

OVERVIEW & SCRUTINY COMMITTEE

Minutes of the meeting of the Overview & Scrutiny Committee held on Wednesday, 24 March 2021 remotely via Zoom at 9.30 am

Committee Members Present:	Mr N Dixon (Chairman)	Ms L Withington (Vice-Chairman)
	Mr H Blathway Mr P Heinrich Mrs E Spagnola Mr C Cushing Mr P Fisher	Mrs W Fredericks Mr G Mancini-Boyle Mr A Varley Mr A Brown
Members also attending:	Mr T FitzPatrick (Observer)	Mr V FitzPatrick (Observer)
	Ms V Gay (Observer) Mr J Rest (Observer) Mr J Toye (Observer)	Mrs P Grove-Jones (Observer) Mr E Seward (Observer) Mrs A Fitch-Tillett (Observer)
Officers in Attendance:	Democratic Services and Governance Officer (Scrutiny) (DSGOS), Chief Executive (CE), HR Manager (HRM), Democratic Services Manager (DSM), Director for Resources/Section 151 Officer (DFR), Assistant Director for People Services (ADPS), Programme & Projects Manager (PPM) and Assistant Director for Sustainable Growth (ADSG)	
Also in attendance:	Chief Inspector Matt Dyson (CI) and Police Sergeant Toby Gosden (PS)	

153 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Cllr N Housden.

154 SUBSTITUTES

None.

155 PUBLIC QUESTIONS & STATEMENTS

None received.

156 MINUTES

Minutes of the meeting held on 10th February were approved as a correct record and signed by the Chairman.

157 ITEMS OF URGENT BUSINESS

None received.

158 DECLARATIONS OF INTEREST

None declared.

159 PETITIONS FROM MEMBERS OF THE PUBLIC

None received.

160 CRIME AND DISORDER BRIEFING

The Chairman invited Chief Inspector Matt Dyson (CI) and Sergeant Toby Gosden (PS) of Norfolk Constabulary to provide a briefing on crime and disorder in relation to the Covid-19 Pandemic.

Briefing, Questions and Discussion

- i. The CI began the presentation on matters relating to Covid, and noted the Pandemic's significant impact on policing since restrictions began in March 2020. He added that a key aim of the Constabulary throughout the pandemic was to continue policing by consent, using the four principles of engage, explain, encourage and enforce. The CI noted that from a policing perspective, there had also been more serious hidden risks such as increased levels of domestic violence and exploitation.
- ii. The CI provided a heat map of the District showing the reported health order incidents, and noted that there had been over 4000 reported, with concentrations mainly in town centers. He then referred to the level of policing activity over a three month period from 1st January to 20th March, and noted that there had been 183 fixed penalty notices issued, 150 formal Covid warnings, and 327 engagement events.
- iii. The CI referred to the anticipated change in Covid legislation from 27th March 2021, and noted that there was general consensus that the guidance sought to minimise travel where possible, and from 12th April further easing of restrictions would allow shops, self-contained holiday accommodation and campsites to open. The CI reported that he was yet to see clear guidance on cross-county travel or restrictions on mileage, though a busy year of domestic travel was expected.
- iv. The PS informed Members that his Team was responsible for visibility and engagement across the District, with Beat Managers in all seven towns who had responsibility for engaging with schools, hard to reach communities and hospitals. He added that from the start of the Pandemic, the Team had also taken on responsibility for Covid patrols, which involved working alongside partner agencies such as NNDC to aid Covid wardens. It was reported that a decline in normal crimes such as burglaries, had meant that there was spare capacity for Response Teams to help with deployment plans, which included the use of a dedicated Covid patrol vehicle.
- v. The Chairman referred to domestic abuse and asked whether there had been any trends that might help the Council's response, in order to deliver better support services. The CI replied that the trend did show an increase in reports of domestic abuse of approximately 20%, and the PS added that reports could be cross referenced with issues reported to the Council, to ensure that concerns were not overlooked.
- vi. A slide on performance was shown which outlined the average number of crimes taking place per month, and it was reported that crime rates in North

Norfolk remained low relative to other districts. The CI provided further details on crime categories and noted that the 183 monthly violence against person crimes included injury and non-injury, stalking and harassment offences. It was noted that these figures were higher due to some incidents being counted as several separate crimes, such as harassment, criminal damage and assault. The CI reported that robberies were particularly low in North Norfolk, at just 4 in a twelve month period, whereas residential burglaries took place on average, once every three days. It was noted that there were challenges on more rural crimes such as arson, criminal damage and agricultural crime, though this only equated to approximately 10 per month. It was reported that there were no tier 1 or 2 county lines crimes impacting North Norfolk.

- vii. The CI stated that domestic abuse was always a high priority for the Police, and noted that body cameras were being used to capture the context and evidence of potential crimes, with a focus placed on early intervention, where possible. It was noted that 54% of domestic abuse victims did not support prosecution, which necessitated flexibility in supporting victims, and careful consideration of evidence to support potential prosecutions. The CI reported that unfortunately only 5% of domestic abuse cases ended with a positive outcome.
- viii. The CI referred to harassment and noted that there had been 273 harassment investigations in North Norfolk, of which 33 were domestic related incidents, with 48% of victims not supporting police action. He added that harassment cases had increased by approximately 32%, though some cases related to non-prosecutable offences. The CI reported that 21% of harassment reports related to online harassment, though this was often part of a wider case with additional issues such as phone calls. It was noted that body worn video had helped to provide evidence to lawyers to support cases. The PS added that crime numbers were also influenced by varied reporting standards, and that allegations of crimes were still counted towards statistics, even if they did not constitute a chargeable offence.
- ix. Cllr W Fredericks stated that she had been involved in supporting victims of domestic abuse, and said that it was evident that there significant gaps in support. She suggested that with the support of the Communities Manager, the Council should echo the Government's call for a taskforce to review these gaps with stakeholders. Cllr W Fredericks asked the officers in attendance whether they would be happy to be involved, to which the CI confirmed that they would support all efforts to improve victim support with a more holistic approach. Cllr L Withington stated that she was supportive of the proposal, and hoped to understand more about what was needed to improve prosecution rates for domestic abuse crimes.
- x. The CI introduced a slide on the Op Radium operation, which aimed to address courier fraud, described as cold callers impersonating Police Officers to defraud victims into sending large sums of money. It was noted that 159 incidents had been reported in North Norfolk, which was relatively high. The CI stated that the Police response was aimed at suspect identification and raising awareness of these types of crimes with residents, local businesses and banks, which had seen reasonable success. The PS added that Police Digital Investigators had also been employed by Norfolk Constabulary, to work with network providers to help identify suspects.

- xi. Cllr W Fredericks asked how best to contact the Police regarding any concerns for Norfolk residents. The CI replied that 101 was suitable for concerns unless an actual crime had taken place, in which case 999 would be more appropriate. The PS added that concerns could also be raised online to specific Stations via email.
- xii. Cllr L Withington asked whether WI's had been considered as a means to communicate with a wider audience, to raise awareness of fraud. The PS replied that this had been considered and would be pursued.
- xiii. Cllr G Mancini-Boyle suggested that more media attention should be applied to help educate elderly residents on the risks of fraud and scam calls.
- xiv. The PS introduced a slide on ANPR and informed Members that there were five live locations in North Norfolk, with plans to install an additional camera soon, as they were a valuable intelligence tool. He added that the cameras were considered a covert tactic used reactively to look for known offenders, and pro-actively to aid officers with responding to new crimes. It was noted that the cameras were third party funded to help decrease crime, but could also help officers to predict the routes of offenders. The PS reported that there was a dedicated Moonshot Team that closely monitored the ANPR cameras in order to intercept vehicles, often in relation to drug or drink driving offences.
- xv. The PS introduced the last slide on engagement and stated that the loss of PCSOs had made it more difficult to maintain a Police presence on streets, and it was therefore helpful to work with the public to gain intelligence. He added that a key means of developing this engagement at a Parish level was SNAP meetings, which were now hosted online, with increased attendance. It was noted that research in advance of meetings had been increased to develop a better understanding of issues effecting underrepresented groups. The PS stated that online meetings would likely continue alongside physical meetings, once Covid restrictions had come to an end.
- xvi. Six monthly parish meetings were discussed as a notable success for engagement, and it was stated that these would continue. The PS referred to Parish newsletters and noted that embedded information was contained, such as links to information on the number of crimes in local areas, as well as an update from the local Beat Manager. He added that local Teams also engaged with community organisations to ensure that any concerns were addressed and factored in to Police activity. It was noted that this approach had increased trust in local Beat Managers, which allowed them to develop improved local intelligence, leading to more successful operations.
- xvii. Cllr H Blathwayt referred to reports of Council provided license holders breaking Covid restrictions, and asked whether the Council shared this information for intelligence purposes. The PS replied that the Police did have an information sharing agreement with the Council, and stated that this was used on a regular basis.
- xviii. Cllr C Cushing referred to online engagement events and asked whether the Police could in any way adapt to using Zoom to increase engagement. The CI replied that there were ways around the issue that could be considered locally, if required.

- xix. Cllr A Brown referred to visitors from outside the District, and asked whether there was a problem of clarity with enforcement on this matter. The CI replied that the lack of a clear definition did require local interpretation, and that it would help if there was more clarity on the issue.
- xx. The CE stated that the Council had a strong working relationship with the Constabulary and regular contact was maintained to help police the District. It was noted that there were also Police Officers embedded within the Council, that sat within the help hub to provide support to residents.

RESOLVED

To note the briefing.

ACTIONS

Cllr W Fredericks to contact Chief Inspector to explore further opportunities for increased partnership working to tackle domestic abuse, reporting progress back to the Committee.

161 CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE BY A MEMBER

The Chairman introduced the item and informed Members that he had been contacted regarding the loss of affordable homes at Holt, and had subsequently made the decision to include the issue on the agenda for discussion.

Questions and Discussion

- i. The CE noted that correspondence had been shared with Members regarding the loss of affordable homes from the 2011 Site Allocations Plan, for which an outline application for 82 dwellings had been submitted with a policy requirement for 45% affordable housing. He added that once approved, the outline planning permission had been sold on to Norfolk Homes, who had then submitted a section 73 application to vary conditions of the original outline permission, including the affordable home requirements as part of a section 106 agreement. At this time no change was made on the provision of affordable homes, but with no agreement reached on this matter, the issue was referred to the High Court, with a judgement made against the Council that would no longer require the Developer to adhere to the requirement for 45% affordable housing.
- ii. The CE reported that he had asked the Head of Planning to review the issue, and consider whether there had been any failings in the process or by individuals, and what learning could be gained from the issue. It was noted that systems and processes had now been revised, though delivering affordable homes remained a challenge. The CE stated that North Norfolk had delivered ahead of its required housing targets since 2014, significantly above the levels from 2008-2013, and as the site in question was yet to be delivered, the issue remained subject to negotiation. He added that Norfolk Homes had now submitted a revised application with a lower number of affordable homes, subject to a viability assessment. It was noted that on other developments the Council had managed similar situations via Section 106 agreements, where affordable housing could not be delivered. As a result, the CE stated that the Authority had set to protect its position on the

provision of affordable homes in the context of a changing financial climate, and this case had been a learning opportunity. It was suggested that it would be helpful for the report to be presented to the Development Committee and the PPBH Working Party, to advise Members for future policy development.

- iii. The DSGOS informed Members that in considering the Committee's response to the issue, it should be noted that the Committee's remit was limited, in that was not able to review quasi-judicial matters or regulatory decisions. He added that a potential option would be to consider the loss of affordable homes as part of the Planning performance review, that was already in place on the Committee's 2021/22 Work Programme. It was suggested that the Committee could also recommend that the report prepared by the Head of Planning be shared with the Development Committee and PPBH Working Party, to ensure that the necessary actions had been taken in response to the issue.
- iv. Cllr A Brown stated that he would welcome the report for review at PPBH Working Party, and noted that he was pleased with the efforts that had been made to negotiate twelve affordable homes as part of the revised application. He added that he had discussed the potential to review applications from the same era, to determine whether further lessons could be learnt, and confirmed that officers were confident that the Council had taken the necessary measures to avoid future occurrences.
- v. Cllr L Withington referred to the future planning performance review, and asked whether focus could be placed on the mitigation measures implemented, to ensure that the Committee were satisfied that all steps had been taken to avoid reoccurrence.
- vi. Cllr N Dixon proposed that a report outlining the issues and mitigation efforts taken to address the loss of affordable homes at Cley Road – Holt, be prepared for review by PPBH Working Party and the Development Committee. He added that the delivery of affordable homes and the lessons learnt from the issue should also be considered as part of the future Overview and Scrutiny Planning performance review. Cllr C Cushing seconded the proposals.

RESOLVED

- 1. To recommend that a report outlining the issues and mitigation efforts taken to address the loss of affordable homes at Cley Road – Holt, including the lessons to be learnt from deficient processes, be prepared for follow up action by the Planning Policy & Built Heritage Working Party and the Development Committee.**
- 2. That the delivery of affordable homes, and the lessons learnt from deficient processes, be considered as part of the Overview & Scrutiny Planning Performance Review in 2021/22.**

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

None to report.

163 BUDGET MONITORING REPORT 2020/21 – PERIOD 10

Cllr E Seward – Portfolio Holder for Finance and Assets introduced the report and informed Members that at present there was a small overspend of £165k, though it was hoped this would be balanced by the year end. The DFR stated that the period 10 report highlighted the position of the revenue and capital account at the end of January 2021, with a further update on the ongoing impact of Covid-19. It was noted that a year-end deficit of approximately £1m had been forecasted in May, though this had reduced to £400k, and subsequently to £165k, as outlined in the report. The DFR stated that efforts continued to balance this deficit by the year end, though it could be covered by reserves if necessary. On fees and charges support, it was reported that the Council was expected to receive a grant of approximately £750k, to cover income losses incurred as a result of the pandemic. The DFR referred to grant schemes administered by the Council, and noted that the funding received for this had aided the Council's cashflow and delayed requirements for borrowing, that had saved approximately £350k. He added that the Council's investments had also seen an upturn, which in combination with savings equated to a positive budget impact of approximately £440k.

Questions and Discussion

- i. Cllr C Cushing referred to a request for £424k of additional funding for Cromer Pier that was expected to go to Cabinet, and asked when this would be considered. The DFR replied that the report would go to Cabinet in the coming months, as consultants were in the process of finalizing requirements. He added that work had been done approximately three years ago to move to a more regular maintenance schedule, with an annual requirement to prepare an updated report on the condition of the asset. It was confirmed following a question from Cllr C Cushing, that the £424k was additional funding, and had not yet been included in the Pier maintenance costs.
- ii. The recommendations were proposed en bloc by Cllr P Heinrich and seconded by Cllr W Fredericks.

RESOLVED

- 1. To note the contents of the report and the current budget monitoring position.**
- 2. To agree with the decision to fund any deficit from the General Fund reserve at the year-end, if required.**
- 3. To agree with the approval of the capital programme funding as identified from reserves.**

164 SHERINGHAM LEISURE CENTRE PROJECT UPDATE: MARCH 2021

Cllr V Gay – Portfolio Holder for Leisure, Wellbeing and Culture introduced the report and informed Members that the project remained on-track for completion in August, with no change to the budget. It was reported that a name had been decided for the new facility and it would now be known as The Reef, in recognition of the local landscape and geology of the North Norfolk coastline.

Questions and Discussion

Members agreed to note the report and continue the monthly project update reports.

RESOLVED

1. To receive and note the update.

165 PRE-SCRUTINY: NORTH NORFOLK DISTRICT COUNCIL EQUALITY, DIVERSITY AND INCLUSION STRATEGY 2021-2025

The ADPS introduced the item and informed Members that the Council was required to update its equality objectives at least every four years, to meet the aims of the public sector equality duty. She added that the draft Strategy included four new objectives, in addition to a number of commitments to ensure that the Council treated people fairly as a community leader, service provider, and employer. It was noted that the Council had also approved a number of motions that demonstrated a wider interest and concern on matters relating to equality, diversity and inclusion, which had been adopted as part of the Strategy. The ADPS stated that the next step in developing the Strategy would be to undertake a public consultation and develop an action plan that would be updated annually. She added that a self-assessment against the LGA's Equalities Framework would also be completed to help to establish the Council's current position, alongside data from the 2021 Census. It was noted that the Strategy would also be supported by other initiatives, such as the Engagement Strategy, the Customer Services Strategy and the Quality of Life Strategy.

Questions and Discussion

- i. The Chairman sought clarification on whether the draft document was a Strategy or Policy and noted that there had been several references to both throughout the development process. He added that it was his expectation that a Policy document should be clear on the expectations and principles of the Authority, as well clearly expressing the culture of the organisation.
- ii. Cllr G Mancini-Boyle referred to page 61, and noted that he was pleased to see that his motion regarding the adoption of the IHRA definition of anti-Semitism had been included in the draft document. He noted the time it had taken to receive the draft, and suggested that efforts should be made to avoid similar delays in the future.
- iii. Cllr W Fredericks referred to employment application forms, and asked whether there were any plans to exclude gender titles or age from the application process to focus on skills. The HRM stated that this was an important issue, however the Council still used physical application forms, which meant that removing this data would present a challenge for equalities monitoring until an electronic application system was implemented. He added that whilst these changes were under consideration, there were checks and balances in place within the recruitment process to ensure that these concerns did not become an issue.
- iv. Cllr C Cushing stated that the draft document appeared to contain several actions that would not usually be contained within a Policy document, and noted that Policy should be used to outline the rules and expectations of an organisation. He then noted that other Councils in Norfolk would have their own policies, and asked whether there was a standard template available in

the public sector. The ADPS replied that there was not a standard template, though she had reviewed documents from neighbouring authorities, and noted that a Working Group had reviewed examples from across the country to identify useful examples. In response to comments on the format of the document as either a Policy or Strategy, the ADPS stated that she felt a Policy did not adequately demonstrate the Council's commitment to equality, diversity and inclusion. She added that subsequent policies would outline expectations for staff and service users, and noted that equality objectives did not fit well within a Policy document. It was noted that the draft document went beyond statutory obligations, which better suited a Strategy with a wider remit, that contained additional commitments identified within the Corporate Plan. Cllr C Cushing noted that there was a statutory requirement to update the Policy every four years, which was separate to developing a Strategy to deliver objectives, and mixing the two had created a confusing document, that had delayed delivering a Policy.

- v. Cllr A Brown referred to the gender pay gap review identified on page 62, and asked when the outcome of the review would be known, and whether this would outline the extent of the issue. The ADPS replied that this information was available on the Council's website, though it did not outline the efforts taken to address the gender pay gap. It was noted that there was further work required to determine whether the actions taken were adequate to address the issues. In the absence of the HRM as a result of a fire drill, Cllr A Brown requested that written reply be given on the efforts made to address the gender pay gap at NNDC.
- vi. Cllr P Heinrich stated that whilst he did not have an issue with the contents of the document as a means for implementing Policy, he could not see a clearly outlined set of policy statements, which he felt were crucial to understanding the Policy itself. The ADPS replied that more work was required to determine whether Members sought a Policy or Strategy document. The Chairman stated that a replacement Policy was required, that would be underpinned by strategies and action plans, that included clear SMART objectives as opposed to aspirations.
- vii. Cllr L Withington stated that there was confusion as to whether the document contained Strategy or Policy, and noted it should be seen as an encompassing umbrella document, that should be reflected in all activities of the Council. She added that it was therefore important to get the document right, with a separate clear Policy Statement. The ADSP agreed that a clear statement of intent was required, and this could be developed as work continued.
- viii. Cllr E Seward stated that in listening to comments, he accepted that there was a clear need to separate a Policy Statement from the Strategy, and added that in his experience, successful implementation of the Policy was crucial. He then referred to comments on blind application forms, and stated that certain data could be removed for applicant shortlisting. Cllr E Seward stated that he did regret the length of time it had taken to develop the draft document, and whilst the Pandemic had diverted resources, it would not have been acceptable under normal circumstances.
- ix. The Chairman referred to the Working Group that had helped to develop the document, and sought assurances that their input would be incorporated into the document, as well as giving consideration to a wider staff consultation.

He added that the self-assessment would also be a worthwhile exercise, and expected that it would help to further improve the document.

- x. The Chairman stated that on the basis of comments made, it would likely not be appropriate to approve the draft document without altering the wording of the recommendation. The DSGOS advised that the recommendation could be altered to approve the document, subject to amendment in relation to the comments made during the meeting. The Chairman requested that the recommendation also included reference to the further stages of development, such as the self-assessment exercise.
- xi. The recommendation as amended was proposed by Cllr C Cushing and seconded by Cllr G Mancini-Boyle.

RESOLVED

1. **To recommend that the Strategy, or Policy, is progressed through the next stages of development, subject to the consideration of amendments suggested by the Committee.**

ACTIONS

1. **That a written response is provided to the Committee on the efforts being taken to address the gender pay gap at NNDC.**

166 THE CABINET WORK PROGRAMME

The DSGOS stated that the Cabinet Work Programme had been updated following publication of the agenda, and there would now be reports on a Community Renewal Fund and Public Protection Orders going to Cabinet in April. He added that Environmental Charter would also go forward to Cabinet in May, following review by Overview and Scrutiny in April.

RESOLVED

To note the Cabinet Work Programme.

167 OVERVIEW & SCRUTINY WORK PROGRAMME AND UPDATE

The DSGOS noted that the draft Environmental Charter was expected for review at the April meeting, alongside the Sheringham Leisure Centre Project and Enforcement Board updates. He added that consideration would need to be given to the 2021/22 Work Programme at the May meeting.

Cllr L Withington suggested that lessons from the recent Scrutiny training should be taken into account when developing the 2021/22 Work Programme.

RESOLVED

To note the Work Programme.

168 EXCLUSION OF THE PRESS AND PUBLIC

The meeting ended at 12.13 pm.

Chairman