

CABINET

Minutes of the meeting of the Cabinet held on Monday, 1 November 2021 at the Council Chamber - Council Offices at 10.00 am

Committee

Members Present:

Mrs W Fredericks
Ms V Gay
Mr N Lloyd
Miss L Shires

Mrs A Fitch-Tillett
Mr R Kershaw
Mr E Seward
Mr J Toye

Members also attending:

Mr A Brown
Mr C Cushing
Mr N Dixon
Dr V Holliday
Mr J Rest

Officers in Attendance:

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

Apologies for Absence:

Mrs S Butikofer

154 MINUTES

The minutes of the meeting held on 4th October were agreed and signed as a correct record by the Chairman.

155 PUBLIC QUESTIONS AND STATEMENTS

None received.

156 DECLARATIONS OF INTEREST

Cllr L Shires declared a non-pecuniary interest in agenda item 11 as the County Council member for North Walsham East.

157 ITEMS OF URGENT BUSINESS

None.

158 MEMBERS' QUESTIONS

The Chairman advised that Members could ask questions as matters arose throughout the meeting.

159 RECOMMENDATIONS FROM PLANNING POLICY & BUILT HERITAGE

WORKING PARTY

Cllr J Toye, Portfolio Holder for Planning, introduced this item. He outlined the first recommendation and explained that these were strategic policies that aligned with the Local Plan and that would be used as the basis for undertaking consultation in line with Regulation 19. He added that he believed the environmental aspects of the policies to be ahead of many other local authorities. He then spoke about the Five Year Land Supply Statement and the Housing Test Delivery result and said that the Council had delivered 104% of the previous targets set during the last 4 years. Regarding the last recommendation relating to site allocations in Cromer, Cllr Toye said that this had not been supported by the Working Party and would therefore not be included in the Reg 19 version of the Local Plan.

It was proposed by Cllr J Toye, seconded by Cllr V Gay and

RESOLVED

Local Plan Strategic Policies:

1. That the Local Plan strategic policies section be agreed as the basis for undertaking the consultation and submission in line with Regulation 19 – 22.
2. That minor amendments in the finalisation of the proposed submission version be delegated to the Planning Policy Manager and Team Leader.

Five Year Land Supply Statement 2021 and Housing Delivery Test Result

That the Council publishes the 2021 Five Year Land Supply Statement.

Local Plan Site Allocations – Cromer

That land off Roughton Road (site references C19 and C19/1) is not included as a proposed allocation in the Regulation 19 version of the Local Plan.

160 RECOMMENDATIONS FROM OVERVIEW & SCRUTINY COMMITTEE

The Chairman of the Overview & Scrutiny Committee, Cllr N Dixon, introduced this item. He said that he wished to raise some key points relating to the recommendation on the use of housing delivery reserves. He began by saying that it had been a missed opportunity for pre-scrutiny and it was only because he had insisted that the report came forward that it was considered. He said that Cabinet and the Overview and Scrutiny Committee must work together more effectively in future and that there was an agreed protocol in place to support this. Consequently, the committee was not able to allocate as much time to the topic as they would have liked. Cllr Dixon then spoke about the recommendation which proposed that the Council worked more closely with the private sector to retain privately rented accommodation in the District. He said that the committee felt that a broader, multi-source approach was needed to address the housing issues in the District and the recommendation reflected this. He concluded by saying that it was felt that there was a contradiction in the proposals to move homes in shared-ownership over to affordable rentals and the Committee requested that Cabinet fully explore this approach and assess the implications.

Cllr W Fredericks, Portfolio Holder for Housing, thanked Cllr Dixon for his comments and acknowledged the issues he had raised regarding process. She said that she

had suggested to officers that more homes should be moved from shared ownership to affordable rentals and that it was hoped to convert more as the opportunity arose.

Cllr Dixon replied that she had misunderstood the issues raised by the committee. It was felt that the issue had not been fully explored and that it could be a retrograde step. He said that there could be value in exploring all forms of housing provision. Shared ownership homes had the potential to thrive as well as returning capital receipts. It was for this reason that the committee felt there was more work to be undertaken on this matter. He said that either Cabinet should make the case clearly for converting to affordable rentals or reconsider whether it was the right approach. Cllr Fredericks thanked him for clarifying the issue. She said that the proposals had come about because there were so few larger houses available for private / social rent. A lot of shared ownership homes that were coming onto the market were not suitable for families on low wages and zero hours' contracts.

Cllr C Cushing referred to the Housing 21 facility in Fakenham which provided a mix of both shared ownership and rental homes and said that both options were proving popular.

Cllr J Rest said that he had raised the issue at the Overview & Scrutiny Committee meeting as he felt that it was not the right approach. He said that it was better to own 10% of something than 0% of nothing. He added that banks were becoming more flexible with mortgage options and requested that Cabinet review the approach being taken before moving forwards. Cllr Fredericks thanked him for his comments and assured him that this was not a backward step. The housing list had been reviewed and options explored to see how people could be helped. She said that the situation would be reviewed and monitored.

Cllr Dixon said that Cllr Rest had considerable experience of working with social housing providers and he suggested that Cllr Fredericks could work with him on this matter.

Cllr Fredericks agreed and said that she would arrange a meeting with Cllr Rest. She added that a workshop on housing would be arranged for all members.

RESOLVED

That CLT and the Housing Portfolio Holder task officers to investigate what more can be done to work with private landlords to support and retain privately rented accommodation across the District.

161 BUDGET MONITORING 2021/22 PERIOD 6

Cllr E Seward, Portfolio Holder for Finance, introduced this item. He said that although there was currently a small underspend, it was anticipated that expenditure would match income at the end of the financial year. The waste contractor, Serco, had not invoiced the Council as yet, which meant that this money was currently set aside. He added that parking income and planning application and building control income were both above that forecast. Final works on the Reef were going ahead without additional borrowing being required.

Cllr C Cushing asked for clarification regarding the reserve figures. The Director of Resources replied that the forecast balance for 01 April 2023 was £17,988,379 with the balance as at 01 April 2021 being £28,871,047. He added that this looked

artificially high due to an accounting entry for the business rates reserve.

Cllr Holliday asked whether enquiries had been made as to why Serco had not invoiced the Council yet and whether there should be cause for concern. Cllr Lloyd, Portfolio Holder for Environment, confirmed that it had been chased up. Serco's accounting was undertaken overseas. The money would continue to accrue and be set aside until an invoice was issued. The Director of Communities confirmed that this was an issue across the consortium. There had been discussions regarding the financial modelling on which the invoices would be based as all of the local authorities had had concerns. These issues had now been resolved and it was anticipated that billing was imminent. He added that due to the size of Serco, the company could carry a relatively high level of cost on their balance sheet.

It was proposed by Cllr E Seward, seconded by Cllr J Toye and

RESOLVED

- 1) That £40,000 is released from the Invest to Save reserve to fund the purchase and implementation of Planning s106 software.
- 2) That £150,000 is released from the Capital Receipts Reserve to fund the new Financial Management System purchase and implementation.

Reason for the decision:

To update Members on the current budget monitoring position for the Council.

162 NORTH NORFOLK CORPORATE PLAN - REVIEW OF DELIVERY FEBRUARY 2020 - OCTOBER 2021 AND AGREEMENT OF PRIORITY OBJECTIVES FOR THE NEXT TWELVE MONTHS

In the absence of the Leader, Cllr E Seward introduced this item. He outlined the background to the report, explaining that due to the pandemic, there had been less capacity to progress some aspects of the Council's Corporate Plan Delivery Plan as originally proposed in February 2020. Cabinet had therefore reviewed the Delivery Plan objectives and actions in October 2020 at which time it agreed eighteen priority objectives for delivery over the 12 months from October 2020 – October 2021. The report outlined the progress made in delivering against the revised priorities given the prolonged COVID situation and against some other Corporate Plan objectives where capacity has existed and proposes new priority objectives for the next year.

Cllr J Toye said that he wished to highlight a couple of issues, following the recommendation from the Overview & Scrutiny Committee earlier in the agenda. Referring to page 73, section 2.2, he drew members' attention to the possible acquisition of older housing trust properties which would be upgraded and made available for market rent. He then referred to page 87 (6.4) which proposed the reduction of staff travel and explore alternative options. Finally, he spoke about electric vehicle charging points (EVCPs) and said that the Council was ahead of other local authorities in installing these. Overall, he said that he was supportive of the proposals and said that good progress had been made.

Cllr V Holliday referred to the Corporate Plan and said that this had measuring impacts and performance metrics which were not reflected in the Delivery Plan and this made it difficult to judge the grading used. She referred to the numbers on the housing list which had a green RAG rating but said that it was hard to tell if this was

a true reflection of the figures. Cllr Holliday then referred to the sports strategy and a health and wellbeing strategy which now seemed to have dropped off. She said that these were still important issues and requested an update. Cllr V Gay, Portfolio Holder for Culture, Leisure & Wellbeing, said that the intention was to bring forward a Quality of Life Strategy which would cover health and wellbeing. In addition, the County Council was also now preparing a countywide Health and Wellbeing strategy which would come back to the District Council for input and comment.

In responding to the first point regarding performance metrics, the Director of Communities, replied that the Chief Executive would be better placed to respond. The Delivery Plan set things out in a more linear form. A lot had been delivered but not in the order intended. He accepted the query regarding the grading criteria but said that it had been subject to robust discussion but overall it was a fair reflection of the Council's progress.

Cllr Cushing commented on the lack of progress regarding income generation and cost saving ideas. Looking at page 91, objective 2, which was amber and he queried as nothing had been done on this, why it was not red. He then asked what was being done to boost local tourism as he could not see anything set out in the report.

Cllr Seward said that in terms of income generation, the Government had made it clear that they did not expect to see local authorities investing in projects for income growth – for example purchasing industrial units. In addition, it was no longer possible to borrow from the Public Works Loan Board if there were items of income growth in the capital programme. This had presented a real challenge. This meant that options to generate income growth were now limited. In terms of savings, he said that the aim of the zero based budgeting exercise that was currently being undertaken was to give a clear view of the cost of the operations of the Council, whether they were geared towards the Council's corporate priorities and if not, whether they should continue.

Cllr R Kershaw, Portfolio Holder for Sustainable Growth, replied to the comment regarding local tourism. He said that the Council had been supporting a large number of businesses during the last 18 months and continued to do so during the recovery phase of the pandemic. He said that the Council was working with Visit North Norfolk (VNN) and they had produced videos aimed at lengthening the tourist season. He acknowledged the challenges faced by the hospitality sector in recruiting staff and said that the Business Resilience and Recovery Grant scheme (BRRG) was focussing on supporting these businesses in advance of the next season. He concluded by saying that the number of businesses failing in the District remained low.

Cllr Seward said that when he had inherited the estates and assets portfolio, it was apparent that several projects had not been progressing, including the Melbourne Slope toilet building and the Art Deco building on Cromer seafront. He confirmed that they were now moving forwards.

Cllr Cushing asked Cllr Seward to clarify which projects aimed at generating income had been impeded by Government legislation. Cllr Seward replied that the establishment of a property company was no longer possible following the legislative changes.

Cllr Toye referred to the increasing support and development of eco-tourism businesses which were coming forward and which would boost the local tourist offer in a new, innovative way. He added that the recent zero based budgeting exercise

and the closing of tax-loopholes both addressed the issue of cost savings.

Cllr V Gay said that members should not underestimate the work that had carried on throughout the pandemic to maintain the District's tourism offer – including the retention of both blue and green flags and work on Council owned woodlands. In addition, the Council had continued its support for Sheringham Little Theatre and there were ongoing talks regarding the Pier.

Cllr A Fitch-Tillett, seconded the proposal and said that she wished to comment on the emphasis placed on protecting and enhancing the environment, which had led to North Norfolk becoming one of the top tourist destinations in the country. She referred to page 84 and the objective of taking the lead role nationally in coastal management as well as being a frontline authority in tackling the impact of climate change on the coast.

RESOLVED

To confirm the revised Delivery Plan priorities as detailed in Section 3.0 of the report.

Reasons for the decision:

To reflect the changed circumstances in which the Council has operated over the period since March 2020 in seeking to balance its Corporate Plan priorities against the ongoing COVID situation.

163 NORTH WALSHAM TOWN CENTRE 'PLACE MAKING' PROPOSALS

The Portfolio Holder for Sustainable Growth, Cllr R Kershaw, introduced this item. He said that he wished to propose the following amendments to the recommendations (in italics):

1. Agree to the potential use *of a section of* the New Rd Car Park as a bus interchange and to meet the revenue costs of its future maintenance
2. Agree in principle to the permanent designation of eight spaces at the Bank Loke Car Park and eight spaces at Vicarage Street car park as free short stay (1-hour) spaces, to compensate for the sixteen (30-minute) short stay free parking spaces that would be lost on Market place (*whilst retaining disabled parking spaces in the Market place*) should the place making scheme go ahead

Cllr Kershaw said that this had been a very consultative process and the Council had engaged and consulted across the board during the previous 18 months. He said that there had been objections but they had diminished over the consultation period and the majority of businesses were now persuaded about the proposals. He said that the main aim was to make the town a better place. The key issue at the moment was the Traffic Regulation Order (TRO). The idea was to stop goods vehicles and heavy traffic going through the market place, unrestricted, at all times. He went on to say that it had become clear that new toilets were needed in the town and the intention was to replace them with a changing places public convenience. However, this was separate to the Heritage Action Zone project.

Cllr Gay thanked Cllr Kershaw for clarifying the proposals regarding the removal of traffic through the town centre, which section 5.1 of the report implied. She said that there had been great concern about not allowing deliveries at the start and end of the day and the impact on the evening economy of people not being able to collect food takeaways.

The Assistant Director for Sustainable Growth said that the consultation process had only just concluded and there had been a very good level of response from a wide range of parties. The next stage would be the formal consultation on the Traffic Regulation Order.

Cllr Seward reiterated Cllr Gay's comments that the TRO should reflect people's concerns regarding deliveries and evening trade. He said that new toilets would be welcomed.

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

Resolved to approve (as amended)

To delegate the determination of the final place making designs to the Assistant Director for Sustainable Growth in consultation with the Portfolio Holder for Sustainable Growth

To delegate to the Assistant Director for Sustainable Growth in consultation with the Portfolio Holder for Sustainable Growth, having regard to the consultation feedback, the decision on the proposed Traffic Regulation Order – on which NCC will follow the statutory consultation process

Agree to the potential use of a section of the New Rd Car Park as a bus interchange and to meet the revenue costs of its future maintenance

Agree in principle to the permanent designation of eight spaces at the Bank Loke Car Park and eight spaces at Vicarage Street car park as free short stay (1-hour) spaces, to compensate for the sixteen (30-minute) short stay free parking spaces that would be lost on Market place (whilst retaining disabled parking spaces in the Market place) should the place making scheme go ahead.

Reasons for the recommendations:

To enable the North Walsham 'place making' proposals to progress in a timely fashion and to ensure the land and resources are made available for the bus interchange proposals to be further developed.

164 COUNCIL POLICY IN RELATION TO THE REGULATION OF REGULATORY POWERS ACT 2000 (RIPA)

Cllr N Lloyd, Portfolio Holder for Environment, introduced the report. He began by saying that section 3.1 should state 'in the last two years' not 'two months'. He then explained that the policy had been revised following an audit of the Council's activities by the Investigatory Powers Commissioners Office (IPCO) conducted in 2021 and was presented to Members for approval.

It was proposed by Cllr N Lloyd, seconded by Cllr J Toyne and

RESOLVED

That the changes to the revised Regulation of Investigatory Powers Act 2000 Policy and Procedures, set out at Appendix A, be approved.

Reason for the decision:

The Policy has been revised following an audit of the Council's activities by the Investigatory Powers Commissioners Office (IPCO) conducted in 2021. Members are required to be aware of the RIPA activity undertaken by the Council.

165 EXCLUSION OF PRESS AND PUBLIC

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

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(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A (as amended) to the Act.

166 PRIVATE BUSINESS

167 EXTENSION AND AMENDMENT TO CO-MINGLED DRY RECYCLABLE WASTE PROCESSING CONTRACT WITH NORSE ENVIRONMENTAL WASTE SERVICES

It was proposed by Cllr N Lloyd, seconded by Cllr J Toye and

RESOLVED

To amend and extend the current joint venture company contract with NEWS for three years from 2024 to 2027, accepting a shift to a variable gate fee based on actual costs from October 2021.

Reason for the recommendation:

The proposal to extend the contract with NEWS offers the Council the best value over the full term of the remaining contract and proposed extension period.

The meeting ended at 11.03 am.

Chairman