

OVERVIEW AND SCRUTINY COMMITTEE

Minutes of a meeting of the Overview and Scrutiny Committee of Broadland District Council, held at Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich on Tuesday 3 January 2023 at 10.00am when there were present:

Committee Members Present: Councillors: M Murrell (Chairman), S C Beadle, N Brennan, P Bulman, S Catchpole, J Davis, S Holland, K Leggett and G Nurden.

Apologies: Councillors: N Harpley, C Karimi-Ghovanlou and S Riley.

Cabinet Members in Attendance: Councillors: J Copplestone and J Leggett.

Officers in Attendance: The Chief of Staff (Monitoring Officer) (E Hodds), the Assistant Director for Planning (H Mellors), the Assistant Director for Economic Growth (G Denton), the Assistant Director for Regulatory (N Howard), Principal Planning Policy Officer (A Banham), Senior HR and OD Lead (V Finch) and the Democratic Services Officer (J Overy).

The Chairman asked those present to note the sad passing of Cllr Sue Prutton by observing a minute's silence in her memory.

82 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Harpley, Cllr Karimi-Ghovanlou and Cllr Riley.

83 MINUTES

The minutes of the meetings held on 15 November and 22 November 2022 were agreed as a correct record.

84 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed back James Overy, the Democratic Services Officer, following his recent illness.

CABINET REPORTS

84 GREATER NORWICH LOCAL PLAN GYPSY AND TRAVELLER SITES FOCUSED CONSULTATION REPORT

The Principal Planning Policy Officer introduced the report, which sought Cabinet approval to undertake a public consultation on the allocation of Gypsy and Traveller sites in the Greater Norwich Local Plan (GNLP).

The GNLP had been submitted in July 2021, with the requirement for further work to be done to identify sufficient sites for Gypsy and Travellers. This work had subsequently been undertaken and had identified the need for a total of 53 pitches in Greater Norwich. A pitch could be defined as enough space for a family touring caravan, a static caravan and space for vehicles and a dayroom. Ten favoured sites with enough space for 62 pitches had been identified for consultation, which was scheduled to take place from 30 January to 13 March 2023.

In Broadland the favoured sites were at Eastgate in Cawston, near the A47 in Lingwood and an expansion of the existing sites at Stratton Strawless, Horsford and Foulsham.

In response to a query the Assistant Director for Planning informed members that the planned consultation in 2022 had not taken place, as decisions on the GNLP were required to be unanimous and South Norfolk had not supported the consultation due to concerns about the Costessey site and the number of sites being put forward at the time. The Costessey site was only a proposed contingency site as part of this consultation and the choice of sites elsewhere had now been expanded. The contingency site would only be brought forward by the inspector, if other sites were not brought forward.

A member noted that the road improvements from Blofield to North Burlingham were subject to legal challenge, which would put the proposed A47 site for 15 pitches at risk and he suggested that the risk should be acknowledged in the consultation papers. In response, it was confirmed that this risk could be highlighted in the consultation and that the site would only come forward if the road improvements were made.

It was emphasised that the Government Guidance only required sites for the first five years of the GNLP, so that initially only 31 out of the 62 pitches being consulted on were needed to be allocated in the plan.

In answer to a query the meeting was informed that there was no preferred size of site, as the need varied from place to place, with some smaller sites being preferred in some areas and larger ones in other areas. It was also

noted that locating sites in areas with access to local services was challenging, but one approach being used was to provide scope for expansion at sites that had already proven successful, such as at Stratton Strawless and Foulsham. It was also confirmed that the Council worked with the Norfolk and Suffolk Gypsy, Roma and Traveller Service, to establish contact with unauthorised sites.

Members were informed that only minor changes, such as the additional risk to the A47 site at the North Burlingham junction referred to above, would be made under delegated authority to the documentation prior to its publication.

It was confirmed that members would be advised when the consultation would be published on the website and members with Wards where sites had been proposed had also been kept informed of the consultation.

Following a show of hands, with 8 in favour and 1 abstention it was

RECOMMENDED TO CABINET

It is recommended that Cabinet:

1. Approves the focused consultation on the Greater Norwich Local Plan proposed allocations for Gypsy and Traveller sites; and
2. Agrees to delegate authority to the Assistant Director – Planning, in consultation with the Leader and Portfolio Holder for Communities, Housing and Planning, to agree consultation documentation and materials prior to the public consultation.

85 TO ESTABLISH AND ENTER INTO A JOINT VENTURE TO DELIVER A PROGRAMME OF MITIGATION FOR NUTRIENT NEUTRALITY

The Assistant Director for Planning introduced the report, which proposed the establishment of a Joint Venture to source the mitigation to overcome constraints imposed by Natural England in respect of nutrient neutrality.

The Committee was reminded that in March 2022 Natural England had imposed constraints that required planning applications for new overnight accommodation to demonstrate that they were nutrient neutral.

This requirement had had a significant impact on housing development in Broadland and a number of other Norfolk councils and, therefore, it was proposed that the authorities (Breckland, Norwich City, North Norfolk and South Norfolk) and Anglian Water work together to identify a solution.

The Joint Venture would seek to provide a range of environmental credits, initially focusing on nutrient neutrality for small and medium sized developers, who would not otherwise be able to provide mitigation required themselves. This might be expanded in the future to other environmental credits, such as green infrastructure and biodiversity net gain.

In order to provide seed funding in 2022/23 for the establishment of the Joint Venture, it was proposed that Broadland would provide a loan of £150,000 from the Environmental Projects Reserve, which would be repaid with interest from the Joint Venture in due course. From 2023/24 onwards each member of the Joint Venture would then provide a loan of £30,000.

It was confirmed that due diligence would be carried out to ensure that enough mitigations had been identified to cover the credits that would be sold and that credits would only apply to the catchment area to which they applied.

The Committee was informed that initially the Joint Venture would be focusing on environmental credits for overnight accommodation, i.e., housing developments. The provision of any other environmental credits by the Joint Venture would need to be brought back to members for determination in due course

Members were advised that the initial aim of the Joint Venture was to provide short term mitigation measures, such as cover crops and taking agricultural land out of use where solar farms had been installed. However, exact details of these mitigation measures for the environmental credits were not detailed, as the report was focused on establishing the Joint Venture.

A member expressed concern that mitigations put forward by developers could lead to sewage treatment works in small scale housing developments, which could lead to problems in the longer-term and that he would not want the Council to promote such mitigations.

Members were informed that the mitigation measures would off-set the impacts of new developments to ensure they had a neutral impact. Agriculture remained the main nutrient polluter of water courses and this was being addressed by other agencies.

It was also noted that meeting nutrient neutrality requirements could place further pressure on viability and developer contributions, including affordable housing. However, this was a matter that would be considered via the planning process, rather than through this report.

A member noted that Broadland was being asked to make a loan of £150,000 from the Environmental Projects Reserve to establish the Joint Venture and that according to the Heads of Terms if this sum could not be repaid it would be written-off. She suggested that this sum should be split equally between each local authority to minimise this risk.

In response, the Committee was informed that it was proposed that this sum be provided by one local authority in order to expedite the establishment of the Joint Venture and that any risk to this loan was very small. It was also confirmed that S151 officers had been involved in the drafting of the Heads of Terms and were content with the terms of the proposed loan. Not having the

seeding fund loan provided by a single authority would also delay the establishment of the Joint Venture.

However, despite this assurance it was proposed and seconded that the initial Joint Venture seed funding loan for 2022/23 should be made up of £30,000 from each of the five local authorities.

Following further discussion, it was proposed that recommendation 4 should be amended to the following:

That the initial Joint Venture seed funding loan of £150,000 for 2022/23 should be made up of £30,000 from each of the five local authorities. In the event that Cabinet wished to front fund the whole sum of £150,000 for expedient purposes, it should be made clear in the Heads of Terms that this sum would be paid back to the Council by each local authority.

In answer to a query, it was confirmed that senior officers would be appointed as member directors of the Joint Venture but would receive no remuneration for this role.

It was confirmed that the Director of Place would provide a written response to queries raised about the following matters in the Heads of Terms:

- More details about the employment of staff by the Joint Venture. Would they be employed by the Council, the Joint Venture or both and what would the costs of this be? (20, Reserved matters).
- Who would be provided with monthly management accounts? (26, Information rights).
- Clarification regarding reference to 'persistent/material' (29 Membership termination).

In answer to a query about planning applications on temporary hold due to nutrient neutrality, it was confirmed that a small number that had identified mitigations had been released, but the majority would remain on hold until solutions were found.

Following a show of hands, it was unanimously:

RECOMMENDED TO CABINET

1. Enter a Joint Venture (a company limited by guarantee) with Anglian Water and one or more local authorities in Norfolk for the provision of environmental credits (initially focussing on addressing nutrient neutrality) as per the attached Heads of Terms.

2. To commit £30,000 revenue in 2023/24 as part of establishing the Joint Venture. The purpose of the funding being to establish the operating model in year one, after which there will be full recovery of the operating costs as part of the credit income.
3. Delegate to the Director of Place in consultation with the Leader of the Council to finalise the details of the joint venture agreement and operating arrangements and enter the Joint Venture.
4. *That the initial Joint Venture seed funding loan of £150,000 for 2022/23 should be made up of £30,000 from each of the five local authorities. In the event that Cabinet wished to front fund the whole sum of £150,000 for expedient purposes, it should be made clear in the Heads of Terms that this sum would be paid back to the Council by each local authority.*
5. Delegate to the S151 Officer in consultation with the Portfolio Holder for Finance to finalise the details of the seed funding and repayment mechanism

The Committee adjourned at 11.10am and reconvened at 11.17am, when all the Committee members listed above were present.

86 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 TOWN POLICE CLAUSES ACT 1847 TAXIMETER TARIFF (TABLE OF FARES) CONSULTATION RESPONSES

The Assistant Director for Regulatory introduced the report, which detailed the results of a consultation exercise in respect of a proposed table of fares, which would be applicable to any licensed hackney carriages from 1 April 2023. The draft table of fares and associated consultation responses were presented for Cabinet's consideration and subsequent adoption.

Members were advised that although the Council did not currently have any hackney carriages licensed in the District it was appropriate to have the arrangements in place for a table of fares, as part of the Hackney Carriage and Private Hire Vehicle Policy Terms and Conditions.

Following a show of hands, it was unanimously

RECOMMENDED TO CABINET

1. Consider the draft table of fares document.
2. Consider the responses received to the consultation exercise, and any consequent proposed amendments to the draft table of fares.
3. Agree the proposed table of fares for their adoption with a view to the agreed fares taking effect from 1 April 2023.

87 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting for the remaining items of business because otherwise, information which is exempt information by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by The Local Government (Access to Information) (Variation) Order 2006, would be disclosed to them.

88 HR AND PAYROLL – HUMAN RESOURCES MANAGEMENT SYSTEM AND PAYROLL BUREAU

The Chief of Staff presented the exempt report, which requested that Cabinet consider the business case to proceed with a new Human Resources Management System and Payroll Bureau service for the Council.

Following a show of hands, it was unanimously

RECOMMENDED TO CABINET

To agree the recommendations as set out in the report.

89 PLUMSTEAD ROAD EAST: WORKS COST CONTRIBUTION AGREEMENT FOR A PRIORITY T-JUNCTION

The Assistant Director for Economic Growth presented the exempt report, which sought approval to enter into a Works Cost Contribution Agreement to facilitate the delivery of a T-junction on Council owned land off Plumstead Road East.

Following a show of hands, it was

RECOMMENDED TO CABINET

To agree the recommendations as set out in the report.

(The meeting concluded at 11.48 am)

Chairman