k. She added that to date, £59k of the construction contingency had been spent. In response to concerns raised regarding an unexpected concrete slab and gas main, it was reported that the gas main had been relocated at no additional cost, and that the slab had been removed with the costs covered by the contingency. Neither issue was reported to have caused any significant delay to the project schedule. Cllr D Baker asked how the additional £2m approved for the project sat within the contingency, to which Cllr V Gay replied that the contingency was part of the original budget.

5. Cllr G Hayman – Portfolio Holder for Commercialisation and Assets informed Members that there had been significant progress made on the EV charging points due to be installed across the district, with tenders soon to be issued and completion of the project expected in March. It was reported that there would be a pause to works on the Pier, but at no cost to the Council, and that the work would reconvene in the Spring. Cllr V FitzPatrick stated that he had requested a written answer regarding EV Charging points at Stearmans Yard. Cllr G Hayman replied that he had approved the response and would ensure that this was sent as soon as possible. He then apologized for the delay and asked Cllr V FitzPatrick to notify him once he had received the response.
  
6. Cllr R Kershaw – Portfolio Holder for Economic and Career Development stated that apprenticeships in manufacturing continued to improve across the district. On tourism, it was reported that at a recent meeting with Visit North Norfolk, he had been informed that their latest promotional video for the district had approximately 2.6 million views. On grant funding, it was confirmed that the third and final round of MTI applications had been awarded, and that the first grant submission for the North Walsham High Street Heritage Action Zone was on track to be ready for December.
  
7. Cllr N Lloyd – Portfolio Holder for Environment informed Members that officers had been drawing up plans to take advantage of National Tree Week and launch the official start of the Council’s pledge to plant a tree for every person in North Norfolk. The Chairman added that he was working with the Norfolk Wildlife Trust to arrange tree planting and nature awareness events at schools across the district. It was stated that there would be ten events in total, and three had already been arranged. Cllr D Baker asked whether the tree planting programme aimed to plant all trees within the district, or whether some would be planted at other locations across the UK. Cllr N Lloyd replied that it was the intention of the administration to plant all 110k trees within North Norfolk, and that he and officers had been reaching out to various landowners and organisations to make this happen. It was reported that there were plans to plant 10k trees over the winter period on Council owned land, and the GIS Team were working on a mapping tool that would allow the Council to monitor where trees had been planted. Cllr C Cushing asked whether the opportunity to help with tree planting had been advertised anywhere by the Council, to which Cllr N Lloyd replied that advertising and promotion of the project would begin in line with National Tree Week. He added that it was also important for the Council to consider a maintenance plan alongside its planting efforts, as the tree would have to be nurtured over the first few years.
  
8. Cllr E Seward – Portfolio Holder for Finance, Revenues and Benefits updated Members on Central Government’s Redmond Review on the quality of financial reporting and external audit of local authorities. It was stated that in preparing the Council’s response, he had worked with the Chairman of the GRAC, and it was hoped that local authorities would get better guidance and legislation on

commercialisation and asset programmes. It was suggested that new guidance could call for more effective intervention from Scrutiny Committees, similar to how O&S was now receiving monthly updates on the Splash project. Cllr J Rest referred to the 2020/21 budget, and asked whether not having the Council's annual accounts signed off by the external auditor would cause any issues. Cllr E Seward replied that he did not expect much impact from the issue, but wouldn't know for certain until January when the financial settlement would be agreed, and until that point the Finance Team could only rely on modeling. He added that all Members had a right to be involved in the budget setting process, and arrangements would be made to facilitate this.

## **10 RECOMMENDATIONS FROM CABINET 07 OCTOBER**

### **Agenda Item 7 – Determination of Council Tax Discounts 2020/21**

Cllr E Seward introduced the Report, and informed Members that the first recommendation would allow for an increase in the penalty charges placed on empty properties. More specifically, this would allow the Council to charge a 100% premium for homes empty for two years or more, and a 200% premium on properties empty for five years or more. He added that both Cabinet and the Overview & Scrutiny Committee had supported the recommendations.

The recommendations were proposed by Cllr E Seward and seconded by Cllr J Rest.

### **RESOLVED**

#### *Recommendation 1*

- (a) The discounts for the year 2020/21 and beyond are set at the levels indicated in the table at paragraph 2.1.
- (b) The premium for long term empty properties (those that have been empty for a consecutive period longer than 24 months) is set at 100% of the Council Tax charge for that dwelling, with the
- (c) The premium for long term empty properties (those that have been empty for a consecutive period longer than 60 months) is set at 200% of the Council Tax charge for that dwelling
- (d) To continue to award a local discount of 100% for eligible cases of care leavers under section 13A of the Local Government Finance Act 1992 (as amended).
- (e) That an exception to the levy charges may be made by the Section 151 Officer on advice of the Revenues Manager in the circumstances laid out in section 3.6 of this report.

#### *Recommendation 2*

- (a) Those dwellings that are specifically identified under regulation 6 of the Council Tax (Prescribed Classes of Dwellings)(England) Regulations 2003 will retain the 50% discount and;
- (b) Those dwellings described or geographically defined at Appendix A which in

the reasonable opinion of the Head of Finance and Asset Management are judged not to be structurally capable of occupation all year round and were built before the restrictions of seasonal usage were introduced by the Town and Country Planning Act 1947, will be entitled to a 35% discount.

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

### **Agenda Item 8 – North Walsham – High Street Heritage Action Zone Programme**

Cllr E Seward presented the Report and informed Members that a requirement of securing funding for the project was to provide match funding, and this was the request for that funding. He then reported that MTI funded works on the St. Nicholas Court precinct was complete and what had been achieved was very impressive.

The recommendation was proposed by Cllr E Seward and seconded by Cllr R Kershaw.

#### **RESOLVED**

That up to £975,000 be allocated from capital receipts to match fund the programme delivery.

## **11 RECOMMENDATIONS FROM CABINET 04 NOVEMBER 2019**

### **Agenda Item 7 – Budget Monitoring Report 2019/20 – Period 6**

Cllr E Seward introduced the Report and drew Members attention to a factual error on the Business Rates Pool. It was made clear that South Norfolk District Council was still a member of the BRP, and that despite the risks presented by the NHS business rates appeal that was making its way through the courts, the BRP continued unchanged for the time being. In relation to projects that NNDC had intended to use its BRP return to fund, it was confirmed that the A148 recommendations remained, but would not be actioned until the outcome of the NHS case was known.

It was clarified that the North Walsham High Streets and Heritage Action Zone funding had been agreed by Cabinet in October, rather than by Council as stated in the Report.

Cllr N Dixon – Chairman of the Overview & Scrutiny Committee stated that the Committee supported and understood the reasoning behind the request for £4.5m of funding for the purchase of waste contract vehicles outlined in the Report. On the NHS business rates appeal, he asked whether this could be added to the Corporate Risk Register. Cllr E Seward replied that the sooner the outcome of the case was known the better, and that he would be happy for the issue to be included on the Corporate Risk Register. He then Thanked Cllr N Dixon for his support on the funding required for the purchase of the waste contract vehicles.

The Recommendations were proposed by Cllr E Seward and seconded by Cllr S Bütikofer.

## **RESOLVED**

That Council approves the increases to the capital programme budgets for the schemes identified within paragraph 6.2 of the report. The funding for the first five schemes is to be financed from capital receipts, the £4.5m for the waste vehicles is currently anticipated to come from borrowing, the estimated average annual impact of the borrowing is estimated to be in the region of £600k per annum and will be taken account of as part of the waste contract award and the 2020/21 budget process.

### **Agenda Item 9 – Corporate Plan 2019 – 2023**

Cllr S Bütikofer – Leader of the Council introduced the item, and said that she was delighted to propose the plan, that would set out the aims and principles of NNDC for the next four years. She stated that the Plan captured the ambition and promises of the administration, and that the delivery plan would come to Council in February 2020.

Cllr N Dixon sought to provide input from the Overview & Scrutiny Committee and stated that it was the first time in his experience that the Committee had ever been given the opportunity to review the Corporate Plan. He noted that all Members had been invited to submit written questions on the Plan, and the process had resulted in a very time efficient review. He suggested that the validation of key themes had been limited to the provided by the environmental consultation, but overall it had been a beneficial process. Cllr S Bütikofer stated that it was important to stress that the administration had reached out to all Members for their input on the plan. She then thanked Members of the Scrutiny Committee for their input, and noted that only one of the recommendations had not been accepted, as a better name for the Customer Focus theme had not been forthcoming.

The recommendation was proposed by Cllr S Bütikofer and seconded by Cllr R Kershaw.

## **RESOLVED**

That Council adopts the Corporate Plan 2019 – 2023.

### **12 RECOMMENDATIONS FROM THE OVERVIEW & SCRUTINY COMMITTEE 16 OCTOBER 2019**

Cllr N Dixon noted that the item had already been resolved as part of item 10.

### **13 RECOMMENDATIONS FROM THE OVERVIEW & SCRUTINY COMMITTEE 13 NOVEMBER 2019**

Cllr N Dixon stated that the Scrutiny Committee had supported the recommendations outlined in the Budget Monitoring Report, and that the clarifications on the Splash Project heard during the portfolio holder updates were made at the request of the Committee. He added that the Scrutiny had also reviewed the joint waste contract procurement process at the November meeting, where Members agreed to monitor the performance of the contractor from June 2020, and requested that a client briefing be arranged to take place during the mobilisation stage of contract implementation.

### **14 RECOMMENDATIONS FROM THE STANDARDS COMMITTEE 01 OCTOBER**

**2019**

Cllr N Pearce – Chairman of the Standards Committee informed Members that the Committee sought to remind all Members that they were obligated to attend meetings, give their apologies when they were unable to attend, and arrange substitutes if necessary. He added that Democratic Services would share details of all committee substitutes in the next Members Bulletin.

The recommendation was proposed by Cllr N Pearce and seconded by Cllr L Shires.

**RESOLVED**

That Members be reminded of their obligation to attend meetings, give apologies and arrange substitutes.

**15 QUESTIONS RECEIVED FROM MEMBERS**

None received.

**16 OPPOSITION BUSINESS**

None received.

**17 NOTICE(S) OF MOTION**

The following notices of motion were received:

**Mental Health Challenge for Local Authorities**

The Motion was proposed by Cllr L Shires and seconded by Cllr W Fredericks.

Cllr L Shires stated that all Members had a collective and social responsibility to ensure that the Council strived for better mental throughout the communities of North Norfolk. Cllr W Fredericks added that she had been involved in developing the motion with officers, and felt that it would be a good step forward for the Council to approve the motion, to sign up to the mental health challenge and appoint Cllr L Shires as the Mental Health Champion.

**RESOLVED**

That Cllr L Shires becomes the Member Champion for Mental Health, and that the Council signs up to the Mental Health Challenge.

**Motor Neurone Disease Charter**

The motion was proposed by Cllr V Gay and seconded by Cllr A Brown.

Cllr V Gay reminded all Members of the public statement heard earlier in the meeting from the MND association representative. She stated that Motor Neurone Disease was an exceptionally cruel illness, and that a former Member of the Council had lost their life to it some years ago. Cllr A Brown stated that he had no hesitation in supporting the motion, having had two family members suffer from the illness, and had witnessed his family support them with bravery. He noted the High Court appeal against sufferers' rights to die, and suggested that approving the motion would provide the MND Association with greater backing and more support.



## **RESOLVED**

That the Council adopt the Charter of the Motor Neurones Disease Association.

### **Ambulance Response Times**

The motion was proposed by Cllr S Bütikofer and seconded by Cllr A Brown.

Cllr S Bütikofer stated that hearing the arrival of an ambulance was a very comforting sound for those in need, but at present waits of up to five hours could be expected in rural areas of the district. It was reported that North Norfolk also had one of the highest incidences of strokes in the UK, and that in order to effectively treat sufferers, action had to be taken within the 'golden hour'. Cllr S Bütikofer then stated that to great frustration the Queen Elizabeth Hospital in Kings Lynn was rated amongst the top six in the country for treating strokes, but this was of little use if ambulances were not available to get patients to the hospital in good time.

Cllr S Bütikofer stated for the record that she wanted to make clear that the motion was in no way aimed at, or intended to reflect upon the staff, who did their utmost to help people in North Norfolk. She then paid tribute to the staff, and stated that without their efforts, the situation would be far worse.

Cllr N Dixon noted the request for the O&S Committee to establish a Working Group to track progress on the issue, and stated that the Committee had already raised the issue for its annual Work Programme, meaning that it would be considered in the coming months. He then stated that he would like to propose an amendment to the motion, on the basis that as well as response times, intervention was also crucial, and that whilst rural response times would always struggle compared with urban areas, improving intervention times could also help improve prospects. It was suggested that community first responders could be offered training to help with early intervention. Cllr N Dixon therefore proposed that voluntary community first responders be offered additional training and support in order to aid the ambulance service in North Norfolk, and Cllr D Baker seconded the motion. Cllr S Bütikofer thanked Cllr N Dixon for the helpful amendment, and asked that it be clarified that support as well as training be offered to the first responders. It was clarified that this was the intention of the amendment.

## **RESOLVED**

1. That Council request that voluntary community first responders be offered additional training and support in order to aid the ambulance service in North Norfolk.
2. This Council therefore asks the Head of Paid Service to write to the CEO of EEAST asking what specific actions will be put in place so that response times improve significantly in the next six and then 12 months. Additionally what steps are they taking to address the issues raised in their last CQC report.
3. This Council writes to the government Minister responsible and asks what steps government are taking to address the continued failings of the EEAST including:

- What steps are they taking to improve waiting times?
  - What the Government intend to do to address the shortages of vehicles and staffing in the Ambulance Service to alleviate the current problems in existence, and to make the Service efficient for the 21<sup>st</sup> Century ensuring that it meets its required times
  - What the government intend to do to resolve the issue surrounding ambulances being delayed at hospitals and being unable to hand patients over for care in a timely manner.
4. This Council also requests that the Overview & Scrutiny Committee explores the option of creating a working group to track progress on this item and to engage with EEAST on an improvement programme.

**18 EXCLUSION OF PRESS AND PUBLIC**

**19 PRIVATE BUSINESS**

The meeting ended at 7.10 pm.

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Chairman