

## **CABINET**

**Minutes of the meeting of the Cabinet held on Monday, 5 July 2021 at the Council Chamber - Council Offices at 10.00 am**

### **Committee**

#### **Members Present:**

Mrs S Bütikofer (Chair)	Mrs A Fitch-Tillett
Ms V Gay	Mr R Kershaw
Mr E Seward	Miss L Shires

#### **Members also attending:**

Cllr A Brown  
Cllr C Cushing  
Cllr N Dixon  
Cllr V Holliday  
Cllr P Heinrich  
Cllr J Rest

#### **Officers in Attendance:**

Chief Executive, Democratic Services Manager and Director for Resources/Section 151 Officer

#### **Apologies for Absence:**

Mr N Lloyd  
Mr J Toyne

## **99 MINUTES**

The minutes of the meeting held on 7<sup>th</sup> June 2021 were approved as a correct record.

Cllr V Holliday referred to Minute 94 – Managing Performance Q4 2020/21 and Cllr Cushing's request for an update on the financial sustainability of the Council. Cllr Seward had agreed to provide an update at the July meeting and she commented that this was not included in the agenda. Cllr Cushing agreed, saying that he had hoped to see a report with an update on the agenda.

Cllr E Seward, Portfolio Holder for Finance and Assets, said that the Outturn report for 2020/21 would be going to Governance, Risk & Audit Committee (GRAC) and Overview & Scrutiny Committee in September. This would set out the financial position of the Council ahead of preparations for the Budget for next year. He said that he was meeting with the Finance Team later in July to go through the Council's financial position in detail and he would be in a position to update Members on this in September.

## **100 PUBLIC QUESTIONS AND STATEMENTS**

None received.

## **101 ITEMS OF URGENT BUSINESS**

None received.

## **102 DECLARATIONS OF INTEREST**

Cllr L Shires declared a non-pecuniary interest in the following items:

Agenda item 11 – had been working with North Walsham Football Club regarding this matter.

Agenda Item 13 – knew the proposed tenant approximately 6 years ago.

## **103 MEMBERS' QUESTIONS**

The Chairman agreed that Members' questions could be raised as each agenda item was considered.

## **104 RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE**

The Chairman of the Overview & Scrutiny Committee, Cllr N Dixon, informed Cabinet that the following recommendation was made at the May meeting of the committee:

'To recommend to Cabinet that consideration is given to the resourcing of the Planning Enforcement Team to strengthen and support the Council's planning enforcement process'

The Leader thanked Cllr Dixon and said that Cabinet were already giving consideration to this matter and a response would be provided in due course.

## **105 HOUSING STRATEGY 2021 - 2025**

The Portfolio Holder for Housing & Benefits, Cllr W Fredericks, introduced this item. She said that a significant amount of consultation had been undertaken with a wide range of stakeholders including representatives from town and parish councils, housing associations, community led housing groups, private developers, private landlords, country estates and political parties.

The Housing Strategy & Delivery Manager (NB) explained that the Housing Strategy focussed on four themes; increasing the supply of new housing, improving housing stock condition in the private sector, making better use of existing housing and supporting vulnerable residents. She said that there was an extensive action plan that supported and drove the implementation of the strategy.

Cllr J Rest, said that as a former director of Victory Housing Association, he had some experience of the sector. In his view, it was not the planning system and the number of permissions that was stopping the provision of high quality, affordable homes but a lack of Government investment. He then referred to theme 3 of the action plan and the proposal for the Council to explore mortgage facilitation schemes. He said that he had concerns that the Council could become embroiled in the repossession of homes. In 2019, 4980 homes had been repossessed nationally, so this was a very real possibility and it might be more beneficial to use a third party.

Cllr V Holliday referred to the actions set out regarding the control of the number of second homes in the District. She said that 'mitigation' did not seem to be a robust enough approach. Cllr Fredericks replied that this was not something that the District Council could control. It sat with Government to resolve.

Cllr N Dixon referred to page 20 and the aspirations regarding the supply of new

housing. He said that despite having ambitious plans and strategies in place, the Council had a history of under-delivery. He asked how confident both the Portfolio Holder and the Housing Strategy & Delivery Manager were that this strategy would be different and deliver. Cllr Fredericks replied that she was very confident as the target had already been exceeded for this year. The Housing Strategy & Delivery Manager added that there was a pipeline which identified upcoming schemes which gave her confidence that the Council would be delivering its target. There were also additional measures in place to support this, such as the use of s106 grants. The Portfolio Holder concurred, saying that she also had a strong belief that the target would be achieved.

Cllr A Brown, Chairman of the Planning Policy & Built Heritage Working Party, said that he wanted to assure Members that the working party had considered in depth which measures could be put in place locally as part of the Local Plan to restrict the number of properties for use as second homes. He reiterated the view that the Council was very limited as to what it could do. He then referred to the figures on page 20 and said that the Council did meet its affordable homes target. He added that the deduction of right to buy and voluntary sales did impact on this.

Cllr C Cushing said that other local authorities had undertaken work alongside developers to deliver their planning strategy. He asked whether NNDC were taking the same approach. Cllr Fredericks confirmed that the Council had been liaising with Housing Associations and some developers to progress this. In response to a further question, she said that she was pleased that some developers had come forward expressing an interest to build social housing ahead of market housing and said that she would encourage any developers interested in taking this approach to come forward.

Cllr J Rest commented on 'right to buy'. He said these were virtually non-existent and were replaced with 'right to acquire'. This was much more expensive process. The Leader agreed but added that family members were increasingly buying such properties and this was causing some issues in North Norfolk.

It was proposed by Cllr W Fredericks, seconded by Cllr L Shires and

## **DECISION**

### **Resolved:**

To recommend that Full Council adopt the Housing Strategy and Action Plan 2021-25.

Reason for the recommendation:

To deliver a new Housing Strategy and the other Housing related objectives in the Corporate Plan.

## **106 UK COMMUNITY RENEWAL FUND (CRF) MATCH FUNDING**

The Portfolio Holder for Economic Growth, Cllr R Kershaw, introduced this item. He said that he wished to propose the following additional recommendation:

'To recommend to Full Council the establishment of new capital budgets for the North Walsham and Fakenham schemes of £800k each, with each scheme being funded through the CRF bid (£600k) and the balance (£200k) as match funding from the Council'.

Cllr Kershaw then explained that the timescales for submitting the bids had been extremely short and he thanked officers for all their hard work in pulling them

together. Both bids had been backed by the local MPs and the final decision was now in the hands of MHCLG, with a response expected by the end of July.

Cllr Cushing thanked everyone on Fakenham Town Council for their hard work in support of this.

Cllr Rest also thanked everyone for the work that had been done so far. He made reference to the second bullet point on page 51 and said that although he welcomed the proposal for a walking and cycling route between Pensthorpe and Fakenham, he felt that it would be hard to achieve. He added that there was a lot of discussion within the town about proposals for a lido and that this was likely to be a priority for the town in coming months.

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

Resolved:

- 1. To release match funding of £200k for the Fakenham CRF bid and £200k for the North Walsham bid subject to the bids being approved by central government.**
- 2. The match funding element to be released from the Delivery Plan Reserve.**
- 3. To recommend to Full Council the establishment of new capital budgets for the North Walsham and Fakenham schemes of £800k each, with each scheme being funded through the CRF bid (£600k) and the balance (£200k) as match funding from the Council**

Reason for the recommendations:

To support and strengthen the CRF bids for both Fakenham and North Walsham which in turn will help to realise opportunities to secure UK Government funding into North Norfolk to support investment in projects which meet priorities outlined in the Council's Corporate Plan as they relate to provision of housing, economic growth, environment and climate change and quality of life.

## **107 STREET TRADING CONSENT FEES**

Cllr R Kershaw, Portfolio Holder for Economic Growth, introduced this item. He explained that there were extensive fees in place for street markets and it proposed to suspend these for this year only to support the post COVID recovery of a town/area. He said that local members would be notified of any affected streets in their ward.

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

**Resolved:**

That Cabinet delegate the ability to waive the fee for a Street Trading Consent application, where the trading is part of an organised event to support the post COVID recovery of a Town/area, for the remainder of 2021 calendar year to the Assistant Director - Environmental and Leisure Services or the Director for Communities in consultation with the Portfolio Holder for Environmental Services, Climate Change and Environment; and the Portfolio Holder for Sustainable Growth.

Reason for the decision:

To support Town Centre recovery from the Covid Pandemic by enabling events to take place which encourage increased footfall.

## **108 GREENS ROAD FOOTBALL FACILITY - NORTH WALSHAM**

The Portfolio Holder for Leisure, Cllr V Gay, introduced this item. She explained that some capital maintenance works were required at the football ground site on Greens Road, North Walsham. Whilst the site was leased to North Walsham Town Football Club on a full repairing lease, it could not afford these works (c£60k). It was proposed that the Council undertook these works on behalf of the club, and wrote into an extended lease a commercial rent that enabled the club to pay back the finance over a set period. An extension to the lease, a maximum of 21 years, would enable the club to further grow and develop and support the proposed 3G pitch installation project at the site.

Cllr Seward said that it was very much a community club and he had been involved in the discussion over the key works that were required. This would be a pre-cursor to the club signing a much longer lease, putting them on a stable footing and opening up further opportunities to apply for grants and funding to further improve the amenities, including the potential to apply for Football Association (FA) funding for the installation of a 3G all-weather pitch.

Cllr N Dixon referred to recommendation 2 and sought clarification on the level of the rent increase and whether it would be affordable to the Football Club. Cllr Gay confirmed that the agreement had been drawn up with the agreement of the Football Club. Cllr Dixon replied that it would have been helpful to have this outlined in the report.

Cllr J Rest referred to the options set out. He asked why there was not a third option – to fund the cost of the capital works. This would have been a straightforward option, whereas option 2, to extend the lease, would run over a period of 21 years. Cllr Gay replied that the lease needed to be extended regardless. The short lease was limiting the club's ability to apply for grants and funding.

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

### **Resolved**

1) That the Council extends the lease with North Walsham Town Football Club for a period of 21 years.

2) That, subject to the inclusion in the lease a requirement for an increased rent which covers the cost of the work over an agreed period of time, the Council procures and funds the necessary works to bring the site up to a fit for purpose standard.

Reasons for the recommendations:

The above provides certainty for the club which continues to grow. It also assists the Council in its funding application to the Football Foundation for the potential installation of the 3G pitch

## **109 REFURBISHMENT AND LETTING OF CEDAR HOUSE, NORTH WALSHAM AND SALE OF ADJACENT LAND & BUILDINGS**

Cllr E Seward, Portfolio Holder for Assets, introduced this item. He began by saying that the proposal would require the Council to withdraw from a previously expressed intention dated November 2014 to dispose of the asset and move forward with a proposal for the main building to be refurbished and retained by the Council for letting and consideration of options for the remainder of the site. He explained that the initial decision to sell the site in June 2014, arose out of an unsolicited offer from a pub and restaurant chain. No progress had been made since then, despite repeated attempts by the Council. He said that there was no prospect of developing a pub or restaurant before 2023/24 due to the impact of the pandemic on the hospitality industry. He then said that as a local member, residents had indicated strongly to him that they wanted to see such an historic building brought back into use. Cllr Seward concluded by saying that investment from the Heritage Action Zone project in North Walsham was making the town centre a good place to do business and it wasn't viable to have a derelict building on such a prominent site. Grants from Historic England meant that it was now financially viable to bring it back into use. The building would remain under NNDC control and would be back in use by late 2022. The Council would look to sell the remainder of the site to maximise financial return.

Cllr V Gay seconded the proposal and said that she strongly endorsed Cllr Seward's comments.

Cllr J Rest referred to page 69, section 9.2 of the report and said that he was pleased to see the current costs clearly listed.

Cllr V Holliday asked whether there was a pipeline of community groups wanting to use the renovated space. The Leader, Cllr Butikofer, confirmed that the Council had already received several enquiries from interested parties, including community groups.

Cllr C Cushing endorsed Cllr Seward's comments and asked whether consideration had been given to selling the whole site. Cllr Seward confirmed that this option was explored but now that it was financially viable to restore it, this was considered to be the better option. He explained that the building had been left to the Council by the Smith family. He believed that the property could play a role as a public venue and with the support of the Historic England funding, there was now the option of NNDC retaining ownership.

Cllr L Shires referred to the pathway that ran across the site and asked what would happen to this. Cllr Seward replied that it was not a public right of way but it had been in use for over 20 years so consideration would be given to either retaining it in its current position or moving it slightly.

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

Resolved:

- A. To formally withdraw from the current disposal transaction which, after more than six years has not progressed to completion.
- B. To retain the main Cedars building for letting purposes subject to a refurbishment as per the revised specification of works and then to market the premises to let.
- C. That the previously allocated capital funding and the grant secured from Historic England is utilised for the refurbishment as per the revised cost plan.
- D. That options are investigated for the separate use and possible disposal of the remaining parts and that marketing commences for the sale of the surplus site for potential third party development. (A further report being brought to Cabinet if disposal is deemed the most appropriate option).

Reasons for the decision:

The proposed retention and refurbishment of the property and letting for a commercial rent to community organisations or private sector would bring the property back into beneficial use. This would prevent this important Listed Building from being further at risk and would utilise grant funds already secured.

**110 MELBOURNE SLOPE FORMER TOILETS - PROPOSED REDEVELOPMENT & LETTING**

The Portfolio Holder for Assets, Cllr Seward, introduced this item. He explained that the former Public Toilets, which were owned by the Council and based at the Melbourne Slope in Cromer, closed several years ago and new facilities had since been developed elsewhere on the promenade. The vacant property had been widely advertised to let over the course of the month of April 2021 and six expressions of interest had been received. He said that it was a prominent building at the centre of the promenade and the preferred party intended to invest heavily to bring it back into use.

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

**Resolved:**

It is recommended that Cabinet should make a resolution to allow the Estates team to continue discussions with the preferred party and to finalise terms and to execute the letting. Should any further material changes be made to either the proposal or the proposed tenant then any decision should be delegated to the s151 officer in consultation with the portfolio holder.

Reason for the decision:

This recommendation is being made in order to provide the Estates team with the remit to progress negotiations with the preferred party and to secure the best deal possible to secure an early lease completion.

**111 PROPERTY TRANSACTION: LEASE PROPOSAL AT UNIT D, HORNBEAM ROAD, NORTH WALSHAM AND RENT RECYCLING PROPOSAL**

The Portfolio Holder for Assets, Cllr Seward, introduced this item. He said that Council had received a lease proposal from a local business to rent commercial premises in North Walsham. The proposal represented a market rent/terms and

initial due diligence indicated that the tenant is of good covenant strength.

During negotiations it had been identified that a clear and transparent policy regarding Council investment into assets is required to respond to recent changes in the Public Works Loan Board lending terms. It was proposed that a rent recycling was developed to enable investment into assets where regeneration was needed to bring them back into use.

Cllr N Dixon referred to page 110, paragraph 1.10 and asked whether the financial return figure that was quoted was gross or net. The Estates and Assets Strategy Manager replied that it referred to the gross rent divided by the asset valuation. She agreed to send Cllr Dixon the net figure.

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

**Resolved:**

- A. To approve the lease terms as described in Appendix A.
- B. Should there be any further negotiations to the offer made, to delegate to the s151 officer, in consultation with the portfolio holder, the ability to vary the terms of the lease and a rental value not exceeding a 10% variation the original lease proposal.
- C. To agree that officers, in conjunction with the Portfolio holder for Assets, develop a financial strategy for a rent recycle scheme and that the strategy is brought back to Cabinet for approval.

Reasons for the recommendations:

Principally to support the financial sustainability and growth of the Council by leasing the premises and generating rental income that is used to support Council services.

To provide a clear and transparent policy on how property rents can be recycled to facilitate regeneration of Council assets.

**112 EXCLUSION OF PRESS AND PUBLIC**

**113 PRIVATE BUSINESS**

The meeting ended at 10.49am.

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Chairman