

# **Overview and Scrutiny Committee**

## **Review of Cabinet Agenda**

### **Members of the Committee**

Cllr S Riley (Chairman)

Cllr M Murrell (Vice Chairman)

Cllr N J Brennan

Cllr P E Bulman

Cllr S J Catchpole

Cllr J Davis

Cllr N J Harpley

Cllr S I Holland

Cllr C Karimi-Ghovanlou

Cllr K S Kelly

Cllr D King

Cllr K G Leggett MBE

Cllr G K Nurden

Cllr S M Prutton

Cllr N C Shaw

### **Date & Time:**

Tuesday 3 May 2022 at 10.00am

### **Place:**

Council Chamber Thorpe Lodge, 1 Yarmouth Road, Thorpe St Andrew, Norwich

### **Contact:**

Leah Arthurton tel (01508) 533610

Email: [Leah.arthurton@southnorfolkandbroadland.gov.uk](mailto:Leah.arthurton@southnorfolkandbroadland.gov.uk)

Website: [www.southnorfolkandbroadland.gov.uk](http://www.southnorfolkandbroadland.gov.uk)

**This meeting will be live streamed for public viewing via the following link:**

<https://www.youtube.com/channel/UCZciRgwo84-iPyRImsTCIng>

### **PUBLIC ATTENDANCE:**

If a member of the public would like to attend to speak on an agenda item, please email your request to [committee.bdc@southnorfolkandbroadland.gov.uk](mailto:committee.bdc@southnorfolkandbroadland.gov.uk), no later than 5.00pm on Wednesday 27 April 2022.

# AGENDA

1. To receive declarations of interest under Procedural Rule no 8 3
2. Apologies for absence
3. Minutes of meeting held on 12 April 2022 5
4. Matters arising therefrom (if any)
5. Chairman's Announcements
6. Public Speaking

To consider representation from the members of the public who have expressed the wish to convey their views on items on this agenda.

In accordance with the Constitution a period of 3 minutes is allowed per member of the public.

## 7. Cabinet Reports

To consider the Cabinet reports in respect of the 12 May 2022 meeting.

Members are asked to refer to the Cabinet Agenda, which will be published on the Council's website no later than Thursday 28 April 2022.

## DECLARATIONS OF INTEREST AT MEETINGS

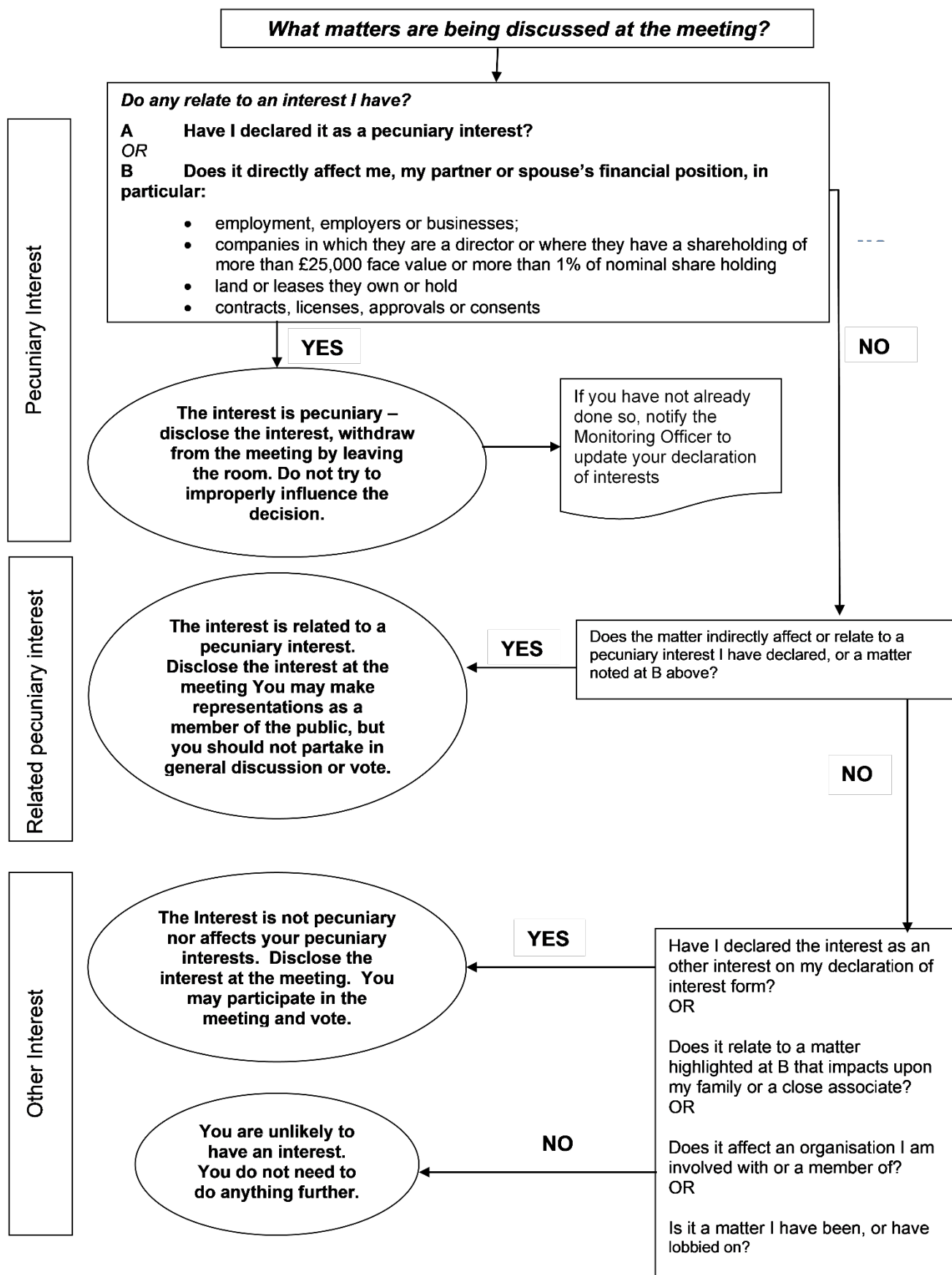
When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

<p>Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.</p>
<p>Does the interest directly:</p> <ol style="list-style-type: none"> <li>1. affect yours, or your spouse / partner's financial position?</li> <li>2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?</li> <li>3. Relate to a contract you, or your spouse / partner have with the Council</li> <li>4. Affect land you or your spouse / partner own</li> <li>5. Affect a company that you or your partner own, or have a shareholding in</li> </ol> <p>If the answer is "yes" to any of the above, it is likely to be pecuniary.</p> <p>Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.</p>
<p>Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?</p> <p>If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.</p>
<p>Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.</p>
<p>Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.</p>

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.**

**PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE**

**DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF**



## 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 12 April 2022 at 10.00 am when there were present:

**Committee Members Present:** Councillor: S Riley (Chairman), M L Murrell (Vice-Chairman), N J Brennan, P E Bulman, S J Catchpole, J Davis, K S Kelly, and KG Leggett MBE.

**Substitutes** Councillor: S Beadle (for S Holland).

**Other Members in Attendance:** Councillors: J Leggett, and J Emsell.

**Officers in Attendance:** The Director of Place, Assistant Director of Individuals and Families, Assistant Director Economic Growth, Assistant Director of Community Services, the Senior Governance Officer, the Monitoring Officer and Chief of Staff, Assistant Director ICT/Digital and Transformation, Democratic Services Officer (JK)

### 135 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Harpley, Cllr Holland, Cllr Karimi-Ghovanlou, Cllr Nurden, Cllr Prutton and Cllr Shaw.

### 136 MINUTES

The minutes of the meeting held on 29 March 2022 were agreed as a correct record.

### 137 ADDENDUM TO THE 2022-24 DELIVERY PLAN AND THE USE OF THE EARMARKED RESERVES CREATED AS A RESULT OF THE IN-YEAR BUDGET OPTIONS

The Monitoring Officer and Chief of Staff introduced the report, which detailed the proposed initiatives relating to the use of the Earmarked Reserves, created as a result of the In-Year Budget Options. The key areas which would be supported by these additional monies were outlined as follows:

- Progress towards carbon net zero
- Accelerating our Growth Agenda
- Our Environment
- Supporting Our Communities
- Investing on our talent and pipeline for the One Team

The total of the monies available was £2.578m and 13 initiatives have been identified and described in the report. Subject to agreement, these amendments would be added to the Delivery Plan.

A query was raised on whether the figures for the three new posts in Economic Development included on costs and if so, there should be a corresponding saving elsewhere in the budget to allow for the on costs being spread. The Monitoring Officer and Chief of Staff explained that although on costs of about 27% are indeed included for each post, these on costs are simply the direct costs, i.e., employer pension contributions and employer national insurance and were not general business overheads.

The Chairman asked where the business case for the three new posts was and the Assistant Director of Economic Development advised that unfortunately, this was an error in the report and that the answer should have been no for the question "Subject to a Business Case?" He went on to explain that a business case was not needed as the budget for these posts have already been costed and worked through. Members requested that this error was clarified at the Cabinet meeting.

In response to a question on the timeframes for the proposals that did need business cases, the Monitoring Officer confirmed that each would be different, depending on the work involved. All of these proposals were due for delivery in the next two years and so officers were keen to progress them. The Monitoring Officer confirmed that as soon as the business cases were ready, the Assistant Directors would present them to members.

The Chairman queried what would happen to the monies if not used, or if the business case failed. The Monitoring Officer advised that Cabinet could decide to either leave it in reserves or could ask for another business case, or agree to move it elsewhere.

One member commented that it was good to see the environment and communities were prioritised. However, she queried why there was no mention of access to the internet or supplying IT hardware as access to internet was needed for job applications or to claim benefits. The Assistant

Director for Individuals and Families agreed that this area was important and that the IT aspect would be factored into the proposal.

In response to a query on how this might work, the Assistant Director for Individuals and Families advised that officers were working with the library services to provide access to laptops and tablets for families, and the possibility of offering data, or trying to improve speed issues was also in hand.

In response to a comment from a member about the difficulty in accessing the Norfolk Assistance Scheme (NAS), the Assistant Director for Individuals and Families reassured members that our Help Hub team was more resilient since the collaboration and fully resourced to answer the phone between 8.30am and 5.00pm. He went on to say that he was soon to be meeting with the manager of NAS and he would raise the issue of unanswered phones with the manager.

A member raised a query around including assistance to residents who were having difficulty in paying mortgage as well as those who rent. The Assistant Director for Individuals and Families confirmed this was being looked at, but there were issues, for example using taxpayers money to help repay a capital asset, the fact those residents did have a capital asset they could possibly utilise and that this would assist private companies. One member advised of a previous scheme where the Council could buy a house and rent it out which avoided upheaval and kept them in their family home. The Assistant Director for Individuals and Families had not heard of this scheme but would look into it. It was also noted that mortgage payers had the option of contacting their lenders to arrange to make interest-only payments for a period if they were experiencing financial hardship.

The Assistant Director for Individuals and Families advised members that the really critical issue was to solve the issues that brought these residents to this difficult place rather than just alleviate the symptoms and this may include honest conversations around downsizing for some people who own their home.

One member commented that their experience of the Help Hub had been really positive and suggested using avenues such as parish newsletters to communicate the help available to those residents with no access to internet or libraries.

Development Management was the next area to be scrutinised and the Director of Place advised that the recommended temporary increase in planners was needed and welcome, but that these posts were hard to recruit to. In response to a query, the Director of Place explained there were contingency plans in place, but these were not ideal, for example maybe recruit some more graduate apprentices or consider a career change for people with some understanding of planning issues. He went on to explain that the main issue was that experienced, senior officers were needed for

the large, complex issues and so the answer was not always just to recruit apprentices.

One member raised the issue of current delays in deciding planning applications and the Director of Place advised that the team were doing their best, but there were indeed delays, caused by unprecedented levels of applications, a large number of complex cases, the impact of Nutrient Neutrality, together with lack of planners and the fact the private sector was attracting experienced planners with more money than the Council offered. The significant impact of Nutrient Neutrality was discussed at length and the Director of Place appreciated any support the members could give to parishes to explain the situation.

In response to a query from a member, the Director of Place confirmed agency staff were already being used, and that recruiting from abroad had been investigated however the UK planning system was unique and therefore it was difficult to recruit from abroad as they simply did not have the knowledge or experience required.

The Chairman focussed the discussion back onto the report and the Director of Place agreed with a suggestion from members that all options would be explored, including the possibility of golden hellos or golden handcuffs, but the impact of such incentives on the morale of others in the team, or staff in other teams, did need to be considered.

The Chairman summed up the discussion, asked that the details around the internet access issue to be included in the consideration by Cabinet, and with that proviso:

Following a show of hands, it was unanimously:

#### **RECOMMENDED TO CABINET**

That Cabinet recommends to Council:

1. To approve the transfer between the earmarked reserves to enable the funding of the 13 initiatives as shown in the table in section 4.1.
2. To approve that the spend within these newly adjusted earmarked reserves be delegated to the appropriate Assistant Director in consultation with their Portfolio Holder.
3. The addendum to the 2022/24 Delivery Plan as shown in Appendix B.

## **138 PROPOSED CAPITAL INVESTMENT IN RENEWABLE ENERGY INFRASTRUCTURE**



The Director of Place introduced the report, which asked for approval to move £1m in our reserves into the Capital Programme, to be set aside for renewable energy infrastructure. This report was being presented to members now, as last week an opportunity arose for infrastructure to be provided to connect a proposed solar park near the Food Enterprise Park (FEP) to the businesses on the FEP. The Director of Place explained that in order to move quickly when needed, the £1m needed to be earmarked now as a line in the capital budget so the monies could be drawn down and it was just too late for this request to be included in the main Capital Budget report which is why it was separate.

Members queried some of the detail around the proposed project and the Director of Place explained that it was too early to provide much specific information and that all the details would be in the subsequent business case which would come to members soon. This was a three-step process:

- Earmark the reserves (i.e., this report in front of members now);
- Then come back to members with a proposed loan agreement;
- Then thirdly to come back to members again to raise a green bond.

At those later stages, members would either agree to the proposed project, or turn it down at which point the £1m would either go back into reserves or be invested in another project. So the decision here, was simply to earmark the reserves at this stage.

One member expressed their full support as he felt that this was an exciting opportunity alongside the opportunity of a green bond. In response to a concern about the location, the Director of Place advised the proposal would need to be put through the proper planning process. One member queried if this could be a conflict of interest as the Council, as the Planning Authority, would determine the planning permission and also own the land. The Director of Place reassured members that this was a common occurrence as the local Planning Authority was a separate quasi-judicial body that sat outside of the Council to make such decisions, for example for Broadland Growth.

The Chairman of the Environmental Excellence Policy Development Panel expressed his support, advised it had been one of the Panel's recommendations and proposed that members endorsed this to Cabinet.

Following a show of hands it was:

## **RECOMMENDED TO CABINET**

That Cabinet recommends to Council:

1. To agree the inclusion of £1m to enable capital investment in renewable energy projects and/or associated infrastructure in the Capital Programme for 2022/23.

## 139 UKRAINE UPDATE BRIEFING REPORT

The Assistant Director for Individuals and Families introduced this report which provided an overview of the ongoing work in the districts to prepare for the arrival of Ukrainian refugees. The background to the current scheme, was that at present at least, just sponsored families were coming to the UK. The process was that the UK host family identifies a Ukrainian family, then a sponsored visa is applied for from the Home Office, and then they are granted a visa and come to the UK. The visa is for three years and the host family must commit to at least six months as hosts.

The Assistant Director for Individuals and Families went on to explain that once the Council was made aware of a visa, a visit would be made by a Council officer to check on the house to ensure it was fit for occupation and then the Home Office would be advised. Once the family are in situ, then a further welfare check would be made to ensure the right number of people turn up and to deal with any immediate issues. These could range from ensuring there was enough food, to being aware of possible exploitation issues.

So far, in Broadland district there have been approximately 17 volunteers for host families, but as yet no take up and approximately 50 offers in South Norfolk district and five families so far have been successfully hosted.

There are risks to the Council as the visa would be issued for three years, but the host only commits to six months. After that time, or earlier if for whatever reason the six month hosting did not work out, then the Council has a statutory duty to re-home them as they would be classified as homeless.

However the majority of the families coming over want to work and make a life for themselves and so if we can support them into employment, they are more sustainable and could possibly go into private rented accommodation.

One member raised the issue of ensuring there were enough spaces in schools and colleges and the Assistant Director for Individuals and Families confirmed this as a key consideration when placing families.

The Chairman raised the issue of the £10,500 funding per refugee and the Assistant Director for Individuals and Families confirmed these funds would be held by Norfolk County Council and distributed as needed. The Council would be likely to send the funding on:

- Housing Officer
- Community Support Officer
- Grants to support successful and sustainable hosting
- Funding to support successful and local Voluntary, Community and Social Enterprise (VCSE)
- Central fund held for the draw down of temporary housing costs

The Assistant Director for Individuals and Families went on to explain that for a family with standard needs, this funding should cover most costs, however for families with special needs, Norfolk County Council might need to a significant portion of that funding to support, for example traumatised children.

The Vice Chairman asked if any Ukrainian speakers had been employed and the Assistant Director for Individuals and Families confirmed that two fluent Ukrainian speakers had already been employed to enable the full integration of families.

The Chairman was clear that local members must be advised of any placements as local members were best placed to know where help and support could be provided and also to be aware, just in case issues arose. The Assistant Director for Individuals and Families confirmed that all local members would be advised as soon as the placement was approved and also advised that there was very little the Council could do to speed up the pace of placements as it was in the hands of the Home Office. Members were reassured that officers would complete their checks as quickly as possible.

Following a show of hands if was unanimously:

#### **RECOMMENDED TO CABINET**

1. To acknowledge arrangements put in place.
2. To agree delegation to the Director of People and Communities, in consultation with the portfolio holder for Housing and Wellbeing to utilise any devolved funding to support Ukrainians.

### **140 PUBLIC SECTOR EQUALITY DUTY ANNUAL REPORT**

The Senior Governance Officer presented the report, along with the draft joint Public Sector Equality Duty Annual Report for 2021-22. As a public body, the Council had a statutory requirement to report annually on how the Council had complied with its obligations under the Public Sector Equality Duty, as required by the Equality Act 2010. The Annual Report was also required to be published on the Council's public website.

The Annual Report contains a list of the nine characteristics which were protected under the Equality Act. In addition, in exercising our functions, due regard needed to be given to three specific areas, both for service users and staff. The Senior Governance Officer briefly summarised these areas as follows:

To "Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act".

*In addition to the more obvious work undertaken by the Help Hub when they deal with vulnerable people who have fallen victim to harassment or discrimination, this section also required the Council to pay due regard to equality issues when forming policies, and in its processes to ensure it was not discriminating against anyone with a protected characteristic.*

To “Advance equality of opportunity between people who share a protected characteristic and people who do not”.

*Advancing equality was about treating everyone the same. Advancing equality was about removing or reducing disadvantages suffered by people, due to their protected characteristics and this sometimes meant that the Council needed to treat these individuals more favourably than others, to bring them up to the same level of opportunity as everyone else.*

To “Foster good relations between people who share a protected characteristic and those who do not”.

*This could be achieved through a variety of ways – for example - through the Council’s Community Connectors introducing people to local groups where they can make friends and get help, through officers and members helping to set up community groups, and it also included raising awareness and providing positive messaging around subjects such as mental illness and accessibility and promoting events such as World Menopause Day and Norwich Pride.*

Within the Report, each of these three sections had been explored, firstly providing evidence of how these have been met for residents and secondly how they have been met for staff, as required under the Act.

As a Local Authority, this was not just a tick box exercise, but was how the Council dealt with issues and staff on a daily basis and the Senior Governance Officer explained a number of real life examples had been included in the report where some really good work had been done and made huge differences to people’s lives.

Following a show of hands it was unanimously.

## **RECOMMENDED TO CABINET**

1. To approve the joint Public Sector Equality Duty Annual Report, as attached as Appendix A.

## **141 EXCLUSION OF 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.

## **142 FRETtenham DEPOT REDEVELOPMENT**

Members considered the exempt report of the Assistant Director of Community Services, which outlined plans for the initial phase of the redevelopment of the Frettenham Depot site, which was owned by the Council.

Members noted that the report sought approval to direct award the contract for the project management of the redevelopment of the site. As the total cost of the works would be over £100,000, the waiving of the procurement standing orders required approval from Cabinet.

The Assistant Director of Community Services presented his report, referring members to the reasons for the proposals, and the associated cost savings. Members noted that the proposal would not only save the Council money but would shorten timescales and save officer time.

In response to a query concerning what the redevelopment would entail, the Assistant Director of Community Services explained that the current site was not fit for purpose and that the redevelopment would require the construction of new buildings, with appropriate car parking.

One member queried whether the cost of an electric sub-station had been included in the redevelopment calculations. The Assistant Director of Community Services explained that this cost had not yet been factored in as all options for environmentally friendly technologies and materials would require consideration, and he made particular reference to the use of hydrogen.

The Chairman drew attention to the risks, which related to car parking at the site, during the redevelopment. The Assistant Director of Community Services explained that this had been discussed and it was hoped that a temporary car park off site could be provided, and that a bus would run staff to and from the site. This was the preferred option due to the potential costs associated with the contractor having to operate from another site.

The Portfolio Holder for Environmental Excellence advised members that a number of previous proposals have been undertaken for Frettenham so there was already a good idea of the costs and she confirmed that further reports will be brought to members at the appropriate times.

One member raised the issue of hard copy documents as in the past, the depot was used as a storage facility. The Monitoring Officer advised that as far as she was aware, no documents were stored at the depot, however if any came to light, they would be dealt with appropriately.

Following a show of hands it was:

**RECOMMENDED THAT CABINET** approve the recommendations as outlined at paragraph 8 of the report

#### **143 MICROSOFT ENTERPRISE AGREEMENT – CONTRACT AWARD**

Members considered the exempt report of the Assistant Director of ICT/Digital and Transformation, which provided an update on the progress of the contract award for the provision of the Microsoft Enterprise agreement, for both Broadland and South Norfolk Councils.

The Assistant Director ICT/Digital and Transformation reminded members of the paper presented to them back in February 2022, which had resulted in a contract award, based on price. Members noted that since that award, the then preferred supplier had withdrawn its original submission, and following a further evaluation of the revised pricing, the contract had been awarded to a different supplier. This had been authorised by the Managing Director, through special provisions which could be exercised in matters of urgency. The purpose of the report, therefore, was to request retrospective approval of that decision.

Addressing the Committee, the Chairman advised that this issue had been discussed at length in the February meeting and that it was important members endorsed the recommendation.

Following a show of hands it was unanimously:

**RECOMMENDED THAT CABINET** approves the recommendation as outlined in paragraph 9 of the report.

(The meeting concluded at 12.05pm)

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Chairman