

CABINET

Minutes of the meeting of the Cabinet held on Monday, 7 September 2020 remotely via Zoom at 10.00 am

Committee

Members Present:

Mr A Brown	Mrs S Bütikofer (Chair)
Mrs A Fitch-Tillett	Ms V Gay
Mr G Hayman	Mr R Kershaw
Mr N Lloyd	Mr E Seward

Members also attending:

Cllr H Blathwayt
Cllr C Cushing
Cllr J Rest
Cllr E Withington

Officers in Attendance:

Chief Executive, Democratic Services Manager, Head of Legal & Monitoring Officer, Head of Finance and Asset Management/Section 151 Officer and Democratic Services and Governance Officer (Scrutiny)

Also in attendance:

Public

28 MINUTES

The Minutes of the meeting held on 3rd August 2020 were approved as a correct record and signed by the Chairman.

29 PUBLIC QUESTIONS AND STATEMENTS

The Chairman invited Mr C Albany to speak. Mr Albany said that he was speaking in relation to site BLA01/A (the Alternative Site for Blakeney) and the decision of Cabinet at the meeting on 3rd August, when the matter had been referred back to the Planning Policy & Built Heritage Working Party for reconsideration. He said that, in his view, the agreement of the Working Party at their meeting on 13th July to recommend site BLA01/A to Cabinet for approval was sound and transparent and there was no justification for referring it back for reconsideration. He then said that contrary to the Portfolio Holder's view, the Parish Council had received sufficient notice of the meeting. Mr Albany concluded that he had demonstrated that there were no justifiable reasons to refer the matter back to the Working Party as due process had been followed.

The Chairman thanked him for his comments and invited Cllr Brown, Portfolio Holder for Planning and Chairman of the Planning Policy & Built Heritage Working Party to respond. Cllr Brown replied that the Working Party only made recommendations to Cabinet it did not take decisions. He said that there was further due diligence required on site BLA01/A and that it would be considered alongside other sites at a

meeting of the Working Party later this year.

The Chairman asked Mr Albany if he wished to respond. He reiterated that the matter had been referred back to the Working Party on the basis of inadequate notice to the Parish Council and said that he had demonstrated that this was not the case and therefore requested that Cabinet withdraw the decision to refer the site allocations for Blakeney back to the Working Party.

30 ITEMS OF URGENT BUSINESS

None.

31 DECLARATIONS OF INTEREST

None.

32 MEMBERS' QUESTIONS

The Chairman reminded Members that they could ask questions during the meeting as issues arose.

33 OVERVIEW & SCRUTINY MATTERS

The Chairman of the Overview and Scrutiny Committee was invited to speak. Cllr N Dixon outlined the recommendation regarding the 2020/21 Revised Budget Update and said that the Overview & Scrutiny Committee would like to undertake a pre-scrutiny review of Cabinet's proposals to close the income gap, at the earliest opportunity – ideally in October. The Chairman thanked him for his comments and said that Cabinet was supportive of the suggested approach and that there was a clear strategy in place which they were happy to share with the Committee and wider members. She said that she hoped to be able to comply with the Committee's timeline.

Cllr Dixon thanked her for her support and said that given the importance of the matter, the Committee would like to consider it as soon as possible preferably at the October meeting.

RESOLVED

To support the Overview & Scrutiny Committee's request for Cabinet to share its proposals for closing the future income/expenditure gaps with the Committee at the earliest opportunity for a pre-scrutiny review that would enable OSC's own proposals to be considered alongside Cabinet's, offering a collective approach to the challenge. This pre-scrutiny review should include the wide ranging concerns around people's needs, corporate priorities and viable options, to be conducted at the October or November meeting, based on detailed delivery plans for the next 3 years.

34 RECOMMENDATIONS FROM GOVERNANCE, RISK & AUDIT COMMITTEE

Cllr J Rest, Chairman of the Governance, Risk & Audit Committee introduced the recommendations and said that he hoped Cabinet would support them. In response to the proposals regarding projects, the Leader said that Cabinet members should take responsibility for overseeing projects that sat within their portfolios and for leading the work on these. She went on to say that a new model for managing

projects was being introduced and Cabinet wanted to allow time for this to 'bed in' and to see how it worked. Governance, Risk & Audit Committee could oversee and scrutinise the new way of working and feed back to Cabinet on any issues.

Cllr Rest replied that it was not intended that the model proposed by the Committee would apply to every single project and it was likely that external support would only be required occasionally. He agreed that Portfolio Holders should be leading on projects but added that the Council should not shy away from seeking external expertise if it was needed.

Cllr C Cushing sought clarification that there would be a Cabinet sponsor for each project. The Leader confirmed this and said that a list would be provided when it was available.

1. COUNTER FRAUD, CORRUPTION AND BRIBERY POLICY

RESOLVED

To approve the updated Counter-Fraud, Corruption and Bribery Policy

2. EGMERE PROJECT AUDIT REPORT

RESOLVED

- a) To note the comments from the Governance, Risk & Audit Committee regarding the establishment of project boards.
- b) To monitor and review the progress of a new model for the management of projects and to request that the Governance, Risk & Audit Committee has oversight of this.

35 RECOMMENDATIONS FROM CABINET WORKING PARTIES

The Portfolio Holder for Planning, Cllr A Brown, introduced this item. He said that the Working Party had supported the proposed site allocations for Fakenham and Wells and he was pleased to recommend them to Cabinet.

RESOLVED

1. To endorse the identified sites for inclusion in the Local Plan.
2. That the final policy wording is delegated to the Planning Policy Manager.
3. That all other sites are discounted at this stage.
4. That the green open space designations shown on the site assessment maps are agreed.

Also:

That the Planning Policy Manager be authorised to progress the Great Ryburgh Neighbourhood Plan to the next stage, in consultation with the Chairman of the Working Party.

36 2019/20 OUTTURN REPORT (PERIOD 12 BUDGET MONITORING REPORT)

Cllr E Seward, Portfolio Holder for Finance, introduced this item. He began by saying that the draft accounts had recently been published and they would go to the Governance, Risk & Audit Committee for sign off. He explained that report presented the provisional outturn position for the 2019/20 financial year. He said that the total deficit of £512,580 had been offset by surplus business rates income due to the pilot scheme which had generated £609,694. This meant that the revenue outturn position as at 31st March 2020 showed an overall underspend of £97,114. Cllr Seward went on to say that the pandemic had had a negative financial impact of approximately £250k. This related to loss of car parking income, lower investment interest and bad debt provision in relation to Benefits. These losses could not be claimed back from the Government.

On the capital budget, the Council spent £29m last year, which was higher than normal with £22m relating to the sandscaping scheme at Bacton and Walcott.

It was proposed by Cllr Seward, seconded by Cllr R Kershaw and

Resolved:

To recommend the following to Full Council:

- a) The provisional outturn position for the General Fund revenue account for 2019/20;
- b) The transfers to and from reserves as detailed within the report (and appendix C) along with the corresponding updates to the 2020/21 budget;
- c) Allocate the surplus of £97,114 to the General Reserve;
- d) The financing of the 2019/20 capital programme as detailed within the report and at Appendix D;
- e) The balance on the General Reserve of £2.404 million (after allocation of the underspend per recommendation c);
- f) The updated capital programme for 2020/21 to 2023/24 and scheme financing as outlined within the report and detailed at Appendix E;
- g) The outturn position in respect of the Prudential Indicators for 2019/20 as detailed in Appendix F and;
- h) Agree the award of the new cleaning contract to Eco Clean Services Ltd.

Reasons for the decision:

To approve the outturn position on the revenue and capital accounts that will be used to produce the statutory accounts for 2019/20.

37 NORTH NORFOLK DISTRICT COUNCIL'S ACTIONS IN THE RECOVERY PHASE OF THE CORONAVIRUS PANDEMIC

The Leader, Cllr S Butikofer, introduced this item. She said that the recovery phase was going well, with plenty of visitors to the District over the summer.

The Chief Executive added, that following the Covid 19 outbreak at Banham Poultry, himself and the Leader had met with County level partners across Norfolk. However, there was no direct impact on the District at this time.

Cllr J Rest said that he had been informed that there had been a decline in the

amount of hand sanitiser that was required to fill the dispensers that the Council had installed in the towns. He said this indicated that people may not be following guidance as stringently as before. The Leader thanked him for his comments and said the Council continued to promote the message about taking precautions to tackle the virus.

Cllr C Cushing referred to testing in Cromer and Fakenham and asked how regularly the Council was updated on the number of tests that were carried out per week. He said that the feedback that he was getting in Fakenham indicated the number of tests was declining. The Chief Executive replied that the programme had been managed by the military initially and then it moved to a contractor at the end of July. He agreed that numbers had reduced over the summer period. This could be because the number of infections remained low. The Leader added that she had heard concerns that people were finding it difficult to obtain testing kits and were being offered appointments a considerable distance away. She would flag this up as soon as possible.

Cllr A Brown commented on the re-opening of playgrounds across the District. He said the majority were not managed by the Council and he wondered whether the Council assisted with signage to third party managers of playgrounds to ensure a consistent approach across all sites. The Chief Executive replied that the initial Government guidance on the re-opening of playgrounds was not clear and it took a while to reach a view on how to approach it and provide the necessary level of assurance around cleansing and signage. They began to open on 24th July and since the end of July, a fogging machine has been used to undertake cleansing on playgrounds managed by the District Council. Regarding those playgrounds that were managed by a third party, the Chief Executive said that the District Council could not be liable for any infection or illness contracted at these sites. To ensure a consistent approach and a clarity of messaging, the Council's Communications team had made graphics and wording available to those parish, town councils and community groups that wanted to use them. Cllr Brown replied that many parishes did not have the facilities to print durable signage but accepted the reasons why this may not be possible. The Chief Executive said that this could be done but there would be a cost for doing so.

It was proposed by Cllr S Butikofer, seconded by Cllr N Lloyd and

RESOLVED:

To note and comment upon the Council's actions during July and August in supporting communities and businesses across North Norfolk in managing Recovery from the Coronavirus Pandemic; and in preparing for an anticipated increase in infections during the autumn and winter months ahead.

Reasons for the Recommendations:

To inform corporate learning from experience gained through the Recovery phase of the pandemic, and preparedness to respond to an anticipated increase in levels of infection in the months ahead

38 TOURISM SECTOR SUPPORT PACKAGE

Cllr R Kershaw, Portfolio Holder for Economic & Career Growth introduced this item. He began by thanking the Leader and senior officers for their hard work in securing this funding. He said that it would be used to extend the tourist season and the focus would be on supporting businesses which had been impacted by the pandemic and the aim was to support them in advance of the start of the 2021 season. A panel

would be established to consider applications to the fund and there would be criteria in place to establish viability.

Cllr E Withington said that she welcomed the funding. She referred to the Deep History Coast project and queried whether there was an opportunity to raise its profile as this would be a good way benefit local businesses – especially along the coast. Cllr Kershaw said that the project would be a tool used to extend the season. It was also intended to add more depth to the App to make it more educational. Cllr Butikofer added that it would form part of the programme that the Council was delivering particularly as the site at Happisburgh was nearing completion. Cllr Kershaw said that there was allocated funding for marketing from Visit East England, Visit North Norfolk and Visit the Broads and it was important that the Council did not use this funding to cut across these efforts.

Cllr C Cushing endorsed the points made and said that it was a good example of the considerable funding provided by the Government to support local businesses. The Leader clarified that this funding was provided by the District Councils, the County Council and the Local Enterprise Partnership (LEP) and she said that she had fought hard to get the tourism element included and was proud of this achievement.

It was proposed by Cllr R Kershaw, seconded by Cllr S Butikofer

RESOLVED:

- To recommend to Full Council that the £330,000 received from Norfolk Strategic Fund is allocated to a new 'Economic Recovery' reserve and that £150,000 of this is set aside for the tourism Sector Support Package, along £25,000 from the Reopening High Streets Safely' fund, for the establishment of a £175,000 grant scheme to support the local visitor economy;
- That delegated authority be given to the Head of Economic & Community Development, in consultation with the Cabinet Member for Economic & Career Development, to establish the terms of a suitable grant scheme;
- That a Cabinet working party be established to act as a panel to consider applications to the fund and make recommendations to the Head of Economic & Community Development to implement;
- That authority be given to the Head of Economic & Community Development, in consultation with the with the Cabinet Member for Economic & Career Development, to determine the outcome of applications to the funding scheme, and the imposition any appropriate grant conditions.

Reasons for the decision:

To ensure the timely establishment of the funding scheme and its effective, efficient and equitable administration.

39 NORTH WALSHAM TOWN CENTRE PUBLIC REALM IMPROVEMENTS

Cllr R Kershaw, Portfolio Holder for Economic & Career Development introduced this item. He said that a lot of work had taken place in the last year regarding this project, since the initial bid to Historic England was submitted. Since then a further bid to the LEP had been successful and this would focus on helping with traffic flow and

placement in North Walsham. A Project Manager had been appointed and had started work. He said that a big part of the project was working closely with businesses and the local community and several stakeholder groups were being established to form these links and ensure a close working relationship with them. It was a very large project and it would be scrutinised regularly by the Overview & Scrutiny Committee and the Governance, Risk & Audit Committee.

Cllr N Dixon said that he was mindful that the project engaged several strands of the Corporate Plan. He said that the outcomes for the business growth and financial sustainability strands were not as clear as those for the quality of life and he asked what were the specific outcomes in relation to these two strands, how would they be measured and had any cost benefit analysis been undertaken to support those. Cllr Kershaw replied that one of the first actions was to measure footfall in the town. He said one of the main aims of the scheme was to make it more attractive to visit and to bring more businesses into the town. Cllr Dixon replied that it was likely that the Overview & Scrutiny Committee would want to explore this in more detail and requested that the answers to his questions were available for the next meeting of the Committee.

It was proposed by Cllr R Kershaw, seconded by Cllr V Gay and

RESOLVED:

1. To recommend to Full Council that the success of bid by this Council be noted and that the sum of £1,170,000 (from a grant received from the Getting Building Fund) be allocated in the budget towards the town centre place-making elements of North Walsham High Street Heritage Action Zone.
2. That authority be delegated to Cabinet, in consultation with the North Walsham Town Centre Heritage Action Zone Working Party, to determine the terms of the implementation of the scheme, including the involvement of interested parties, scheme design and implementation.

Reasons for the decision:

To capitalise on the external funding opportunity in order to deliver improvements to North Walsham town centre in a timely fashion.

40 OPTIONS REGARDING A PROPERTY

Cllr A Brown, Portfolio Holder for Housing, introduced this item. He said that it was a property that fell within the Corporate Plan objective of providing 'local homes for local need'. It was already owned by the Council and if it was renovated to provide temporary accommodation it could bring in an income of approximately £5000 pa. He said that if work was undertaken to improve the property it could be available in approximately 9 months' time.

Cllr J Rest said that he was supportive of providing temporary accommodation to homeless families in the District but Member should note that this particular property was 8 miles from Fakenham and was in Wicken Green village not Sculthorpe. There were no facilities there apart from a very small primary school. Bus services were also very limited. He said that the Council should be mindful of these issues when housing people in the property.

Cllr Fitch-Tillett said that she was very supportive of providing local homes for local people and said she was pleased to second the proposal.

Cllr N Dixon said that he wanted to quantify the financial benefit of investing in the property. He sought clarification that there would be a collective £13k potential revenue generation from the venture. He suggested that it would be useful to monitor these kind of ventures going forward so that there was a clear audit trail established that could demonstrate whether the anticipated savings had been achieved. The Leader agreed with this approach, adding that it was not just about financial gain but about improving the quality of life for disadvantage residents.

It was proposed by Cllr A Brown, seconded by Cllr A Fitch-Tillett and

RESOLVED

- 1) To support the proposal to retain and refurbish the property
- 2) To utilise the property for temporary accommodation
- 3) To allocate the funding as described in the exempt Appendix for the project

Reasons for the decision:

To provide authority for expenditure over £100,000

41 OFFICER DELEGATED DECISIONS

The Leader introduced this item. She explained that it set out the decisions taken by senior officers under delegated powers during the period 25th July to 27th August 2020.

RESOLVED

To receive and note the report and the register of officer decisions taken under delegated powers.

Reasons for the decision:

The Constitution: Chapter 6, Part 5, sections 5.1 and 5.2. details the exercise of any power or function of the Council where waiting until a meeting of Council or a committee would disadvantage the Council. The Constitution requires that any exercise of such powers should be reported to the next meeting of Council, Cabinet or working party (as appropriate)

42 EXCLUSION OF PRESS AND PUBLIC

It was RESOLVED to pass the following resolution:

That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A (as amended) to the Act

43 PRIVATE BUSINESS

44 SHERINGHAM LEISURE CENTRE OPTIONS

Cllr V Gay, Portfolio Holder for Culture and Wellbeing, explained that the request for the report came from the Overview & Scrutiny Committee which had recommended that a viability study including a cost-benefit analysis be undertaken to determine the viability of maintaining the existing Splash facility and its impact on building the new facility. She said that report set out the findings from this study, and although it concluded that the current construction programme should be adhered to for phases 1 and 2, it was proposed that the situation was monitored closely over the coming months and kept under review, with four milestones / key trigger points listed.

Cllr Withington, local member for Sheringham North, welcomed the recommendations and set out her reasons for doing so.

Cllr N Lloyd said that he supported the recommendations and was pleased to second it. He welcomed the proposal to monitor and review the situation.

Cllr N Dixon, Chairman of the Overview & Scrutiny Committee thanked Cabinet for undertaking this piece of work and welcomed the opportunity to monitor and review the situation going forward, should there be a change of circumstances.

Cllr Gay thanked the Head of Economic & Community Growth for the work that he had undertaken in producing the report.

It was proposed by Cllr V Gay, seconded by Cllr N Lloyd and

RESOLVED

To approve the recommendations as set out in the report

(This report was exempt)

45 LEISURE CONTRACT - COVID IMPACTS AND PROPOSED DEED OF SETTLEMENT

Cllr V Gay, Portfolio Holder for Culture and Wellbeing outlined the report. She said that the recommendations before Members formalised the arrangements set out by the delegated decision on 26th March regarding support for the Council's leisure contractor. She said that the regulations and guidance from central Government had been followed at all times, as had advice from the Local Government Association (LGA).

Cllr Dixon sought clarification regarding some of the figures provided in the report. The Head of Economic and Community Growth provided the information requested and explained it covered two different periods of time. Cllr Dixon said that it would be helpful if this was clarified in the report. The Head of Economic and Community Growth replied by referring to the relevant sections of the paper that explained the situation. The Leader suggested that including the term 'deed of settlement' in the report title would make it clearer.

It was proposed by Cllr V Gay, seconded by Cllr E Seward and

RESOLVED:

To approve the recommendations as set out in the report

(This report was exempt)

46 PROPERTY TRANSACTION - COMMERCIAL ACQUISITION

Cllr G Hayman, Portfolio Holder for Commercialisation and Assets, introduced this item. He said that it was a good investment opportunity for the Council, in line with the Asset Management Plan.

Cllr Dixon sought clarification on some of the costs associated with the proposals.

Cllr Hayman replied that it was difficult to outline the full life cycle costs for a project like this but said that he would provide the figures requested if they could be ascertained. The Estates and Asset Strategy Manager said that these could be provided at a later date as part of the due diligence process.

Cllr J Rest asked for more information regarding interest in the site and whether there was demand for such facilities. The Estates & Asset Strategy Manager confirmed that this was the case and she was confident that there would be demand. Cllr Kershaw added that there was a shortage of such facilities in the area.

Cllr Dixon referred to another site where there had been an issue around the provision of similar units in a nearby town a few years ago. So he suggested that this was followed up. The Leader agreed.

It was proposed by Cllr G Hayman, seconded by Cllr R Kershaw and

RESOLVED:

To approve the recommendations as set out in the report

(This report was exempt)

The meeting ended at 11.38 am.

Chairman