

## 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 8 June 2021 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, N J Harpley, D Harrison, C Karimi-Ghovanlou, K S Kelly, K Leggett, G K Nurden, and S M Prutton.

**Other Members in Attendance:** Councillors: Cllr F Whymark

**Officers in Attendance:** The Director of Resources, Director of Place, Chief of Staff, Assistant Director of Individuals and Families Senior Finance Business Partner, Strategy and Programmes Manager, Housing Standards Senior Manager, Senior Governance Officer (SW), and Democratic Services Officers (LA, JO)

### 1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Holland, Cllr King and Cllr Shaw.

### 2 MINUTES

The minutes of the meeting held on 13 April 2021 were agreed as a correct record, save for the following amendment:

*Minute No: 260 – Member IT*

Paragraph 7 was amended to refer to the Vice-Chairman of the Service Improvement and Efficiency Committee, not the Chairman.

### 3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Cllr Ken Leggett, a new member of the Committee, to the meeting.

Members gave a vote of thanks to Cllr Tony Adams, the former Vice-Chairman of the Committee, and wished him a swift recovery from his recent illness.

### **CABINET REPORTS**

#### **4 REPORT COVID-19 RECOVERY PLAN 2021 - 2022**

The Director of Resources introduced the report, which provide an update on the proposed actions contained within the new Covid-19 Recovery Plan 2021-2022.

The report explained that since the start of the pandemic the Council had received a range of funding streams to support an effective recovery for communities and businesses. The allocation of a number of projects had already been agreed and the Recovery Plan appended to the report provided more detail of these activities. The report also identified further actions that required member approval before being taken forward.

In response to a query about staff who had volunteered to assist the NHS the Committee were advised that they were now all back in their previous roles for the Council, but they had done a fantastic job and this had been recognised by the Lord Lieutenant of Norfolk, who had commended them for coming forward to support the NHS in a time of need.

In answer to a question about the Customer Experience and Insight Lead post, it was explained that the purpose of this role was to gain a greater insight into what residents wanted and expected from the Council in order for services to be delivered more effectively. It was also about how people engaged with the Council and how Broadland could interact with its hard to reach residents.

In response to a question from the Chairman about the proposed Kickstart Programme and Choices project the Director for Place informed members that he would email the Committee further details following the meeting.

Following a show of hands it was unanimously:

#### **RECOMMENDED TO CABINET**

1. To consider and approve the proposed actions as set out in the attached Covid-19 Recovery Plan 2021-2022.
2. To approve the indicative sums set out in Appendix A and the table at 4.4 to provide further support to the Covid-19 recovery, and to delegate to the relevant Director, in consultation with the appropriate Portfolio Holder in order to utilise the funding flexibly and to ensure the greatest impact.

### **5 BID TO THE COMMUNITY INFRASTRUCTURE FUND FROM SPROWSTON TOWN COUNCIL**

The Director for Place introduced the report, which presented a bid from Sprowston Town Council for a loan of £250,000 from the Community Infrastructure Fund (CIF) to enable the renovation of the former Viking Public House into a multi-use community hub. The CIF enabled parishes to bring forward community infrastructure projects ahead of receipt of their Community Infrastructure Levy (CIL).

It was considered that the loan was reasonable and met the criteria for the use of CIL receipts and that there was no foreseeable risk that the loan would not be repaid, as the Town Council was scheduled to receive in excess of £2m in CIL over the next two years.

In answer to a query, it was confirmed that the CIF was constantly being replenished, so that funds would remain available for other Parish and Town Councils if required. It was emphasised that the loans were low risk and the Council could even use its reserves to provide them if it wished to do so.

The Vice-Chairman noted the CIL schedule for development in Sprowston, which demonstrated that the loan would be easily affordable for the Town Council to repay. It was noted that there was a backstop date for repayment of five years, but it was highly unlikely that this would be reached.

In answer to a question about monitoring the success of a project, the Committee were advised that projects had to meet the regulations for appropriate use of CIL and there was a mechanism in place to claw back a loan if it was found to be not in accord with this criteria. It was emphasised that the Council had a very good relationship with its Town and Parish Councils and would never let itself get into such a position.

Members noted that all bids to the CIF would go to Cabinet and that, therefore, the Committee would retain oversight of the process.

Following a show of hands it was unanimously:

#### **RECOMMENDED TO CABINET**

- i. To utilise the CIF to enable STC to bring about the timely purchase of the former Viking Public House, Tills Road, Sprowston to enable conversion into a new multi-use community hub;
- ii. To agree a £250,000 loan from the Community Infrastructure Fund to Sprowston Town Council;
- iii. To authorise the Director of Place to draft a legal agreement in accordance with the heads of terms referred to in paragraph 4.5.

### 6 STRATEGIC PERFORMANCE AND FINANCE REPORT FOR QUARTER 4

The Director for Resources introduced the report, which provided an overview of the performance of the Council in Quarter 4 against the key outcomes set out in the Delivery Plan for 2020/21.

The detail of the financial outturn for the period was broken down into the response and impact of the pandemic on substantive services and the usual outturn with regard to substantive services.

The response saw the Council providing direct financial support to individuals and businesses of over £40m. The majority of this funding had been spent, but £1.233m remained and it was proposed that this be allocated to an earmarked reserve in order to deliver an appropriate response to the pandemic in 2021/22.

The impact on the Council's services had been mixed; with some income streams being impacted negatively, such as Carrowbreck which had been forced to cease training and some income streams being impacted positively, such as recycling credits, which had increased significantly with so many more people at home during lockdown. Some projects had also slipped to 2021/22, such as staff training because they could not be delivered in year due to Covid. In total, the underspend for 2020/21 was £1.333m.

Members commended the new Environmental Project Reserve that would be used to fund a range of activities in the Environmental Strategy Action Plan. A Member suggested that this might be something to be looked at by the Committee in more detail and she would raise this as an item for the Work Programme at the next meeting.

In answer to a query about the non-delivery of some of winter editions of *Broadland News* it was confirmed that the Council had received a refund from Royal Mail.

It was noted that an overspend of £85,000 was due to Broadland's share of historical losses at CNC. These had arisen due to fluctuations in the pension fund. Members were advised that CNC had been run as a joint committee, but this had proven to be too expensive as each Council had different systems, so it had been agreed that South Norfolk would take on via a Section 113 Agreement.

The meeting was informed that the carry forward request of £65,000 from the People and Communities Directorate for the Local Authority Trading Company was listed under an old heading and would be carried forward under Waste Procurement Contract.

The Strategy and Programme Manager introduced the Performance section of the report. She highlighted the 12 measures that had met the year-end success criteria and were green.

These included:

**Number of working days taken to process new claims for Housing Benefit/Council Tax benefit.** Throughout the year there had been a 70 percent increase in new claims however the One Team had exceeded its target of processing new claims within seven days.

**Number of affordable homes delivered (including help to buy).** A further 64 new build affordable homes had been completed in Q4 bringing the cumulative total for new affordable homes in the District to 165 in 20/21.

Measures that were currently not meeting the year-end target or had missed the target by a narrow margin, included:

- **Collection rate of Council Tax.** The collection rate, whilst not reaching the target, had exceeded expectations considering the challenges faced during to the Covid-19 pandemic, which was extremely positive.
- **Percentage of household waste recycled.** Although Q3 saw a decrease of four percent, Broadland continued to have the highest total recycling rate in Norfolk at an average of 50 percent.

Measures that had not met the year-end target by a significant amount, included:

**Collection of Business Rates.** Collection performance had been impacted by the Covid-19 pandemic. Whilst some sectors such as retail had benefited from additional help through emergency Business Rate Relief, other sectors had not had the same form of assistance. The Team had worked proactively with businesses to offer extended and deferred payments where appropriate.

**Employment rate.** The fall in the employment rate reflected the first national lockdown and job losses as a result. However, the Bank of England was predicting that Britain was on track for the strongest growth since the Second World War this year, with a faster-than-expected recovery from the Covid-19 pandemic. To support a fast recovery, officers were undertaking a number of measures to address the threat of increased unemployment. These include acting as a lead partner in the Government's Kickstart scheme.

In answer to a query about recycling, the Director of Resources informed Members that although the amount recycled had increased, leading to an

increase in income, the percentage of recycling against the total amount of waste collected as a whole had decreased slightly.

It was also confirmed that the Council had been required to pass Business Support Grants in their entirety to organisations who were eligible to receive grants, and had not been permitted to deduct any monies towards Business Rates nor stipulate how grants should be spent by businesses.

A member expressed concern about recommendation 3 in the report, which would change the reporting schedule for performance measures to a six monthly basis, which could lead to issues getting overlooked for a longer period than they currently were.

In response members were reassured that internal monitoring would continue in regular consultation with Portfolio Holders. The information would only be in a different format than that which was drafted for Cabinet Performance Reports. Members were also asked to note that only Quarter 3 would no longer be provided as Quarter 1 had not been reported for some time.

A Member also questioned the staff satisfaction survey, which he had not seen the results of.

In response the Chief of Staff informed the meeting that an Action Plan had been developed encompassing the development of wellbeing resources and support for staff. There were also regular staff 'pulse' surveys to understand what issues were important to the One Team, and initiatives were undertaken in response to this. The Chief of Staff confirmed that she would have the Action Plan revised and drafted and forwarded to members.

A member reiterated his comments from when the last Performance Report had been considered regarding long-term sickness, which he thought should be included in the staff absence levels measure to provide an overall picture.

In response the Committee was advised that the measure had been agreed by Council as part of the Delivery Plan and if the measure was to be amended it would require a formal request to Cabinet.

In answer to a query about a timetable for a return to the office for staff, members were advised that teams would continue to be based in their appointed primary locations, although staff resource would continue to be available at secondary locations. However, agile working, (a mix of office based and working from home) would continue, so members were asked to continue to liaise with officers to ensure they would be available if required for in-person meetings.

In answer to a question about the definition of affordable housing, the Director of Place informed the Committee that this was defined by Government

regulation, for example affordable rent tenure was set at 80 percent of market rent in the local area.

The Portfolio Holder for Housing and Wellbeing added that there were many affordable housing options, such as shared ownership which could be for as little as 30 percent of a property.

Members voted separately on each recommendation to Cabinet. The Overview and Scrutiny Committee agreed an amendment to recommendation 2, as detailed below. Following a vote, the Committee did not endorse recommendation 3 that the performance measures reporting schedule be changed to update Cabinet in Quarters 2 and 4 only. The Committee felt it was important that members received regular updates and that Quarter 3 reporting should continue, as was the current arrangement. Therefore, it was:

### RECOMMENDED TO CABINET

1. To agree the revenue and capital position for Quarter 4 (variance details in Appendix 1);
2. To agree the 2020/21 performance measure update for Quarter 4, *subject to the inclusion of long-term sickness being recorded in measure 4 – Staff absence levels* (detail in Appendix 2);
3. *To maintain the current reporting schedule for performance measures;*
4. To agree to recommend to Full Council the slippage requests for both revenue (detailed in para 3.21) and capital (detailed in para 3.23);
5. Recommend to Council the creation of the following new earmarked reserve:
  - Environmental Projects Reserve (see 3.16).

*The Committee adjourned at 11.45 am and reconvened at 12.01pm, when all the Committee members listed above were present.*

## 7 EMPTY HOMES POLICY

The Assistant Director Individuals and Families introduced the report, which presented a revised Empty Homes Policy for Cabinet to approve its adoption.

The Policy was being refreshed to tackle empty homes and the costs of formal enforcement through Compulsory Purchase Order (CPO) or Empty Dwelling Management Order (EDMO) procedures and reflect changes to Government guidance in respect of CPOs, which would require the Council to make at least one offer of voluntary purchase to the owner. This must be prior to any commencement of the CPO process and the offer must be for a fair and reasonable purchase price.

The Assistant Director Individuals and Families confirmed that officers were now proposing that the reserve fund in recommendation 3 should be for

£600,000, not £500,000 as set out in the report. This would cover the purchase cost of two homes for the average price in the District of £290,964.

In answer to a query it was confirmed that the implementation of a current CPO procedure was on hold due to the change to the Government guidance.

Members were advised that when a property had been purchased via a CPO the Council had a range of options for its disposal, but would usually sell it by auction.

In answer to a suggestion about making greater efforts to publicise the financial assistance for empty homes that was available from the Council. The Committee was advised that some very generous grants and loans were available and communicated to the owners of empty homes. But as members will recognise it was not normal behaviour to retain an empty home, so it should not be surprising that these incentives were not taken up.

Members confirmed that they supported the officer's recommendation to increase the recommended reserve fund to £600,000. It was also recommended that the Overview and Scrutiny Committee should review the policy after one year to ensure it met its desired outcomes and to identify and make any recommendations for improvement.

Following a show of hands it was unanimously:

### **RECOMMENDED TO CABINET**

1. Cabinet to approve adoption of the Empty Homes Policy *and that this be reviewed by the Overview and Scrutiny Committee after one year*;
2. Cabinet to agree proposal that Cabinet provides approval to seek to undertake Empty Dwelling Management Order (EDMO) and Compulsory Purchase Order (CPOs) processes on a case by case basis;
3. Cabinet to approve creation within the 2021/22 financial year of:
  - A reserve fund of £600,000 (as recommended by officers during the meeting) in order to undertake a voluntary offer of purchase as part of a Compulsory Purchase Order procedure
  - A Housing Standards formal enforcement budget of £50,000 per annum

## **8 HOUSES IN MULTIPLE OCCUPATION DISCRETIONARY ACTIVITY POLICY**

The Assistant Director for Individuals and Families introduced the report, which presented the Houses in Multiple Occupation Discretionary Activity Policy to Cabinet for adoption. The policy would enable the Council to take a robust approach to tackling housing issues and support the wellbeing,



including those who are vulnerable. It also feeds into wider strategic ambitions to ensure a good quality of life for residents. The report also proposed amending an existing vacancy from Band E to Band F to enable the recruitment of a full time Community Enforcement Officer post.

In response to a query, it was confirmed that people operating unlicensed Houses in Multiple Occupation (HMO) could be liable to prosecution and banned from operating a licensed HMO.

Following a show of hands of was:

### **RECOMMENDED TO CABINET**

1. Cabinet to approve adoption of the Houses in Multiple Occupation Discretionary Activity Policy;
2. Cabinet to approve amending an existing vacancy from Band E to Band F enabling recruitment to 1fte Community Enforcement Officer post.

(The meeting concluded at 12.31pm)

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Chairman